

COUNCIL MEETING

TUESDAY – MAY 20, 2008

8:00 P.M.

Mayor: Martin C. Konkus (absent)
Council President: Roger Pyrtko
Council Member: Brian McAlindin
Council Member: Shaun O'Rourke
Council Member: John Kaklamanis
Council Member: William Dikun
Council Member: Susan Rogers
Borough Attorney: Jerry J. Dasti

David A. Maffei, Municipal Clerk/Administrator is also in attendance.

THE PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY COUNCIL PRESIDENT PYRTKO.

STATEMENT BY MAYOR KONKUS: Pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. Notice of this meeting of the Governing Body has been posted in the corridor of the Municipal Building, published in the January 15, 2008 edition of the Asbury Park Press and published in the January 18, 2008 edition of the Ocean Star.

A. PROCLAMATION

1. Myasthenia Gravis Awareness Month

PROCLAMATION

WHEREAS, Myasthenia Gravis is a neuro-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

WHEREAS, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded, "to facilitate the timely diagnosis and optimal care of individuals affected by Myasthenia Gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care;" and

WHEREAS, Myasthenia Gravis is one of the major neuromuscular disorder affecting residents of New Jersey; and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;

NOW, THEREFORE, I, Martin C. Konkus, Mayor of the Borough of Point Pleasant, County of Ocean, State of New Jersey, do hereby proclaim the month of

JUNE 2008

AS

MYASTHENIA GRAVIS AWARENESS MONTH

Witness my hand and the Official Seal

Of the Borough of Point Pleasant, this

20TH day of May, 2008.

Martin C. Konkus, Mayor

2. **‘101 Days of Summer’ Click It or Ticket and Drink Alcohol and Drive, You Lose’**

**PROCLAMATION
‘101 Days of Summer’**

‘Click It or Ticket’ and ‘Drink Alcohol and Drive, You Lose’

WHEREAS, the days between Memorial Day and Labor Day 2008, have been declared the ‘101 Days of Summer’ in New Jersey; and,

WHEREAS, motor vehicle crashes are the leading cause of death for people between the ages of six and thirty three; and

WHEREAS, when used, lap and shoulder safety belts could reduce the risk of death and serious injury by 50 to 75 percent; and

WHEREAS, one of the best defenses against drunk and drugged drivers is the use of seat belts combined with air bags and child safety seats; and

WHEREAS, speed is a common cause of fatal traffic crashes; and

WHEREAS, the speed limits on New Jersey’s roadways were established for the protection of all the state’s residents; and

WHEREAS, the ‘101 Days’ campaign gives communities and organizations a unique opportunity to focus public attention on the lifesaving benefits of driving safe, sober and buckled.

NOW, THEREFORE, I, Martin C. Konkus, Mayor of the Borough of Point Pleasant, County of Ocean and State of New Jersey, join in this important statewide summer safety campaign, and do hereby proclaim the days between Memorial and Labor Day, 2008, as

‘101 Days of Summer’

and call upon all citizens to establish a goal of always buckling up, driving sober and obeying the State’s motor vehicle laws.

Witness my hand and the Official Seal of the Borough
of Point Pleasant this 20th day of May, 2008.

MARTIN C. KONKUS, MAYOR

B. PRESENTATION

1. Certificate of Recognition – Fire Explorers

**CERTIFICATE OF RECOGNITION
POINT PLEASANT FIRE EXPLORERS**

WHEREAS, The Brick Township Joint Board of Fire Commissioners, Brick Explorer Post 47 and the Jersey Shore Council Boy Scouts of American recently held a two day Explorer Expo 2008 competition at the Brick Township Fire Training Center; and

WHEREAS, some of the events the Explorers competed in included competitions with search and rescue, motor vehicle accident, second floor rescue, live burns, equipment identification and high angle rescue; and

WHEREAS, the Point Pleasant Fire Explorers Post composed of teens from Point Pleasant Fire Company #1 and 2 posts took home 10 out of 13 First Place wins, including Best Overall; and

WHEREAS, competing in this year's competition were Explorers Wes Bowlby, Tyler Carls, Danny Delaney, Anthony Frascetta, Kenny Gahr, Nick Hishon, Nick Koidl, Mike Marquis, Charlie McKeon, Steve Orciulolo, Travis Popiel, Mitch Remig, Jimmy Shrewsberry, Ben Springer and Jesse Waterson;

NOW, THEREFORE, I, Martin C. Konkus, as Mayor of the Borough of Point Pleasant and on behalf of the entire Borough Council and all of our citizens, do hereby extend this expression of pride on the achievements of each of the Explorers and their advisors and congratulate them for their skillful victories.

Witness my hand and the

Official Seal of the Borough

of Point Pleasant this 20th day

of May, 2008

Martin C. Konkus, Mayor

Mr. Pyrtko asked the Explorers to come forward. Mr. Dikun and Ms. Rogers also came forward while Mr. Pyrtko read the Letter of Recognition.

Council President Pyrtko congratulated them.

C. ORDINANCE – FINAL READING, PUBLIC HEARING

1. Amending Chapter VIII of the Borough Code Entitled “Building and Housing” with regard to required fees

AN ORDINANCE ESTABLISHING CERTAIN FEES AND AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, SECTION 6-3.4, OF THE CODE OF THE BOROUGH OF POINT PLEASANT, OCEAN COUNTY, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, AND STATE OF NEW JERSEY

AS FOLLOWS:

Section 1. Section 6-3.4 of the Code of the Borough of Point Pleasant is hereby amended to read as follows:

2. License Fee for Retail Liquor License

The annual license fee for retail liquor license in this municipality shall be and is hereby fixed as follows:

A. Plenary retail consumption liquor license, one thousand eight hundred and sixty-six (\$1866.00) dollars. Number of licenses – 6

B. Plenary retail distribution liquor license, one thousand eight hundred and Sixty-six (\$1866.00) dollars. Number of licenses – 2

C. Club License, one hundred and fifty (\$150.00) dollars. Number of licenses – 3

Section 2. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. This Ordinance shall take effect immediately upon final passage and publication as required by law.

APPROVE

Martin C. Konkus

ATTEST

David A. Maffei

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Point Pleasant in the County of Ocean on May 6, 2008 and will be considered for final passage at a regular meeting of said Governing Body to be held at Borough Council Chambers, Borough Hall, Point Pleasant, New Jersey on May 20, 2008 at 8:00 p.m., at which time and place any persons desiring to be heard will be given an opportunity to be so heard.

Mr. Pyrtko, Council President opened the meeting to the public.

Seeing no hands Mr. Pyrtko closed the public portion of the meeting.

MADE: Ms. Rogers

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

D. ORDINANCE – Introduction

1. Amending chapter VIII of the Borough Code Entitled “ Building and Housing” with regard to Required Fees

Mr. Maffei: The Borough Attorney’s office was unable to complete this ordinance and we ask that it be tabled until next meeting.

MOTION: To table

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

E. OPEN PUBLIC SESSION (Resolutions and Ordinances only)

5 Minute Limit Per Person

Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and deliberations. Section 5. Public

Participation. Each member of the public shall keep his or her remarks brief, pertinent to the issues being discussed and shall not exceed a time period of five (5) minutes in order to adequately provide all members of the public with the opportunity to address the Governing Body consistent with good order and efficiency.

MOTION: Open the meeting to the public Mr. McAlindin

SECOND: Ms. Rogers

APPROVED: All in favor

Council President or Mayor then opened the meeting to the public.

MOTION TO CLOSE PUBLIC PORTION: _____

Dennis Vitkauskis, Foster Road, On authorization #1 "Approve and Authorize submission of Request to Department of community Affairs Division of Local Government Services for Uses of surplus recreation trust funds" the Mayor appointed me to the Recreation Commission and I attended a meeting last Monday. We discussed the list that was going to be sent to Trenton. We went over the list and voted on it. This past Friday and e-mail was sent from the secretary of the Recreation Commission to the Borough Clerk with the list but there is an additional item on it. This was not voted on and it is lighting for the Community Park.

Ms. Rogers: It is off.

Seeing no further hands Mr. Pyrtko entertained a motion to close the public portion of the meeting.

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

ALL IN FAVOR.

F. MUNICIPAL BUDGET

1. (109-2008 Authorize Municipal Budget to be Read by Title

MOTION: Authorize Municipal Budget to be Read by Title

MOTION: Introduce Budget

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

G. RESOLUTIONS

1. (110-2008) Authorize Advertisement and Receipt of bids for Purchase of Sodium Hypochlorite Solution

MOTION: Authorize Advertisement and Receipt of bids for Purchase of Sodium Hypochlorite Solution

WHEREAS, the Borough of Point Pleasant has prepared bid specifications for the Purchase of Sodium Hypochlorite Solution; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Mayor and Council has approved said specifications and has determined that they will advertise for sealed bids for the Purchase of Sodium

Hypochlorite Solution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. Specifications, including drawings, plans, forms, etc., are hereby approved and incorporated herein by reference.

2. The Municipal Clerk/Administrator is hereby authorized to advertise for sealed bids for: Purchase of Hypochlorite Solution.

3. The Municipal Clerk/Administrator shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above named purchase or project.

4. Each bid shall be submitted as a written proposal in the manner designated in the specifications, and shall be signed by the bidder. The bid shall be enclosed in a sealed envelope bearing the name and address of the bidder on the outside and addressed to DAVID A. MAFFEI, MUNICIPAL CLERK/ADMINISTRATOR, P.O. Box 25, 2233 BRIDGE AVENUE, POINT PLEASANT, NEW JERSEY 08742. Said

Envelope shall be clearly labeled that it contains a bid for the Purchase of Sodium

Hypochlorite Solution.

5. Specifications and form of bids may be inspected or obtained under proper notice by prospective bidders during regular business hours 8:30 a.m. to 4:00 p.m. from the Municipal Clerk/Administrator, Borough of Point Pleasant, PO Box 25, 2233 Bridge Avenue, Point Pleasant, New Jersey 08742.

6. Sealed bids shall be called for and shall be received, opened and read in public in the Council Chambers of the Borough Hall, 2233 Bridge Avenue, Point Pleasant, New Jersey 08742 on Wednesday, June 4, 2008 at 10:00 a.m. prevailing time, or as soon thereafter as possible.

7. It is the sole responsibility of each bidder to see that bids are submitted on the date and time specified and IN NO EVENT SHALL ANY BE CONSIDERED OR ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR RECEIPT OF BIDS.

In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks or loss or misplacement of the sealed bid by the Municipal Officials or any other risk related to

the failure of the bidder to personally deliver the bid.

8. The bid quote shall be net to the Borough of Point Pleasant and shall be exclusive of any State or federal taxes. Each and every deviation from the specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.

9. Each bid must be accompanied by a bid bond, certified check or cashier's check payable to the Borough of Point Pleasant for not less than ten percent (10%)

of the amount bid, but not in excess of \$20,000 and shall be delivered at the place and time specified above. This requirement will not be waived.

10. A contract will be awarded to the lowest responsible bidder. The Borough reserves the right to reject any and all bids. The Borough Council reserves the right to waive unsubstantial irregularities in any bid.

11. A non-collusive affidavit in the usual form will be supplied with the Specifications and shall be executed by the person or corporate officer submitting the bid. Said affidavit must accompany each bid. These requirements will not be waived.

12. Bidders are required to comply with the requirement of P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list, either prior to the time for the receipt of bids or with the sealed bid, will be grounds for the rejection of the bid.

13. Bidders are required to comply with the requirement of P.L. 1975, Chapter 127 (N.J.S.A.10:5-31 et. Seq.).

14 Performance date shall commence as stipulated in Agreement or as stated in Specifications.

15. The second lowest bid shall be retained for a period of thirty (30) days after the award of the bid.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

2. (111-2008) Appoint Substitute School Traffic Guard, Tracey A. Stewart – Police Department

MOTION: Appoint Substitute School Traffic Guard, Tracey A. Stewart – Police Department

WHEREAS, there is a need for one (1) Substitute Traffic Guard within the Point Pleasant Borough Police Department; and

WHEREAS, the Chief of Police has recommended that Tracey A. Stewart be appointed to said position; and

WHEREAS, it is the desire of the Mayor and Council to fill said position.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. Tracey A. Stewart of Point Pleasant, New Jersey, is hereby appointed as a Substitute School Traffic Guard effective immediately, at an hourly rate of \$16.38 in accordance with the School Traffic Guard Agreement.
2. Copies of this Resolution to the Chief of Police, Chief Financial Officer, Appointee, Personnel File, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

3. (112-2008) Authorize Release of Maintenance Guarantee, Block 186, Lot 5 –ACMR, LLC

MOTION: Authorize Release of Maintenance Guarantee, Block 186, Lot 5 – ACMR, LLC

WHEREAS, the Borough of Point Pleasant has required the posting of a Maintenance Guarantee for certain site improvements in regard to Block 186, Lot 5; and

WHEREAS, the Borough and the Borough Engineer have inspected the site and have determined that it has been satisfactorily maintained in substantial compliance with Board approvals; and

WHEREAS, the Borough Engineer has recommended the release of the balance of said Maintenance Guarantee for the improvements on Block 186, Lot 5 conditioned upon the payment of all outstanding inspection fees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. That the Mayor and Borough Council do hereby authorize the release of the balance of the Maintenance Guarantee, for the improvements for Block 186, Lot 5 conditioned upon the payment of all outstanding inspection fees.
2. That the Chief Financial Officer or the Borough Official holding said Maintenance Guarantee is directed not to release said Maintenance Guarantee until the Chief Financial Officer has certified that all outstanding inspection costs have been paid.
3. That a certified copy of this Resolution be sent to: the Chief Financial Officer, Borough Engineer, ACMR, LLC, Construction Official and any other interested parties.

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

4. (113-2008) Authorizing Settlement of Tax Appeal filed by Verizon – New Jersey, Inc. for Block 161, Lot 2

MOTION: Authorizing Settlement of Tax Appeal filed by Verizon – New Jersey, Inc. for Block 161, Lot 2

WHEREAS, the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey (hereinafter referred to as the "Borough"), has defended a tax appeal filed by Verizon- New Jersey, Inc. ("Verizon") affecting property known and designated as Block 161, Lot 2 Point Pleasant, New Jersey (the "property"); and

WHEREAS, the assessment imposed by the Borough' Tax Collector for the property is \$1,328,200.00, and after negotiations with the property owner a proposed reduction in the assessment to \$566,432.00 has been recommended by the Tax Assessor; and

WHEREAS, as part of the settlement proposal Verizon will dismiss its appeal for the 2007 tax year; and

WHEREAS, the Borough has received a letter of recommendation from John E. Butow, (former) Tax Assessor, dated September 25, 007 recommending this settlement inasmuch as it is in the best interests of the Borough and its taxpayers; and

Whereas, the Borough finds that the recommendations of its Assessor are fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, THIS 6TH DAY OF May, 2008 by the Borough Council of the borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. The Borough accepts the recommendation of its Tax Assessor and authorizes a reduction in the tax assessment to \$566,432.00 which settlement will include a dismissal of the 2007 tax year appeal.
2. The Borough authorizes and directs the Mayor, Borough Clerk, Borough Administrator, Borough Attorney and Borough Tax Assessor to execute any and all necessary documents in order to implement the intent of this resolution.
3. A certified copy of this resolution shall be forwarded by the Borough Clerk to Martin Konkus, David a. Maffei, Borough Administrator/Clerk, Maryann Clear, Tax Assessor, Judith Block, CFO and Jerry J. Dasti, Esq.

MOTION: To table

MADE: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

4. (114-2008) Establish Beach Badge Fees for River Avenue and Maxson Avenue Beaches for the year 2008

MOTION: Establish Beach Badge Fees for River Avenue and Maxson Avenue Beaches for the year 2008

WHEREAS, it is necessary for the Borough of Point Pleasant to establish use fees for the Municipal River Beaches in order to meet operational costs and demands; and

WHEREAS, it is the desire of the Mayor and Council to establish fees that are reasonable, affordable, in conformance with current State law but also meet the operational needs of the Beaches; and

WHEREAS, on May 12, 2008 the Point Pleasant Borough Recreation Commission did adopt a Resolution recommending Beach Badge fees for the year 2008 and it is the desire of the Governing Body to confirm said fees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. That in conformance with the Resolution of the Point Pleasant Recreation Commission, the following schedule of fees shall be established and charged

for the use of Municipal River Beaches.

Adult Badge (age 13-59) - \$20.00 per season

Senior Citizen Badge (age 60+) - \$10.00 per season

Child Badge (age 0-12) – no charge

2. That this Resolution is effective immediately.

3. Copies of this Resolution be sent to: Karen Haycook, Recreation Commission,
Auditor, and other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

5. (115-2008) Authorize Refund of Demolition Bond, Block 122, Lot 13 TFM Builders

MOTION: Authorize Refund of Demolition Bond, Block 122, Lot 13 – TFM Builders

WHEREAS, TFM Builder, LLC, 2390 Riverside Terrace, Wall, New Jersey 08736 did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a single family dwelling at 1017 Rue Avenue, Point Pleasant, N.J., Block 122, Lot 13.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, and State of New Jersey as follows:

1. That the proper Borough Officials are authorized and directed to return to TFM Builders demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family dwelling at 1017 Rue Avenue, Point Pleasant, N.J. 08742.
2. Copies of this Resolution to: Construction Official, TFM Builders, Chief Financial Officer and any other interested parties.

MOTION: Adopt Resolution

Made: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

6. (116-2008) Authorize Refund of Demolition Bond, Block 109, Lot 1 – Cusack

MOTION: Authorize Refund of Demolition Bond, Block 109, Lot 1 – Cusack

WHEREAS, Daniel Cusack, 2418 Dorsett Drive, Point Pleasant, New Jersey did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a single family dwelling at 804 Richard Road, Point Pleasant, N.J., Block 109, Lot 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, and State of New Jersey as follows:

1. That the proper Borough Officials are authorized and directed to return to Daniel Cusack, a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family dwelling at 804 Richard Road, Point Pleasant, N.J. 08742.
3. Copies of this Resolution to: Construction Official, Daniel Cusack, Chief Financial Officer and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

7. Authorize Adjustments and/or Refunds on Certain Tax or Water/Sewer Accounts

MOTION: Authorize Adjustments and/or Refunds on Certain Tax or Water/Sewer Accounts

WHEREAS, the Municipal Tax Collector, from time to time, submits a schedule of adjustments and/or refunds due for various reasons; and

WHEREAS, it is the desire of the Mayor and Council to approve these adjustments and/or refunds as recommended by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean and State of New Jersey as follows:

1. Formal authorization is hereby given to adjust as necessary the accounts listed herein.

<u>BLOCK & LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
7-89.01	Dickinson.Conutrywide	1322.07	Refund on '08 Tax-overpayment
277-18.79	Sollas/Ocean First	1981.80	Refund '08 Tax-Overpayment

37-23	Engelken/Chase Mtg.	3500.00	Refund '08 Tax Overpayment
9-32	King/Washington Mutual	3255.72	Refund '08 Tax Overpayment
208-16	Gynn	1600.95	100% Disabled 1 st ½ '08 Taxes Adj. & refund

2. Certified copies of this Resolution to Tax Collector, Treasurer, Administrator and any other interested

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

8. (118-2008) Accept Void Check Report

MOTION: Accept Void Check Report

WHEREAS, from time to time it becomes necessary for the Chief Financial Officer to void checks for stop payment on checks, and;

WHEREAS, the Mayor and Council is desirous of keeping track of these void checks by separate resolution; and

WHEREAS, the Chief Financial Officer has listed below checks, which have been voided and/or stopped payment, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, that the Chief Financial Officer has voided checks and/or stopped payment on checks listed below and reissued new checks, if necessary.

CHECK #	AMOUNT	ACCOUNT	VENDOR	REASON
34586	\$573.06	PAYROLL	E. Baird	Wrong Amount
34589	\$638.83	PAYROLL	J. Stoddard	Wrong Amount

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

9. (119-2008) Authorize Refund of Demolition Bond, Block 124, Lot 19, TCB Associates, LLC

MOTION: Authorize Refund of Demolition Bond, Block 124, Lot 19, TCB Associates, LLC

WHEREAS, TCB Associates, LLC, Box 3204, Point Pleasant, N.J. 08742 did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a single family dwelling at 1119 Oakland Street, Point Pleasant, N.J., Block 124, Lot 19.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, and State of New Jersey as follows:

2. That the proper Borough Officials are authorized and directed to return to TCB Associates, LLC a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family dwelling at 1119 Oakland Street, Point Pleasant, N.J. 08742.
4. Copies of this Resolution to: Construction Official, TCB Associates, Chief Financial Officer and any other interested parties.

MOTION: ADOPT RESOLUTION

Made: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

10. (120-2008) Authorize Refund of Demolition Bond, Block 56, Lot 1 – Nase

MOTION: Authorize Refund of Demolition Bond, Block 56, Lot 1 – Nase

WHEREAS, Bruce Nase, 722 Beaver Dam Road, Point Pleasant, N.J. 08742 did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a single family dwelling at 3206 Herbertsville Road, Point Pleasant, N.J., Block 56, Lot 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, and State of New Jersey as follows:

3. That the proper Borough Officials are authorized and directed to return to Bruce Nase a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family dwelling at 3206 Herbertsville Road, Point Pleasant, N.J. 08742.

5. Copies of this Resolution to: Construction Official, Bruce Nase, Chief Financial Officer and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

11. (121-2008) Authorize Hourly Rate for Outside Employment of Off-Duty Police Officers with Regard to Administrative Costs including Social Security

MOTION: Resolution Establishing Hourly Rates for Outside Employment of Off-Duty Police Officers

WHEREAS, various businesses working within the Borough of Point Pleasant Borough have, from time to time, made requests for assistance from members of the Point Pleasant Borough Police Department to perform special assignment services such as direction of traffic at construction sites, etc.; and

WHEREAS, it is deemed to be in the interests of safety, that personnel specifically trained to undertake these activities be used in the performance of these duties; and

WHEREAS, the work to be performed is to be considered a "Special Assignment from Independent Contractors" and as such is exempt from the Fair Labor Standards Act; and

WHEREAS, PBA Local 158 has requested and Raymond Hilling, Chief of Police, has recommended, that the hourly rate paid to Municipal Police Officers for outside employment as set forth in Ordinance 1993-19 should be as follows:

- A. Direction of Traffic - \$55.00 per hour
Between 5:00 p.m. and 7:00 a.m. - \$75.00 per hour

All Other - \$55.00 per hour

WHEREAS, a six dollar (\$6.00) per hour surcharge is to be added to the above hourly rates and to be retained by the Borough, to cover administrative costs, including but not limited to, workers compensation, social security, billing and collections, etc.; and

WHEREAS, such assignments pursuant to ordinance 1993-19 shall be approved by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

WHEREAS, the Chief Financial Officer has certified that all payments listed on the attached schedules have received the signature of the Municipal Administrator signifying his review and approval; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay said bills, and has certified by signature on each page of the attached schedules that each item accurately reflects the vendor's name, corresponding check number and appropriate amount as actually appears on the respective check; and

WHEREAS, as means of internal control a designated Borough Employee has cross checked each schedule and has certified by signature on each page that each item accurately reflects the appropriate vendor's name, corresponding check number and appropriate amount as actually appears on the respective check; and

WHEREAS, the Chief Financial Officer shall list on said schedule all void checks created as a result of the computer Bill List run and that any other variations are appropriately noted in said schedules.

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kalamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

13. (124-2008) Authorize Person to Person and Place to Place Transfer of Plenary Consumption License from Clark's Liquor Operations Inc. to Clark's Caterers, LLC

MOTION: Authorize Person to Person and Place to Place Transfer of Plenary Consumption License from Clark's Liquor Operations Inc. to Clark's Caterers, LLC

WHEREAS, Clarks Landing Caterers, LLC has made application to the Mayor and Council for a Person to Person and Place to Place transfer of the Plenary Retail Consumption License No. 1524-33-007-004 held by Clarks Liquor Operations, Inc., said License to be used at premises located at 847 Arnold Avenue, Point Pleasant, New Jersey; and

WHEREAS, said applicant has submitted proof of publication of filing of the application to the Borough of Point Pleasant, Ocean County, a letter of consent to transfer the license, duly signed by George Truesdale, along with the proper transfer fees; and

WHEREAS, said applicant has complied with all rules, regulations and requirements for the transfer of said license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. That the Person to Person and Place to Place transfer of Plenary Retail Consumption License #1524-33-007-004 to Clarks Landing Caterers, LLC, be and the same is hereby approved effective the date of the transfer on May 21, 2008.

2. That a certified copy of this Resolution be forwarded to the Director of The Division of Alcoholic Beverage Control, Clarks Liquor Operations, Inc., Clerks Landing Caterers, LLC., and to any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

14. (125-2008) Authorize Release of Performance Guarantee, Block 251, Lot 43 – Schuler Property Maintenance

Motion: Authorize Release of Performance Guarantee, Block 251, Lot 43 – Schuler Property Maintenance.

WHEREAS, the Borough of Point Pleasant has required to posting of a Performance Guarantee for certain site improvements in regard to Block 251, Lot 43;

and

WHEREAS, the Borough and Borough Engineer have inspected the site and have determined that the site is in substantial compliance with Board approvals and is satisfactory; and

WHEREAS, the Borough Engineer has recommended that the release of the balance of the Performance Guarantee posted Schuler Property Management for the improvements on Block 251, Lot 43, conditioned upon the payment of all outstanding inspection fees, the posting of the required Maintenance Bond in the amount of \$9,336.00 and the posting of an additional Inspection Fee Escrow of \$500.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. **That the Mayor and Borough Council do hereby authorize the release of Performance Guarantee, posted for the improvements for Block 251, Lot 43, and conditioned upon the payment of all outstanding inspection fees, the posting of the required Maintenance Bond and the posting of an additional Inspection Fee Escrow of \$500.00.**

2. **That the Borough Engineer or other Borough Officials holding said Performance Bond are directed not to release said Performance Guarantee until the Chief Financial Officer has certified that all outstanding inspections have been paid and that the Maintenance Bond has been posted.**

3. **That a certified copy of this Resolution be sent to: Chief Financial Officer, Borough Engineer, Schuler Property Maintenance, and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

H. CONSENT AGENDA (123-2008) RESOLUTION

Motion: To approve consent items as summarized below

WHEREAS, general consent items have been submitted to the Borough Clerk that require Municipal approval from the Governing Body; and

WHEREAS, said consent items are hereby summarized as follows:

1. Application Raffle License, Big Brother/Big Sisters of Ocean County, Inc. on premise 50/50 to be held on July 14, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY AS FOLLOWS:

1. That the above general consent items as summarized hereto be and the same are hereby approved.
2. That a certified copy of this resolution be filed with the Borough Clerk and copies forwarded to any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. McAlindin: Yes

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

I. AUTHORIZATIONS

1. **Approve and Authorize Submission of Request to Department of Community Affairs Division of Local Government Services for Uses of Surplus Recreation Trust Funds (Tabled from 5/6/08)**

MADE: Mr. McAlindin

SECOND: Ms. Rogers

The list is as follows:

Backboards – Inside

Backboards – Outside

Basketball Goal

Basketball Score Clock

Bleachers – Outside

Bocce Court – Development of Bocce Program – Riverfront Park

Camp Rebates – Full, Half Day and Kindercamp

Chairs – Classrooms

Circus Day Event

Classroom Tables

Field(s) restoration – Seeding, Aeration, * roofing

Floor Beam

Floor Mats

Gymnastic Equipment – High Beam

Incline Mats

Mulch for Playground

New Program – Busing Tour “loop” & Facility Connection System

Photo ID System

Playground Equipment – Riverfront Park

Preschool Supplies

Reserve for Advance Purchasing

Reserve for Field Lighting

Resurfacing Interior Gym Floor – Recreation Center

Resurfacing Tennis Court – Recreation Center

River Beach Operating Costs

Roll out mats

Security Cameras – Multiple Parks & Beaches

Security Cameras – Recreation Center

Soccer Nets

Special Programs Director Salary

Staff T-Shirts

Tennis Nets

Vaulting Box

Water Day Event

Wrestling Uniforms

MOTION: Approve Authorization

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

2. **Approve Helicopter Air Space Use/Landing at Point Pleasant Borough High School for Summer Youth Camp – July 15, 2008**

Motion: Approve Helicopter Air Space Use/Landing at Point Pleasant Borough High School for Summer Youth Camp – July 15, 2008

MADE: Mr. McAlindin

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

3. **Request to Conduct Coin Toss, Fire Co. #1 at Bridge Avenue and Route 88 Intersection – May 31, 2008 (Rain Date 6/7/08) 8 a.m. to 3 p.m.**

MOTION: Approve request to conduct coin toss, Fire Co. #1 at Bridge Avenue and Route 88 Intersection – May 31, 2008 (Rain date 6/7/08) 8 a.m. to 3 p.m.

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

4. **Consent to Approve Special Permits for Social Affairs, Bay Head Shores Property Association July 5, 2008 (Raindate 7/6/08) 2 p.m. – 11 p.m. and August 30, 2008 (Rain date 8/31/08) 2 p.m. 11 p.m.**

MOTION: To approve Special Permits for Social Affairs.

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

5. Request to Conduct Block Party on East Bennett Avenue, July 5, 2008 (Rain date 7/6/08)
Noon to 10 p.m.

MOTION: Approve Request to conduct Block Party on East Bennett Avenue 7/5/08 (Rain date 7/6/08 – Noon to 10 p.m.)

Made: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

6. Request to Conduct Block Party on Pocahontas Avenue, June 28, 2008 (Rain date 7/5/08 5 to 10 p.m.)

MOTION: Approve request to conduct block party on Pocahontas Avenue 6/28/08 (Rain date 7/5/08) 5 p.m. to 10 p.m.

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

7. Manual Checks

MOTION: Approve Manual Checks

MADE: Ms. Rogers

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

8. Accept letter of resignation, David Margentino, Public Safety Telecommunications Operator – Police Department

MOTION: Accept letter of resignation, David Margentino, Public Safety Telecommunications Operator – Police Department

MADE: Mr. Dikun

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes, regretfully.

Ms. Rogers: Yes

CARRIES: Yes

9. Approve additional security lighting at various Borough Properties including the Skate Park and the Recreation Center

MOTION: Approve additional security lighting at various Borough Properties including the Skate Park and the Recreation Center

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

- 10. Request to conduct Skate Board Demonstration at Skate Park, June 7, 2008 At 3 p.m. to 6 p.m. – Feet First Inc./5 Boro Skate**

MOTION: Authorize request to conduct Skate Board Demonstration June 7, 2008 at Skate Park

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

- 11. Request to place tonnage restriction signs for Point Pleasant Beach Bay Avenue in Point Pleasant Borough near intersection with Route 88.**

MOTION: Authorize request to place tonnage restriction signs for Point Pleasant Beach Bay Avenue in Point Pleasant Borough near intersection with Route 88

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

J. COMMITTEE REPORTS

Mr. O'Rourke: The Rec Commission had a meeting to discuss this DCA list and it was a very good discussion and there were a lot of words said. They looked at the list and tried to be responsible and they understand that the Borough has to fix this and it has to get fixed now. They were appreciative that all of this work was done to try to make this happen and hopeful that the DCA will move with us on this list in a manner that is good for the Borough. If you look at the list it has quite a few good things on it. It spreads the funding around. I think it is a good list. I had the opportunity to meet with the Mayor and several other mayors in the area yesterday. Bricktown had a meeting about shared services. They Mayors had a session in the Beach last week. It was a good discussion. There are a lot of roadblocks put in place by the state. We talked about the Construction Department because the County has dropped us. We will have to set up our own mini county to do inspections and hopefully that will work out well. It seemed all the towns were very interested in making it happen. Also, a discussion came out about a shared bus service. The Ocean Ride does a wonderful job but it is only one or two days a week, twice a day from here to Toms River. It is not sufficient for a bus service. They do want to try to get together and make it work. Shared Services do not always save money. The discussion we had looked like we may be able to pull it off.

Mr. Kaklamanis: This year we were cut approximately \$196,000 so it is a reality that eventually shared services are going to come into play with local towns that border each other. Public works items etc. We will have to down size in costs. Also, in regards to the Riverfront Park I have some issues. On May 13th I met at the Riverfront Park in regards to a progress meeting and everything is moving on track. On May 12th we had a small northeaster and some topics came up and one of them was in regards to the volley ball court. The way the erosion took place and where the volley ball court was supposed to

be seeded and if it was there it would have been washed away and eroded . In regards to that I would like to make a motion to either it has to be redesigned and relocated or the other discussion was the liability of it or to do away with it. I would like to make a motion that due to the erosion and the feasibility of the volley ball court make a motion to have it not being viable and to do away with it.

Mr. Pyrtko: Isn't the volleyball court on sand?

Mr. Kaklamanis: Yes, it is but right where the northeaster storm was and the exact location of the boardwalk due to this northeaster believe it or not right where the board walk used to be located and built believe it or not the northeaster had washed away the sand right up to where the boardwalk would have been.

Mr. O'Rourke: I believe you are painting the picture a little black. It is not as bad as it looks.

Mr. Kaklamanis: Mother Nature did not make something up here Shaun. That is the way it was.

Mr. O'Rourke: I walked out there and my feet were dry.

Mr. Kaklamanis: You were not there the day after basically the erosion went right up to where the boardwalk was.

Mr. O'Rourke: It is a dynamic area and the water does come in and you would not want to put any real solid facilities there.

NO SECOND.

Mr. O'Rourke: I will make a motion for shifting the volley ball court to make it work on the site.

Mr. Pyrtko: Why don't we leave that to the Engineers?

Mr. Maffei: We need to have a vote because of the construction progress. They have to bring in piles to put in and this has to be resolved before they can come in and put the piles in. They asked for a vote tonight.

Mr. Pyrtko: What is their recommendation?

Mr. Maffei: There is not recommendation.

Mr. Kaklamanis: Once the piling starts getting put it there will not be any way to get down if they have to bring sand.

Mr. Pyrtko: You are making a motion to totally eliminate it?

Mr. Kaklamanis: Right.

Mr. Pyrtko: Did you talk to the Engineer about relocating it?

Mr. Kaklamanis: Relocating it

Mr. Maffei: The other option that the Engineer provided was there was a slight turn, about a 10 degree turn in the angle of the volley ball set up and that is the other option is to slightly turn it.

Mr. Pyrtko: Do you have a problem with that John?

SECOND: Mr. O'Rourke

Mr. Kaklamanis: This was recently dropped off.

Mr. Maffei: The contractor brought it to the attention of Bob Forsyth this afternoon. The problem was we do not have a meeting to the 17th. This had to be resolved before then.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Mr. Kaklamanis: We are in the process of redeveloping the rules and regs of all the parks, skateboard park, rec center and add some rules and regs so when the police department and officer show up they have more power to enforce the laws.

Mr. Dikun: Our well projects are moving along. The only thing I want to remind everyone of the water restrictions. They went into effect on May 15th. It has rained everyday since.

Ms. Rogers: On the Environmental Commission, they continued their educational program outside of the Borough. In Wall Township last Friday with the Cub Scout Pack 194 and continued on with the grant that we were awarded "Be Green to keep it Clean". It was such a success that I received a letter today from the Scout Pack thanking us and two additional requests for training sessions in Manasquan. It will also assist us with future grants next year. The presenters last Friday did an awesome job. We had about 100 Boy Scouts and Cub Scouts and they were really excited about the program. I wanted to say thank you to the Environmental Commission. The Public Safety Committee met last Wednesday and the people that were in attendance were Chief Hilling, Captain Williams, Lt. Larson, the Borough Administrator, Councilman Dikun, Councilman Kaklamanis, and we had a resident Dan Cusack and we received several e-mails. The purpose of the meeting was to look at the increased incidents that were happening at the Recreation Center, the Skate Park, Maxson Beach and Community Park. Everything from vandalism, littering, drug use, intimidation of the residents from undesirable elements, crude, vulgar behaviors, failure to comply to with the rules and regulations governing the Borough property and the overall citizen outcry, reporting unsafe conditions that prompted the public safety meeting. The results of the meeting provided an eye opening experience of what is actually taking place. Point Pleasant is not what it used to be. Our society and the installation of good and moral values overall, respect for people property, respect for parents, elders, authority are substantially diminished. I think what we are also experiencing is a more educated youth as to the system. How they work around things. It makes things very distorted and I think it is yielding a more defiant youth. A blatant disregard for rules, lack of fear and regret for their actions. Certainly, a lack of respect. With that we have outside sources that are coming in from other towns. I think what the committee ultimately decided is that we need to redefine our needs and the processes and provide for effective order and upgrade the safety. What we proposed is we put together an outline and we would like to move forward with this action plan. The first process is to develop an overall mission statement that has and represents a resolve command between the Governing Body, the Police Department and the Borough Administration and personnel. With that we need to evaluate the current rules and regulations that we have. We have put together a draft upgrade of the park or recreation uses and rules and regulations that we want to look at. We have current ordinances on the books and we want to evaluate that and how it is applicable to our current situations. Once we get through that, the public safety committee has already reviewed this. I received several comments from the Police Department relative to the park rules and regulations. Hopefully, Councilman Kaklamanis will be review this with the Recreation Commission. We want to establish a new ordinance not to to either combine all of the existing or add to or supplement to the ones we have. Whichever would be the most effective. We are hoping to have that for first reading for June 17th to present for reading. We also want to define in writing personal responsibilities for opening and closing of Borough properties, observation and review of the video devices and other

security applications and a modification to the existing surveillance systems for effectiveness and accuracy in incorporating the new surveillance systems for the other borough properties to include the skate park, upcoming Riverfront Park and Maxson Beaches. Through all of this development there is going to be new processes so with that we will need to provide for additional training, personnel and law enforcement, new engagement requirements, accents and processes. Basically, an overall signoff with the goals and missions. Once we have that in place we will want to put together a final action plan and then the Police Department will strictly enforce the process. We also are taking a look at what we had years ago, a Community Watch program. The Chief, myself, Lt. Larson, Lt. Colwell will be having a meeting very shortly to review the possibilities to put together another Community Watch Program. We will hopefully be able to report back to the Governing Body and to the public for the June 17th meeting. What this will do as we upgrade these Ordinances is to put into effect specific use limitations and hour of restrictions with consequences after the times have been set. There are certain statutes that Lt. Larson was able to provide me with today that talked about adoptions for curfew ordinances as to juveniles and we will be looking into that. And putting together once again use limitations and strictly enforced hour restrictions. This is what we have in the works and I would like to make a motion tonight that the Governing Body move forward with the redevelopment of a new and effective action plan for enhanced and improved public safety. That we move forward for an upgrade to our ordinance or a revamp of the ordinances based on Council's advice.

Mr. Dikun: Second.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Ms. Rogers: I look forward to the incoming comments from Mayor and Council. We are hoping that everyone will take a look at the draft of the existing ordinances and police regulations but the current draft of the rules and regulations for the parks for the parks and have comments back to the Public Safety Committee for June 2nd. End of report.

Mr. Pyrtko: I would like to thank Mr. Cusack for coming to last weeks meeting and he made the meeting with the Committee and we would like to see more of the public get involved like that. It is hard for us to do it alone. Thank you very much, Mr. Cusack.

Ms. Rogers: The same would go for Mr. Brennan, Mr. Constantino, Mr. Miller and future upcoming comments from any residents.

Mr. McAlindin: You had raised some valid comments about the soccer across the street and made a suggestion that we not leave the goals up seven nights a week. Rather put them up when they are being used on the weekend. Take them down during the week. I don't know where we stand on that.

Mr. Maffei: I advised Public Works of that and I don't know what they did.

Mr. McAlindin: That might defer some people who think that they have some entitlement over another group to use that soccer field on week nights. We introduced for first reading our budget tonight. Our next meeting is June 17th and that will be the public hearing. If you wish to comment you should attend that meeting. If it is approved as it stands right now it will result in a 2.44 cent increase in the tax rate. However, we may see a slight offset to that if the State of New Jersey approves \$70,000 in homeland security funding from 2007 to be used as tax relief that would result in about ½ cent being eliminated from that increase. For a final increase of 1.94 cents per \$100 of assessed evaluation. It would include an increase of 2.44 cents that will bring our new tax rate to 81.94 cents per \$100 assessed value. That is about a 3% increase. That is less than the State of New Jersey will allow in 2008. The budget is available at the Administrators office by the end of the week. If you have questions please come back to the next meeting and raise those issues. We have the pleasure of having our State Senator here tonight, Mr. Connors. I hope that you will be opposing the

legislation that the municipalities have opposed regarding the expansion of what items are negotiable with public unions. The Governor has sort of chastised local public officials regarding the outcome of negotiations with different public employee unions. I feel insulted when that happens because I would prefer to see that level practice what they preach. I don't believe a terrific example has been set in that regard regarding hard negotiating with certain collective bargaining units. We can't do anything if we don't have the available tools to come out with are public employee contracts that are in the best interests of the taxpayers. If you are going to now expand the scope of negotiation to include items that are not negotiable now and then force us to live with whatever outcome that PERC or public employee relations committee come up with on binding mediation, then you really don't help out the taxpayers with property taxes which make the job of public officials that much harder. I don't think it is in the best interest of the state to support that legislation. Likewise, there is another bill, that Bill is S-1137. There is another bills pending A-500 regarding Affordable Housing which would change the way affordable housing needs are financed and addressed. Based on the League of Municipalities recommendation I don't think it is in the interest of the local governments or municipalities of New Jersey to pass that Bill. Mr. Connors, I hope you will oppose those efforts. Jeff Serenian, our Counsel on COAH issues has asked that we meet with the COAH sub-committee to review and approve the opposed settlement agreement with the OB Dinner property on Route 88 and he would also like the Planning Board Attorney and the Engineer to assist in that regard to assist in that meeting. I told him I would ask for authorization from Council to approve that tonight. I think it is important that the Planning Board Attorney be there as well as the Engineer so that we are all on the same page. The meeting is tentatively scheduled for 6:30 p.m. on June 17th here. I make that motion that we approve the Planning Board Attorney and the Engineer to attend that meeting.

Ms. Rogers: Second.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Mr. McAlindin: That is all I have other than to say it is just about the start of summer with Memorial Day weekend. Stay safe and sober.

Mr. Pyrtko: I have some good news and some not so good news. The good news is our cell tower sites, one of our vendors is T-Moblil and they have been sending their rent to Point Pleasant Beach and we just received a check from the Beach for \$42,720, that is an oversight of funds. From now on I will be getting a monthly report of all of the rent receipts that we get. For the not so good news, we have an ordinance in town and it is 12-4.7 and I believe this ordinance covers taking Borough property. Today was the day metal is put out and last night we got hit pretty hard. Thanks to Officer Radsniak found one of the individuals with a landscape trailer filled with metals going door to door picking them up. Our Public Works Foreman and Recycling coordinator Jude Walker happened to be getting off of overtime and they are paving the streets on Morris Avenue and he came with a dump truck and confiscated all of the metals. When we have our metal pickup every month it is the third Tuesday of every month. You call into public works and give your name and address and what needs to be picked up and the trash truck goes around the next day and pick them up. Out of 200 stops about 30% there was nothing to be picked up. At \$11 per 100 pounds Jude estimated about \$300 worth of metals that were stolen. Jude I would like you to elaborate on this Ordinance.

Jude Walker, Recycling Coordinator: The metal recycling program has been going on for the last two years. I have been working for the town for 19 years and we used to receive about \$2.75 per 100 pounds for metal. Over the last two years it jumped from \$2.00 to \$5.00 and now it is \$11. With the economy is people are looking for money sitting at the curb. Once something is put out at the curb it becomes property of the town. The Borough received money for all of this. Metal is what we now get paid the most for. Over the last two years we are losing a large volume of this money. Last year we lost from \$10,000 to \$15,000. We deal with Bleuett's on Herbertsville Road. The other metal vendor is Brick Recycling. It is difficult for us to know what is taken there from Point Pleasant. What we gauge

is every month when we take our trucks out there we get slips and I compare that to the list of stops we have to know how many appointments were made. When these scavengers go around take the heavy stuff. They know when the pick up is and wait till it gets dark and they pick it up. People call the next morning and cancel because their items were stolen the night before. Over the last few months I started getting in touch with the Police Departments the day before and they patrol. This is when 75% to 80% of the stuff is disappearing. Yesterday it worked out when I notified each shift, on the 4-12 shift I got a call and Patroman Radsniak stopped someone doing just that. Driving around towing a trailer and picking up metal. We are losing a lot of money and with the way the ordinance is written it is a slap on the wrist. What we need to do it up the fines substantially. We have had these guys go out to Bluetts and they laugh and say give me \$100 fine. It is worth it to them. What I would suggest is to jump the fine to a minimum of \$500 for a first offense. Unless they can prove where they got it from we are going to take it. Last night it worked out perfectly. Last year we were able to nail three to four people. What I propose will save this money for the Borough. This money goes into the General fund. We could be making from \$20,000 to \$40,000. We are only making \$10,000. There is something wrong there. We are just hoping for the support of everybody. We can change this ordinance and get the money where it belongs.

Mr. McAlindin: Every Monday before your Tuesday pick-up why not give the police the list of addresses. They will know where to look.

Mr. Walker: It is pretty widespread. From Route 88 to the Bridge Avenue extension to the River is the hardest hit because it is the closest to Bricktown and to Bluetts. They will drive around and look where the metal is and then when it gets dark they will pick it up. It is a science to them. We do not want to burden the police. The first offense is only \$100.

Mr. Pyrtko: I would like to make a motion of \$1000 for a first offense. Plus confiscating of all of the metal and impounding the vehicle. We have to send a message. We have to have zero tolerance here.

Mr. O'Rourke: Second.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Mr. Pyrtko: Thank you to Officer Radsniak and to Jude Walker.

Mr. Pyrtko: Under the Mayors report, I have a climate control committee report by Lois Jacobson. Lois, please come up and explain.

Lois Jacobson: Last June the Mayor signed a Climate Protection Agreement with the Legal Woman's Voters. Myself and my co-chair. The Mayor signed on and he decided that I would run the Climate Action Control Committee for the Borough. We just had a meeting with the Mayor, Sue Rogers, and Bill Dikun. What we would like to do is an energy audit for the town. He asked me to do some research on any grants for energy audits. We have one grant right now and there is a three month period to apply. If you get the grant you get up to 75% of the cost of the audit and if the local government goes to implement the work of the audit you can qualify for the additional 25% of the audit. I looked into other energy audits. Stockton College will train up to 20 people but you have to buy software. It is about \$500.00. The training is three hours. I am still gathering other information. You need a wind turbine ordinance so that if anyone wants to put one in.

Mr. McAlindin: I think we should have an ordinance like this and it should be where our cell towers are located.

Ms. Jacobson: Ocean Gate was the first to have a wind turbine ordinance. I have a copy of it.

Mr. Pyrtko: Thank you Lois. This Sunday is the Memorial Day Parade at 1 p.m. Kicks off at STS Tire right to our park. A nice program. Hope to see Mayor and Council there.

Jerry Dasti is in attendance.

L. OPEN PUBLIC SESSION – 5 MINUTE LIMIT PER PERSON

Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and deliberation. Section 5. Public Participation. Each member of the public shall keep his or her remarks brief, pertinent to the issues being discussed and shall not exceed a time period of five (5) minutes in order to adequately provide all members of the public with the opportunity to address the Governing Body consistent with good order and efficiency.

MOTION: Open the meeting to the public Ms. Rogers

SECOND: Mr. Dikun

APPROVED: All in favor

Kelly Mickle, Atlantic Avenue, Every Friday when I read the Ocean Star I get very upset because there is very bad publicity about the Rec Center. I think personally we have the best rec center than any town. I have a seven year old. I think this should be recognized. All the teachers over there, all the programs, they are very wonderful and I would like to work with Council Member Rogers about the security. I am very, very scared to drop my daughter off there now because of the activity.

Mr. Pyrtko: I don't blame you. If you would like to exchange phone numbers it would be great to have you involved. We appreciate it.

Ms. Mickle: Thank you.

Scott Conklin, North Road, I commend Councilman Rogers about the issues in town and the vandalism. I think it is long overdue. It is about time something is done. I am voicing my opinion about the removal of soccer nets during the week. They are a vital part to the athletic activities. You have children their playing in addition to folks from outside. It should not be the rotten apples from outside that ruin it for all of us. I think it is a disservice to the youth of this town to take a piece of recreation away from us during the week. The school has their own properties but that is an open field. I can't see taking these soccer nets down during the week. Let the kids play. Thank you.

Nancy Pazienzo, Pulaski Drive: I don't know how many people drive by and see all of the kids out there from the ages, with parents and high school playing on those soccer nets. If you take those goals away, it means they will go and do something else. I would much rather have them there playing soccer. Look at a different way. The other thing is your list going to the DCA, I think you left out a few things. Is this the list that is being sent to the DCA? At the meeting the commission asked no dollars be put it int.

Mr. O'Rourke: They are approximate numbers. They are estimates.

Ms. Pazienzo: The commission asked we go forward.

Mr. O'Rourke: The commission approved the list as it is.

Ms. Pazienzo: You said you would put narratives to explain some of these things. Where are the narratives.

Ms. Rogers: It is on page 2.

Mr. O'Rourke: What you see here is that we are showing surplus and deficit. The Directors job we have to sell to them.

Ms. Pazienco: The play ground equipment and the Bocci Ball Court, they were part of the parks plan and now they are not. At the Commission meeting they talked about a wrestling club.

Ms. Rogers: It is an enhancement of the wrestling program.

Mr. McAlindin: I would suggest you speak with the people that run that program. They can tell you what it is. It is not a wrestling club, it is a rec program.

Ms. Pazienco: Usually you stay within your town and you pay for yourself. Rec soccer, travel, baseball, they all pay for themselves. It is open to other towns.

Mr. McAlindin: Yes.

Ms. Pazienco: With the way the list was is not what is on here.

Mr. O'Rourke: The list that is in front of you is going to the DCA.

Mr. McAlidin: The only narratives that I understood had to do with job descriptions that would be funded by the trust. It is not a narrative, it is a financial statement. That is what is being sent.

Chris Leonhardt, PBA 158, PBA 158 has prepared a statement. " It has come to our attention that the Sgts. Position for retiring Sgt. Wells will not be replaced. The PBA is aware of the Borough's financial position however, the PBA is not looking for additional promotions but is looking to keep and restore the table of organization. As you may or may not be aware, the Department currently has two officers performing all of the duties of the Police Captain and the Police Detective Lt. without having the job title and of course being paid to commence with it. These officers being the Control Commander a position previously held by a Captain and the Detective Bureau Commander a position previously help Detective Lt. in recent past. Both positions were not replaced although the officers continue to perform the same duties. When a police organization is successful it is because management is exceptional. Todays police supervisor must develop behavioral and social skills in order to deal effectively with the rapidly changing society. The Sgts. job is to obtain results to the people which is done by continuously training subordinates by instruction through example advising, counseling and coaching. Everyone benefits from effective training. The community get the protection and service that it deserves. Police officers do their jobs better and are in the professional status that they crave. The department accomplishes some of its goals and objectives and mitigates some of it s liability. It todays society when police departments are held liable for negligent training the additional elimination of the Sgts. Position would not be a wise investment for the future. Mayor and Council was afforded the opportunity to restore the Captain, Detective Lt. and Detective Sgt. Positions when presented with the 2008 police department budget proposed by the Chief of Police in which Chief Hilling proposed the restoration of the Captain and Detective Lt. positions as well as the replacement of the Detective Sgt. Position. We request that the members of the Council reconsider their decision as well as reconsider previous decisions that were made not to replace the Detective Lts. And Captains position. " Respectively submitted by PBA 158.

Chief Jeff Smith, Fire Co. #2, River Road, Councilman Dikun as most of you know is a past Chief and current member and current trustee of Fire Co. #2. I am pleased to be the Chief. I would like the public and the Press to know when you have been doing this as long as I have there is a lot of good talk sometimes and good intentions and sometimes I do it myself. Councilman Dikun promised to donate his Council salary to various organizations and one of them was my operating budget. I received a check. Thank you Mr. Dikun.

Kevin McLaughlin, 606 Highland Avenue, President of Fire Co. #2: Thank you Bill Dikun. It is really appreciated. On behalf of the committee that the Mayor is part of with the solar panels, alternative energy. We have submitted our name at the fire house to Jersey Central for their solar panel program. Whether we will ever get it or be considered for it we don't know. Our energy bills are almost \$700 for natural gas every month and over \$500 for electric. If the town does get involved and is afforded and we can share services with you with any program we would appreciate that.

John Ricardi, Barton Avenue, I am the President of Action Sports Association, it is a non-profit organization to support the development of the new industry action sports and create an education of that industry. This is a west coast industry and there are case studies that deal with activities and the benefits of these activities. We put a skate park in town and there is some friction and I would like to be involved with the problems at the skate park that are going on. There are some programs in California that are very positive. Unlike to old sports baseball and football, my program is try to have similar programs like create a skate, making a skateboard, I am working with Secaucus, New Jersey on these programs. I go to the skate board park and I am usually the only parent there. I know you had a surplus and maybe use it for a picnic bench or bleachers moved over there to have a competition. I am here to support the kids of this town. There are a lot of things for kids. I urge you to look at my web site. We are one of the first towns to have a skate park. We have to teach the structure and wear the proper equipment. We want to bring in professional skaters. We are the adults and we have to proceed with positive things for the kids. On June 21st it is National Skateboarders Day. Thank you.

Dan Cusack, Dorsett Drive, Thank you for Councilmembers Rogers and Kaklamanis regarding the public safety issues that were discussed at the last meeting. It was very positive. A few days after I rode past the recreation center and there was a fight in progress and the police cars were at the scene. Thank you to the police department. I know several residents can't be grateful enough. The police are doing a fantastic job. In regard to the nets on the soccer field, having those nets invites out of town people here week long to tear up the fields. Someone is going to get hurt. Little kids do not need nets to play. Leaving them there encourages full size adults to be played on that field. The town has got to be safe and I know you have a tight budget but in reference to the PBA listen to them about safety.

Seeing no hands Mr. Pyrtko entertained a motion to close the public portion of the meeting.

MADE: Mr. McAlindin

SECOND: Mr. Dikun

ALL IN FAVOR.

M. EXECUTIVE SESSION

MOTION: Adopt Resolution authorizing Mayor and Council to retire into Executive Session

WHEREAS, Mayor and Council are desirous of retiring into Executive Session to discuss applicable exceptions to the N.J. Open Public Meetings Act; and

WHEREAS, those matters relate to the following:

1. Personnel Matters – Hearing Officer, Potential Replacement Appointments

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Council shall retire into Executive Session to discuss the Aforesaid matters; and
2. That minutes shall be taken; and
3. That the matters to be discussed will be in all likelihood be known to the Public when and if the necessity for confidentiality no longer exists; and
4. That at the conclusion thereof, the meeting shall again be opened to the public.

MADE: Mr. McAlindin

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES:

CLOSE EXECUTIVE SESSION

MOTION:

MADE:

SECOND:

Mr. Pyrtko: _____ Mr. McAlindin: _____ Mr. O'Rourke: _____
Mr. Kaklamanis: _____ Mr. Dikun: _____ Ms. Rogers: _____

CARRIES: _____

MOTION: TO REOPEN PUBLIC SESSION

Mayor and Council returned to open session.

Mr. Dasti: It is for the Council to consider an appointment of a Hearing Officer with regard to certain pending disciplinary matters involving employees of the Borough. The recommendation is Stacy Kerr.

MOTION: Appoint Stacy Kerr, Hearing Officer in regard to disciplinary matters

MATTERS: Ms. Rogers SE COND: Mr. Dikun

Mr. Pyrtko: Yes Mr. McAlindin: Yes Mr. O'Rourke: Yes
Mr. Kaklamanis: Yes Mr. Dikun: Yes Ms. Rogers: Yes

CARRIES: Yes

MOTION: To appoint a Conflict Attorney to represent our interests in regard to negotiations regarding the Bricktown BTMUA

MOTION: To appoint Wegener Officer as Conflict Attorney in regard to Bricktown BTMUA

MADE: Ms. Rogers SECOND: Mr. Dikun

Mr. Pyrtko: Yes Mr. McAlindin: Yes Mr. O'Rourke: Yes
Mr. Kaklamanis: Yes Mr. Dikun: Yes Ms. Rogers: Yes

CARRIES: Yes

MOTION: To adjourn

MADE: Ms. Rogers SECOND: Mr. Dikun

ALL IN FAVOR.