

# Toms River's ailing business chief was ready to return; not so fast, mayor says

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TOMS RIVER - Former Atlantic City Mayor Don Guardian is out as Toms River's business administrator, as Mayor Maurice B. "Mo" Hill Jr. has appointed long-time Public Works Director Lou Amoruso to the job.

"It was time to part company," Hill said Wednesday of his decision to inform Guardian that his services were no longer needed.

Guardian, 66, who has been on medical leave since suffering a stroke June 9, had informed the council and mayor that he had recovered and intended to return to work on Sept. 4. He learned of his ouster last week.

Amoruso, who was named assistant business administrator earlier this year — over Guardian's objections — had been performing Guardian's duties since early June.

"I am impressed because we are accomplishing things. Things are being done," Hill said of Amoruso's tenure as acting business administrator. "He had a three-month-on-the-job interview."

Hill said Wednesday that he decided to notify Guardian that his employment with the township would be terminated as of Sept. 8. He said that Guardian, who was appointed to the business administrator's job by former Mayor Thomas F. Kelaher in January 2018, did not have a contract with Toms River.

Hill said he allowed Guardian to stay on when he took over as mayor in January, but that he had never officially appointed Guardian to the administrator's post.

"He serves at the mayor's pleasure," Hill said.

In an email sent to council members Sept. 8, Guardian described his termination as "illegal," and said he plans to consult with a lawyer to review his options. "I trust our paths will cross again," the email concludes.

Guardian suffered his medical episode near the end of the June 9 township council meeting that was being livestreamed, as residents were not yet permitted to attend meetings of the governing body. He had been recuperating at home in Atlantic City.



"I was more comfortable with the way I was working with Lou, and with the way the council was working with Lou," Hill said of his reasons for making the change. Under the township's strong mayor-council form of government, the business administrator is appointed by the mayor, with the advice and consent of council.

The five council members present unanimously approved Amoruso's appointment at the Sept. 8 council meeting, where council members Daniel Rodrick and Joshua Kopp were absent. They praised Guardian's service while adding that they were pleased with the Amoruso appointment.

Hill said he had discussed Amoruso's appointment with former Business Administrator Paul Shives, and said Shives "gave Lou his full support."



"I am very grateful that Don Guardian has made a full recovery; thank him publicly for his work with the township," Councilwoman Laurie Huryk said. She praised Guardian for his work in getting the township's Riverwood Park recreation building open for Toms River's Code Blue program, which provides shelter for the homeless when temperatures drop below 35 degrees.

"Lou has been right there with us," Huryk said of Amoruos, "just doing all of these projects that we have been working on, working towards. I am very happy that he is going to be continuing as our official B.A. (business administrator) going forward."

Amoruso, who retired from the New Jersey state police in 2005, has worked with the township's public works department since 2007, when he was appointed deputy director. He became public works director in 2008 and is tenured in that position, Hill said.

Amoruso served as assistant business administrator from 2009 to 2017. Hill said Amoruso will receive total compensation of \$177,012 as business administrator, which includes longevity pay and a \$5,000 bonus he gets for not taking health benefits from Toms River.

Amoruso receives medical benefits and a \$4,964 monthly pension from his time with the state police, according to state pension records.

Guardian's total compensation package was \$231,558, which included \$24,563 for health benefits, Hill said.

Hill said Amoruso will take a leave of absence from the public works job to serve as administrator. Deputy Public Works Director Anthony Benyola has been running the department as acting director since Amoruso took over the business administrator duties in early June, and is likely to stay on in that job, Hill said.

Hill praised Amoruso for working with township employee unions to waive the 45-day notice of impending furloughs normally required before furloughing workers.

The township furloughed 42 white-collar union employees, four blue-collar union employees, seven supervisors and seven confidential employees for 30 to 60 days earlier this year to help Toms River deal with the economic fallout of the coronavirus pandemic.



An additional 103 part-time, nonunion employees and 27 crossing guards were also furloughed; total savings to the township was about \$900,000, Hill said.

Hill also said Amoruso had also helped jump-start the necessary replacement of the police communications system in town, by organizing meetings with the Monmouth County and Ocean County sheriffs to review their communication dispatch systems.

Council President Maria Maruca remembered Amoruso's work in oceanfront Ortley Beach and other sections of the barrier island — as well as East Dover — in the aftermath of superstorm Sandy. The storm caused tremendous damage in Toms River's oceanfront and bayfront neighborhoods, and the public works department worked long hours to help remove debris and make repairs in the area, she said.

Earlier this year, Guardian said he had balked at Amoruso's appointment as assistant business administrator, and said he told Hill and Amoruso that such a position is not permitted by the state's Optional Municipal Charter Law,

or Faulkner Act, which is the form of government under which Toms River operates.

He said he had repeatedly warned Hill that the assistant business administrator position was not allowed.

Only larger towns are allowed to appoint assistant business administrators, Guardian said he told the mayor. He said he had learned about the prohibition on assistant business administrators during his tenure as mayor of Atlantic City.

Hill noted Wednesday that Dan Mahony had served as assistant business administrator under former mayor Kelaher, and Toms River's legal department had not objected to the title then.

"Who appointed Dan Mahony, when he was assistant B.A.?" Hill asked rhetorically.

He said he wished Guardian well.

"I wish him well in all his future endeavors," Hill said.

*Jean Mikle covers Toms River and several other Ocean County towns, and has been writing about local government and politics at the Jersey Shore for nearly 36 years. A finalist for the 2010 Pulitzer Prize in public service, she's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, 732-643-4050, jmikle@gannettnj.com.*