

COUNCIL MEETING

TUESDAY – SEPTEMBER 2, 2008

8:00 P.M.

Mayor:	Martin C. Konkus (absent)
Council President:	Roger Pyrtko (Acting Mayor)
Council Member:	Brian McAlindin
Council Member:	Shaun O'Rourke
Council Member:	John Kaklamanis
Council Member:	William Dikun
Council Member:	Susan Rogers (via telephone from the Nat'l Republican Convention)
Borough Attorney:	Chris Connors

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

THE PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY ACTING MAYOR PYRTKO.

STATEMENT BY ACTING MAYOR PYRTKO: 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. "Turn the Town Teal" Campaign, Ovarian Cancer Awareness

Alyson Stout explained saving individuals by making them aware of Ovarian Cancer. Acting Mayor Pyrtko read the following Proclamation.

OVARIAN CANCER AWARENESS MONTH

SEPTEMBER, 2008

WHEREAS, ovarian cancer, the fifth most common cause of fatal cancer in the Union States, is a serious and under-recognized threat to women/s health across New Jersey and the nation; and

WHEREAS, ovarian cancer causes more deaths than any other cancer of the female reproductive system; and

WHEREAS, each year, thousands of American women are diagnosed with ovarian cancer and many lose their lives to the disease because it is often diagnosed at an advanced state; and

WHEREAS, more ovarian cancer research can help to develop reliable diagnostics, better therapies, and prevention strategies thereby offering women in New Jersey each year the opportunity to win their battle for life against the most deadly of all gynecologic cancers.

NOW, THEREFORE, BE IT RESOLVED that I, A. Roger Pyrtko, Acting Mayor of the Borough of Point Pleasant, County of Ocean, State of New Jersey on behalf of the entire Governing Body do hereby proclaim September as

OVARIAN CANCER AWARENESS MONTH

In the Borough of Point Pleasant.

B. PRESENTATION

1. Police Department Commendations

The following commendation letters were presented to Lt. Michael Colwell, Sgt. Kenneth Cooper and Police Officer Chris Phillips.

Point Pleasant Borough Police Chief Raymond Hilling has reported to the Governing Body that your professional and decisive actions on Monday, August 18, 2008 were instrumental in saving the life of a young Borough Resident.

After securing the vehicles involved in the collision, you immediately started administering CPR and use of the defibullator until the arrival of the First Aid Squad.

Your intuitiveness and determination along with two other members of the Police Department as well as the members of the Point Boro First Aid Squad were crucial in saving this man and his family and friends from a potential tragedy.

On behalf of Mayor Konkus and the entire Borough Council, please accept their letter of commendation as a representation of our pride and gratitude for a job well done.

On behalf of the Governing Body,

David A. Maffei, Municipal Clerk/Administrator

Lt. Colwall explained the circumstances surrounding the attack the individual had and thanked everyone in Police and First Aid for all they did.

Charles Wills, First Aid, thanked the Police and said they were very proud to work along with the Police.

C. ORDINANCE – Final Reading, Public Hearing

1. Repealing Chapter XIII of the Borough Code Entitled “Protection of Shade Trees” and Establishing new Chapter XIII Entitled “Trees”

MOTION: ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING CHAPTER XIII OF THE BOROUGH CODE OF THE BOROUGH OF POINT PLEASANT ENTITLED “PROTECTION OF SHADE TREES” AND ESTABLISHING A NEW CHAPTER XIII ENTITLED “TREES”

BE IT ORDAINED, by the governing body of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

SECTION 1. Chapter XIII of the Borough Code of the Borough of Point Pleasant is hereby repealed and replaced with new Chapter XIII entitled “Trees” which shall read as follows:

CHAPTER XIII

TREES

§ 13-1 Findings.

The Borough of Point Pleasant finds and declares that indiscriminate, uncontrolled and excessive destruction, removal and clear cutting of trees upon lots and tracts of land results in increased drainage control costs, increased soil erosion and sedimentation, decreased fertility of the soil, degradation of water resources, decreased groundwater recharge, increased buildup of atmospheric carbon and increased dust and decreased property values, all of which negatively affect the character of the Borough of Point Pleasant.

The Borough of Point Pleasant further finds and declares that the removal of trees adversely affects the health, safety and general welfare of our residents, and therefore the Borough desires to regulate and control indiscriminate and excessive cutting of trees by preserving the maximum possible number of trees in the course of development of a site, ensuring that the health of trees preserved on a site is maintained throughout the development process, protecting larger, older specimens of trees and encouraging innovative design and grading to promote the preservation of existing trees. It is recognized that there is a strong relationship between the integrity of the Borough and the region's water resources, the development on steep slopes, tree removal, soil disturbance, stormwater management and the general use of land resources. Therefore, the appropriate management of these resources is an important health, safety and general welfare concern.

§ 13-2 Definitions.

For the purpose of this Article, the following words shall have the meanings indicated:

BUFFER AREA – The distance from the side and rear property lines beginning at the front setback line of the lot and running to the rear line in the case of the side lines and for the entire width of the rear line. For specific buffers, refer to Chapter XIX, Land Use.

BUILDING PLOT – A parcel of land upon which a building has been or may be erected in accordance with Chapter XIX, Land Use.

NURSERY, GARDEN CENTER, ORCHARD or TREE FARM – Only such land within the municipality used for horticultural purposes under controlled agricultural conditions.

PERMITS – A license issued by the Zoning Officer to remove or destroy trees from any land as defined in this section.

SHRUB – A woody plant that is never tree-like in habit and produces branches or shoots from or near the base, such as kalmia, rhododendron, azalea, ilex, viburnum and similar species.

TREE – Any living deciduous tree having a trunk of a diameter greater than three (3) inches DBH (diameter breast high), any living coniferous tree having a trunk of a diameter greater than three (3) inches DBH or any living dogwood (cornus florida) or American holly (ilex opaca) having a diameter of one (1) inch or greater DBH.

§ 13-3. Applicability.

The provisions of this Chapter shall apply to all unimproved or vacant lands within the borough. Where a structure is located on a lot, the owner of the

property may not claim exemption from this Chapter for more than the minimum land required by Chapter XIX, Land Use, for the particular structure in question.

§ 13-4. Permit required; application.

- a. Permit required. No person, including the property owner, shall remove or destroy or cause to be removed or destroyed, by any person, any tree on any tract of land within the borough covered by this Chapter unless a permit is obtained for such removal. However, a tree may be removed without first having obtained a permit in the event of an emergency, or where the immediate removal of the tree is necessary in order to prevent personal injury or property damage and where the circumstances presented would make application for a permit unreasonable. Nothing in this Chapter shall require a permit for the removal of a fallen tree.
- b. Application fee. The permit shall be obtained from the zoning office upon an application being made therefor and a fee of twenty-five dollars (\$25.) with each application.
- c. Application information where no building permit is requested. An application for a permit for removal or destruction of any tree or trees where no building permit is requested shall contain the name of the applicant, the name of the owner if different from the applicant, the location of the trees on a sketch of property and the reason for removal or destruction.
- d. Application information where building permit is sought. For an application for a permit for removal or destruction where a building permit for construction is being sought, the property owner shall file with the site plan a plan showing which trees on the property are to be removed, together with the species and condition of such trees shown on the plan by the architect or engineer, under the seal of such architect or engineer, and shall also provide the same information for the trees which are to remain on the land.
- e. Issuance of permits. The Zoning Officer, after consultation with the Borough Engineer, as well as the Environmental Advisory Commission and the Planning Board as set forth in 13-4f. shall determine which trees may be removed and the permit for such removal shall be issued by the Zoning Officer.
- f. Referral to other agencies. The Borough Engineer or Zoning Officer shall refer the application to the Environmental Advisory Commission and the Planning Board for its review and comment when the application concerns property which is zoned commercial or when the applicant seeks to remove the majority of trees from a property in excess of _____ acre(s).
- g. Minimum land requirements. An owner of a structure on a plot of land may not claim exemption from this Article for more than the minimum land required by Chapter XIX, Land Use, for the particular structure in question.
- h. Appeal. In the event of denial of any permit, the applicant seeking appeal from the decision of the Borough Zoning Officer may appeal to the Zoning Board of Adjustment whose decision is final.

§ 13-5. Standards for removal.

- a. Any area to be occupied by a building, driveway, drainage field, septic tank, recreation area (tennis courts, swimming pools or similar facilities) may have the trees removed but for a distance of not more than fifteen (15)

feet around the perimeter of such facilities, provided that the same does not violate any buffer requirements within the zone.

- b. The Borough Zoning Officer and/or Borough Engineer shall view the land where the tree or trees are to be removed, as well as drainage, grade and other physical conditions existing on subject or adjoining property, and will consider advice from the Planning Board and the report from the Environmental Advisory Commission in determining whether to issue the permit.
- c. The permit shall be granted if there is a finding that the removal and destruction will not impair the growth and development of remaining trees on the property of the applicant or adjacent properties and would not cause erosion of soil, impair existing drainage, lessen property values in the neighborhood or impair the aesthetic values of the area.
- d. The spirit of the provisions of this Article shall be to grant permits in buffer areas only for compelling reasons as it is essential to maintain aesthetic values and preserve privacy, but most importantly, to maintain a healthy environment, and to provide soil erosion and drainage control.

§ 13-6. Tree protection.

- a. No structure, equipment or movable machinery shall be permitted to operate within the dripline of any tree which is to be saved in order not to disturb the soil and thereby injure the tree, except when the dripline of the tree is within the fifteen-foot area set forth in § 13-5a.
- b. Exempt lands. The following lands shall be exempt from the provisions of this Chapter: nurseries, garden centers, orchards, or tree farms or borough, county and state land.
- c. If the removal of or destruction of trees will impede or hamper the growth and vigor of the remaining trees, removal will not be permissible unless a stump grinder is utilized.
- d. No soil material, equipment, temporary buildings and work areas, fuels, paints and other construction items shall be placed within the dripline of the tree, unless previously approved by the Borough Zoning Officer and/or Borough Engineer.
- e. Trees to be saved shall be fenced in or heavily marked with ribbon so none are mistakenly bulldozed down or injured.
- f. If it is necessary for equipment to move through the dripline of a tree, a protective fence must be placed at least five (5) feet from the tree trunk and the remaining area covered with a wood chip mulch four (4) to six (6) inches deep. Interlocking metal sections are to be placed on top of the mulch for driveways.
- g. If branches must be pruned to make room for construction, standard pruning techniques should be followed as set forth by the International Society of Arboriculture and be subject to inspection by the Borough Zoning Officer or Engineer.
- h. Any tree of historical significance or otherwise significant by reason of its rarity or environmental significance shall be given special consideration and shall not be cut or destroyed unless there is no possible alternative.

§ 13-7. Removal of diseased trees; expert fees.

- a. No fee shall be charged for a permit authorizing the removal of diseased or damaged trees or in applications where application is made for a building permit.
- b. In cases where the services of a tree expert are required, the cost thereof shall be borne by the applicant.

§ 13-8. Violations and penalties.

Any person, corporation, firm, partnership or other entity violating or causing to be violated any of the provisions of this Article shall be fined not more than two thousand dollars (\$2,000.), imprisoned in the county jail for not more than ninety (90) days and/or serve a period of community service for not more than ninety (90) days, for each violation of this Article. Each and every day that such violation continues shall be considered a separate violation. Each tree or shrub destroyed or removed in violation of this Article shall be considered a separate violation.

§ 13-9. Enforcement.

The provisions of this Article shall be enforced by the Borough Zoning Officer, Code Enforcement Officer, Borough Engineer, and Borough Police Department.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on the first reading by the Borough Council of Point Pleasant Borough, New Jersey on August 19, 2008. The Ordinance will be considered for second and final reading at a meeting of the Borough Council on September 2, 2008 at 8:00 p.m., or as soon thereafter as the matter may be reached and considered, at the Municipal Building located at 2233 Bridge Avenue, Point Pleasant, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance at that time.

DAVID A. MAFFEI, RMC/CMFO
Borough Clerk/Administrator
Borough of Point Pleasant

MOTION: To table

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Al Clericuzzio stated he reviewed the ordinance and found it to be cumbersome and should await work back from the other experts.

Douglas Ball, 1105 Bradford Drive, asked who is making the decision. This struck him as a lot of government being involved in private property.

Mr. McAlindin: If someone has a tree and they may not like it anymore we have decided that we might give them a second opinion as to what they can do with their property. I believe you can do whatever you want with your property unless there is some compelling governmental reason to tell me whether I can cut down my tree or not. Historically and constitutionally if that is your tree and you want to say heat your home you are entitled to do that. That is your property. With all due respect to everyone that worked on it environmentalist sometimes get carried away.

Mr. Pyrtko: Our Attorney just brought up a fact.

Mr. Chris Connors, Borough Attorney: Just so everybody understands exactly what we are going to disagree about. The ordinance specifically applies to unimproved and vacant properties within the Borough. Not every lot in town would be covered by this ordinance. The only time it would be covered by this ordinance is if it were vacant or unimproved or if it were an improved lot where the size of the lot exceeded the minimum lot size requirements for that zone. Than that portion that exceeded it would be covered. The Gentleman that came up and said he had a fairly large lot provided that lot exceeded the lot size requirements for that zone which it sounded like it did. You would in fact be covered. There are circumstances in which residential areas that have a residential house would be covered. Those that just meet the minimum lot requirements would be exempt under the ordinance. It was as Councilman McAlindin recommended the notion of the Governing Body in proceeding was to try to stop the clear cutting of a vacant lot. Often what happens is someone comes in and clears it and then comes in with an application when it is too late to do anything. That was the original genesis of the ordinance. A lot of people had their hand in it and voice some opinions and we massaged it and this is the product that is there now. There is room for disagreement. To answer your question this is taken from model ordinances from a number of municipalities from this area that have similar language in the ordinance. It doesn't apply to all properties, only vacant, unimproved or those that exceed the minimum lot coverage requirements and commercial properties. I am not defending the ordinance but to explain what is covered and what is not covered.

Mr. McAlindin: Where it says where a structure is located on a lot, the owner of the property may not claim an exemption of this chapter for more than the minimum land required by Chapter

Mr. Connors: If it was a 75' x 100' lot requirement and you had a structure on that you could not claim an exemption for the 25' x 100' portion that exceeds.

Mr. O'Rourke: That kind of contradicts vacant and unimproved lots.

Mr. Connors: It starts our very simple. It was unimproved vacant, period. This had a substantial amount of review by a lot of people. There were suggestions that were forwarded to me. We tried to incorporate suggestions made by a group from the Environmental Commission.

Mr. O'Rourke: In January and February we were talking fifty pages. It worked its way down to this today. The point I would like to make is that there are a number of loop holes and spots where I have questions about the wording of the ordinance.

Mr. Kaklamanis: A day late and a dollar short.

Mr. O'Rourke: It is not a day late or a dollar short. Now is when we talk about it.

Acting Mayor Pyrtko: John, as Al brought up I would like to hear from the County and different person.

Mr. Kaklamanis: This has never been hidden, it has been out in the open, out in the public, we have

Mr. Pyrtko: At the eleventh hour everyone has questions, that's all.

Mr. Kaklamanis: It is not as though we are trying to rush this through.

Mr. McAlindin: I have a lot of questions. What about the acreage.

Mr. Kaklamanis: 50' X 100' lot.

Mr. Connors: That is an interesting questions. That is the threshold. I am suggesting to carry this or table this. You cannot proceed until that was not filled in. You cannot fill that in upon adoption. It should be re-advertised.

Mr. McAlindin: My other question is what constitutes the dripline of a tree?

Mr. Kaklamanis: The branches of the tree.

Mr. O'Rourke: According to this, you cannot do anything under the dripline of a tree. That means you cannot park a car under a tree.

Mr. Kaklamanis: Shaun, give it to me in writing and let me have it and we will update each other.

Mr. Pyrtko: We have a motion to table and a second.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

D. ORDINANCES – Introduction

1. Amending Chapter VIII “Building and Housing” for Fees

Mr. Connors: The actual drafting of the Ordinance would not be able to be completed in time to have the full ordinance in front of you for tonight. It is suggested that the Ordinance be introduced by title. The draft will be forwarded to you for publication.

Mr. Connors read the following title.

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH CODE IN PARTICULAR SECTION VIII ENTITLED “BUILDING AND HOUSING” TO REVISE THE CHARGES AND FEES FOR CONSTRUCTION AND ZONING PERMITS.

Made: Mr. O'Rourke

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

E. OPEN PUBLIC SESSION (Resolutions and Authorizations 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. Dikun

SECOND: Mr. McAlindin

APPROVED: All in favor

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

MOTION TO CLOSE PUBLIC PORTION: _____

Nancy Pazienza, 2301 Pulaski Drive, I am looking at your list of bills, Resolution 196-2008 and the second page says "Recreation Trust \$3509.99". Under that it says "Recreation trust new account \$20,791.01". I am just wondering what happened to the large amount that was down to \$120,000 now that is about \$24,000 if you put that together. Where is the rest of the money or was it spent.

Mr. Maffei: That is not the balance. That is the charges that are being paid out of that account.

Ms. Pazienza: Thank you for the clarification.

Chris Leitner, 804 Donna Drive, I was wondering if the Council can explain #8 and #9 and #16.

Mr. McAlindin: #8 is a monthly thing, it is Authorize Adjustment and/or refund on certain tax or water/sewer accounts. This is where we find for one reason or another something was over billed, billed twice or a veteran's exemption. It is an adjustment.

Mr. Maffei: There were a series of tax appeals that were filed by Pulte Homes and the judgment has to be recorded.

Mr. Mr. Leitner asked what the Corrective Action Plan is? (#9 - #191-2008)

Mr. McAlindin: Every year we get a report from the DCA that is a result of reviewing our prior years budget and our audit and recommendations if we have not complied with any aspects of State Law they identify that. Members of the Council are in charge of reviewing that corrective action.

Mr. Leitner: The last one is the seven police cars (#16 - #199-2008)

Mr. Maffei: We did public advertisement for cars and there were numerous vendors that picked up the specifications. Only one vendor submitted a bid. The bid was received almost a half hour after the time that was called for the bid to be opened. We have to re-bid it.

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

MADE: Mr. Dikun

SECOND: Mr. McAlindin

ALL IN FAVOR.

1. (175-2008) Confirm Appointment of Travis Girard Popiel as Public Safety Telecommunication Operator Trainee – Police Department (Tabled from 8/19/08)

MOTION: Confirm Appointment of Travis Girard Popiel as Public Safety Telecommunication Operator Trainee – Police Department (Tabled from 8/19/08)

WHEREAS, a need exists within the Police Department for a Public Safety Telecommunications Operator Trainee; and

WHEREAS, the Police Chief has recommended the appointment of Travis Girard Popiel, Point Pleasant, New Jersey to fill said position; and

WHEREAS, BY POLL OF THE Borough Council, the Governing Body did approve the appointment of Travis Girard Popiel and now wants to confirm said appointment.

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. Travis Girard Popiel, Point Pleasant, New Jersey, is hereby confirmed as appointed to the position of Public Safety Telecommunications Operator Trainee in the Police Department, effective immediately, at an hourly rate of \$12.5596.

2. Said appointment is on a full-time provisional basis, pending successful completion of a ninety-day probationary period and approval by the New Jersey Department of Personnel.
3. Certified copies of this Resolution to Municipal Administrator, Police Chief, Chief Financial Officer, Appointee, Personnel File, 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

2. (184-2008) Authorize Execution of Change Order No. 1 – Riverfront Park Construction Project – Eagle Construction Services Inc., Net Increase \$19,190.00

MOTION: Authorize Change Order #1 – Construction of Riverfront Park

WHEREAS, the Borough of Point Pleasant previously awarded a contract to Eagle Construction Services, Inc., 1624 Jacksonville Road, Burlington, New Jersey, 08016 for the construction of the new Riverfront Park; and

WHEREAS, the Borough Engineer has recommended that a Change Order, known as Change Order #1 , in the amount of a net increase of \$19,190.00, which defines adjustments to contract quantities and amount for such projects be authorized; and

WHEREAS, the total amount of the Change Order authorized by this Resolution is within permitted limits.

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of September, 2008 by the Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

- 1. Change Order #1 in the amount of a net increase of \$19,190.00 with Eagle Construction Services, 1624 Jacksonville Road, Burlington, New Jersey is hereby authorized.**
- 2. That the Mayor is hereby authorized to execute same.**
- 3. Copies of this Resolution to: Eagle Construction Services, Inc. Chief Financial Officer, Contract 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. (185-2008) Authorize Refund of Demolition Bond, Block 297, Lot 6 – Aggressive Contracting

MOTION: Authorize Refund of Demolition Bond, Block 297, Lot 6 – Aggressive Contracting

WHEREAS, Aggressive Contracting, P.O. Box 712, Point Pleasant, New Jersey 08742, did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a structure at 2138 Beach Boulevard, Point Pleasant, New Jersey 08742,

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 Aggressive Contracting, a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a structure at 2138 Beach Boulevard, Point Pleasant, N.J. 08742.**
- 2. Copies of this Resolution to: Construction Official, Aggressive Contracting, Chief Financial Officer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

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

3. (186-2008) Authorize Refund of Demolition Bond, Block 297, Lot 23 – Horton

MOTION: Authorize Refund of Demolition Bond, Block 297, Lot 23 – Horton

WHEREAS, Carol Horton, 2344 Oriole Way, 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 structure at 1727 Bay Blvd., Point Pleasant, New Jersey 08742,

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 Carol Horton, a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a structure at 1727 Bay Blvd., Point Pleasant, N.J. 08742.**
- 4. Copies of this Resolution to: Construction Official, Carol Horton, Chief Financial Officer 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

5. (187-2008) Authorize Appointment of Sharon Bestine as Part-Time Clerk in the Tax Assessors Office

MOTION: Authorize Appointment of Sharon Bestine as Part-Time Clerk in the Tax Assessors Office

WHEREAS, the Mayor and Council have determined that a need exists within the Tax Assessor's Office for a part-time Clerk; and

WHEREAS, the Tax Assessor recommends Sharon Bestine be appointed as part-time Clerk.

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. The appointment of Sharon Bestine as part-time Clerk in the Tax Assessor's Office is hereby confirmed.
2. Said appointment is effective immediately upon transfer by the Appointing Authority at an hourly rate of \$14.4874 per hour with a maximum permitted number of eighteen (18) hours per week.
3. Certified copies of this Resolution to Municipal Administrator, Tax Assessor, Chief Financial Officer, Appointee, 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

6. (188-2008) Authorize Appointment of Stephen G. Patterson as Part-Time Fire Sub-Code Inspection – Construction Department

MOTION: Authorize Appointment of Stephen G. Patterson as Part-Time Fire Sub Code Inspection – Construction Department

WHEREAS, the Borough is in an urgent need to appoint a Fire Sub-Code Inspector on a part-time basis; and

WHEREAS, Stephen G. Patterson has been recommended by the Construction Official and retains all the necessary State licensing requirements;

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. Stephen G. Patterson, 3233 Kickapoo Avenue, Point Pleasant, New Jersey, is hereby confirmed to be appointed as Fire Sub-Code Inspector within the Office of the Construction Official effective immediately on a part-time hourly

basis at a rate of \$29.33 per hour not to exceed 16 hours per week.

2. Said appointment is on a provisional basis pending open competitive examination procedures of the New Jersey Department of Personnel.
3. Copies of this Resolution be sent to the Appointee, the Construction Official, Chief Financial Officer, Personnel File, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

7. (189-2008) Authorize Appointment of John Helstetter as Part-Time Electric Sub-Code Inspector, Construction Department

MOTION: Authorize appointment of John Helstetter as Part-Time Electric Sub-Code Inspector, Construction Department

WHEREAS, the Borough is in an urgent need to appoint an Electric Sub-Code Inspector on a part-time basis; and

WHEREAS, John Helmstetter has been recommended by the Construction Official and retains all the necessary State licensing requirements;

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. John Helmstetter, 112 Charlotteville Drive South, Toms River, New Jersey, is hereby confirmed to be appointed as Electric Sub-Code Inspector within the Office of the Construction Official effective immediately on a part-time hourly basis at a rate of \$29.33 per hour not to exceed 12 hours per week.
2. Said appointment is on a provisional basis pending open competitive examination procedures of the New Jersey Department of Personnel.
3. Copies of this Resolution be sent to the Appointee, the Construction Official, Chief Financial Officer, Personnel File, 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

8. (190-2008) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Account

MOTION: Authorize adjustment and/or refund 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>
66-4	Reidy, C	25.00	Refund water off chg
58-6	Manzo, C	165.00	Refund aux meter fees
269.01-1	Veenboer, J	140.00	Refund aux meter fee
279-44	Santoro, C	165.00	Refund aux meter fees
317-37.08 T02	Strassheim, W	34.29	Credit water service chg – meter not installed yet
157-13	Barber, N	1,092.98	Refund '08 taxes-paid twice
35-1 T04	Pulte Homes	34.78	Cancel w/s billing – sales trailer removed
232-8	Fire Co. #2	121.87	Credit w/s bill per committee – faulty meter
98-11	Barrett, J	641.58	Credit sewer only due to leak per w/s committee
269.02-18.01	Doyle, K	360.00	Refund Tap fee – tap not needed per DPW
21-4.01	Baranello	2,644.96	Move tax credit from '08 to '09
120-14	Horen	477.63	“ “
154-7.01	Havlick	464.10	“ “
235-13	Meldrum	854.20	“ “
322-12	Cutting	66.42	“ “
351-7	Sabosik	302.94	“ “

113-1	M G M Homes	12,012.50	Refund '08 Taxes-demo
308-110	Harrison Assoc	636.47	“ “
322-34	Snyder, J	530.06	“ “
35-1.04 C4401	Pulte Homes	2,435.23 1,217.62	Adjust off '08 Taxes “ '09 “
35-1.04 C4402	Pulte Homes	2,435.23 1,217.62	Adjust off '08 Taxes “ '09 “
35-1.04 C3102	Pulte Homes	366.20 183.10	Adjust off '08 Taxes “ '09 “
35-1.04 C3103	Pulte Homes	366.20 183.10	Adjust off '08 Taxes “ '09 “
35-1.04 C3104	Pulte Homes	2,856.36 1,428.18	Adjust off '08 Taxes “ '09 “
35-1.04 C3201	Pulte Homes	84.23 42.11	Adjust off '08 Taxes “ '09 “
35-1.04 C3202	Pulte Homes	84.23 42.11	Adjust off '08 Taxes “ '09 “
35-1.04 C3203	Pulte Homes	84.23 42.11	Adjust off '08 Taxes “ '09 “
35-1.04 C3204	Pulte Homes	2,739.18 1,369.59	Adjust off '08 Taxes “ '09 “
35-1.04 C3301	Pulte Homes	402.82 201.41	Adjust off '08 Taxes “ '09 “
35-1.04 C3302	Pulte Homes	1,007.05 503.53	Adjust off '08 Taxes “ '09 “
35-1.04 C3303	Pulte Homes	1,007.05 503.53	Adjust off '08 Taxes “ '09 “
35-1.04 C3304	Pulte Homes	2,911.29 1,455.65	Adjust off '08 Taxes “ '09 “
35-1.04 C3401	Pulte Homes	725.08 362.54	Adjust off '08 Taxes “ '09 “
35-1.04 C3402	Pulte Homes	725.08 362.54	Adjust off '08 Taxes “ '09 “
35-1.04 C4101	Pulte Homes	3,002.84 1,501.42	Adjust off '08 Taxes “ '09 “
35-1.04 C4102	Pulte Homes	3,002.84 1,501.42	Adjust off '08 Taxes “ '09 “
35-1.04 C4103	Pulte Homes	3,002.84	Adjust off '08 Taxes

		1,501.42	“ ’09 “
35-1.04 C4104	Pulte Homes	3,002.84	Adjust off ’08 Taxes
		1,501.42	“ ’09 “
35-1.04 C4201	Pulte Homes	3,369.04	Adjust off ’08 Taxes
		1,684.52	“ ’09 “
35-1.04 C4202	Pulte Homes	3,405.66	Adjust off ’08 Taxes
		1,702.83	“ ’09 “
35-1.04 C4203	Pulte Homes	3,405.66	Adjust off ’08 Taxes
		1,702.83	“ ’09 “
35-1.04 C4204	Pulte Homes	3,369.04	Adjust off ’08 Taxes
		1,684.52	“ ’09 “
35-1.04 C4301	Pulte Homes	3,460.59	Adjust off ’08 Taxes
		1,730.30	“ ’09 “
35-1.04 C4302	Pulte Homes	3,607.07	Adjust off ’08 Taxes
		1,803.54	“ ’09 “
35-1.04 C4304	Pulte Homes	3,460.59	Adjust off ’08 Taxes
		1,730.30	“ ’09 “
22-5	Stencel, J	1,787.06	Adjust off ’08 Taxes
		893.53	“ ’09 “
19-1	Doyle	2,233.82	
		1,116.91	
33-1.01	Sevastakis	886.20	
		443.10	

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis; Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

9. (191-2008) Approve Corrective Action Plan – 2007 Audit Report

MOTION: Approve Corrective Action Plan – 2007 Audit Report

WHEREAS, the Department of Community Affairs required that the Chief Financial Officer submit a Corrective Action report pertaining to the annual audit; and

WHEREAS, the Chief Financial officer has contacted each Department Head affected by the recommendations in an attempt to solicit their input as to the proposed time frame and proposed procedures to correct the findings of the audit; and

WHEREAS, the various Department Heads have submitted proposed resolutions to the existing problems and offered a reasonable time frame for accomplishing said corrections.

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 Corrective Action Plan, as proposed, be forwarded to the Department of Community Affairs for their review; and

THEREFORE, BE IT FURTHER RESOLVED, that the 2007 Corrective Action Plan be sent to the following interested parties by the Borough Clerk: Auditor, CFO, Borough Clerk/Administrator, and Department of Community Affairs.

**CORRECTIVE ACTION PLAN
AUDIT REPORT 2007**

DEPARTMENT: ADMINISTRATOR: David A. Maffei, Borough Clerk/Administrator

DEPARTMENT HEAD SIGNATURE: _____

FINDING/CONDITION: #1 – The fixed assets ledger maintained by the Borough does not accurately reflect all the assets of the Borough.

RECOMMENDATION: An inventory of the Borough's assets should be conducted to identify all assets, the date where acquired by the Borough and their original cost.

EXPLANATION AND CORRECTIVE ACTION:

This function is actually the responsibility of the Finance Office. However, I advised the CFO and Auditor that I would work to address this matter. The current Fixed Asset Inventory is old, out-dated and contains many inaccuracies.

Insufficient funding because of budgetary cuts prior to adoption made it impossible to proceed with this in 2007 additional funds have been placed in the 2008 budget.

The Borough is currently soliciting bids or professional costs for a complete and accurate inventory and to include software to automatically update the data. The Tax assessor is preparing basic information on all municipal properties which will be match to specific functions. This documentation is needed by the vendors for them to prepare proposals and make presentation to the Borough.

IMPLEMENTATION DATE:

Bids or Professional quotes to be received by the end of September, 2008, at the latest, for award of contract by late September / early October, 2008 and full implementation in 2008.

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. (192-2008) Confirm Permanent Appointment of Kevin R. Burke to the Position of Code Enforcement Officer/Zoning Officer

MOTION: Confirm Permanent Appointment of Kevin R. Burke to the Position of Code Enforcement Officer/Zoning Officer

WHEREAS, Kevin R. Burke has been serving as the provisional appointment in the position of Code Enforcement Officer/Zoning Officer and is now placed on the Certification of Eligibles from the New Jersey Department of Personnel for said position; and

WHEREAS, it is the desire of the Mayor and Council to permanently appoint him to this 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. Kevin R. Burke is hereby appointed to the position of Code Enforcement Officer/Zoning Officer on a permanent basis.
2. Said appointment does not affect the current salary for said appointee as fixed by contract.
3. Certified copies of this Resolution to Kevin R. Burke, Chief Financial Officer, Personnel File, Construction Official, and any other interested parties.

MOTION: Adopt Resolution

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

11. (193-2008) Authorize Refund of Planning Board Application Fee and Related Escrow Fee, Block 128, Lot 46 – First Baptist Church of Point Pleasant

Motion: Authorize Refund of Planning Board Application Fee and Related Escrow Fee, Block 128, Lot 46, First Baptist Church of Point Pleasant

WHEREAS, First Baptist Church of Point Pleasant has paid the necessary Planning Board application fee for Block 128, Lot 46 and the related escrow fee; and

WHEREAS, the application was subsequently withdrawn.

WHEREAS, the Point Pleasant Planning Board has approved the refund of said application and escrow fees to First Baptist Church of Point Pleasant.

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 proper Borough Officials are hereby authorized and directed to refund to First Baptist Church of Point Pleasant, 708 McLean Avenue, Point Pleasant Beach, New Jersey, the amount of \$100.00 for the application fee and \$88.00 for the escrow fee.
2. Certified copies of this Resolution be sent to First Baptist Church of Point Pleasant, Planning Board Secretary, Chief Financial Officer, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

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

12. (194-2008) Accept CFO Report – July, 2008

MOTION: Accept CFO Report – July, 2008

WHEREAS, the Chief Financial Officer has prepared a Cash Management Report for the month of July, 2008; and

WHEREAS, said report has been received by the Borough Clerk; and

WHEREAS, the Borough Clerk has submitted same to Mayor and Council for their perusal and approval;

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

1. The cash management plan submitted by the Chief Financial Officer for the month of July, 2008 attached hereto is hereby approved.

2. Copies of this resolution be sent to the following:
 1. Municipal Administrator
 2. Auditor
 3. Chief Financial Officer
 4. All 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

13. (195-2008) Authorize Execution of Change Order No. 1 for Well No. 8 Water Treatment Plant Improvements – CFM Construction, Inc., Net Increase \$1,913.69

MOTION: Authorize Execution of Change Order No. 1 for Well No. 8 Water Treatment Plant Improvements – CFM Construction, Inc., Net Increase \$1,913.69

WHEREAS, the Borough of Point Pleasant previously awarded a contract to CFM Construction Inc., 5 Bay Street, Sterling, NJ 07980 for the Well #8 Water Treatment Plant Improvements; and

WHEREAS, the Borough Engineer has recommended that a Change Order, known as Change Order #1 , in the amount of a net increase of \$1,913.69, which defines adjustments to contract quantities and amount for such projects be authorized; and

WHEREAS, the total amount of the Change Order authorized by this Resolution is within permitted limits.

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of September, 2008 by the Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. **Change Order #1 in the amount of a net increase of \$1,913.69 with CFM Construction Inc., 5 Bay Street, Sterling, New Jersey, 07980 is hereby authorized.**
2. **That the Mayor is hereby authorized to execute same.**
3. **Authorization is also given for a manual check to be issued for payment Of the related invoice/voucher with aid check appearing on the next formal bill list.**
4. **Copies of this Resolution to: CFM Construction, Inc., Chief Financial Officer, Contract File, and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun SECOND: Mr. McAlindin

Mr. Pyrtko: Yes
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Ms. Rogers: Yes

CARRIES: Yes

14. (196-2008) Bills and Claims

MOTION: Adopt Resolution Bills and Claims

WHEREAS, The Mayor and Council of the Borough of Point Pleasant have received claims which must be paid from specified funds where and when appropriate as listed on the attached schedules; and

WHEREAS, The responsible Department Head has certified that such claims represent good and/or service which have been received by the Borough; and

WHEREAS, The Municipal Administrator has certified that said claims are appropriate under the Local Public Contracts Law 40A:11-1 et seq. And are authorized budgetary expenditures; and

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. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Ms. Rogers: Yes

CARRIES: Yes

15. Increasing LOSAP contribution to match C.P.I.

Motion: Authorizing Increase in LOSAP amount based on State approved CPI

WHEREAS, the Borough of Point Pleasant deems it appropriate to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters/first aid organization members; and

WHEREAS, the Borough of Point Pleasant has a length of Service Award Plan Document that implements the Programs objectives; and

WHEREAS, the Division of Local Government Services has calculated the CY2007 adjustment to the maximum LOSAP contribution due to changes in the CPI in the amount of 3½% for municipalities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Point Pleasant is authorizing the adjustment of 3.5% increase to qualifying LOSAP participants to an individual maximum amount of \$1,441.00 for 2008 and that the issuance of a manual check for the payment to the plan's broker is hereby authorize with said check appearing on the next regular bill list resolution.

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: Abstain

Ms. Rogers: Yes

CARRIES: Yes

16. 199-2008) Rejecting the one bid submitted for the Supply of Seven (7) Police Vehicles and Authorizing the re-advertisement for bids for the supply of (7) police vehicles

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF POINT PLEASANT BOROUGH, COUNTY OF OCEAN, STATE OF NEW JERSEY, REJECTING THE ONE BID SUBMITTED FOR THE SUPPLY OF SEVEN (7) POLICE VEHICLES AND AUTHORIZING THE RE-ADVERTISEMENT FOR BIDS FOR THE SUPPLY OF SEVEN (7) NEW POLICE VEHICLES

WHEREAS, the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey (hereinafter referred to as the "Borough"), has previously advertised for the receipt of bids for the purchase of seven (7) police vehicles; and

WHEREAS, one (1) bid was received in response to the bid solicitation. However the one (1) bid received in response to the bid solicitation was received approximately one-half (½) hour after the time for the bid opening was advertised; and

WHEREAS, the Borough has been advised by the Borough Solicitor that the one (1) bid received must be rejected because it was not received in time, and was not received in compliance with the requirements of the advertised bid specification; and

WHEREAS, the Borough is in need of a supply of seven (7) police vehicles and therefore needs to re-advertise in order to seek bids for the supply of those vehicles:

NOW, THEREFORE, BE IT RESOLVED, this 2nd day of September, 2008 by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. The Borough rejects the one (1) bid submitted by Weisleder Ford Company for the supply of seven (7) police vehicles. The one (1) bid was received approximately 30 minutes after the time deadline set forth in the advertised bid solicitation. It therefore is hereby rejected because the bid was not submitted in compliance with the bid requirements.

2. The Borough hereby authorizes and directs the Borough Administrator and the Borough's Administrative Staff to re-advertise for bids for seven (7) police vehicles.

3. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

4. A certified copy of this resolution shall be forwarded by the Borough Clerk to the following:

- (a) Honorable Martin Konkus, Mayor;
- (b) Roger Pyrtko, Acting Mayor;
- (c) David Maffei, Borough Administrator/Clerk;
- (d) Chief Ray Hilling; and
- (e) Jerry J. Dasti, Esq.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Borough Council of Point Pleasant Borough at a regular meeting held on September 2, 2008, a quorum being present and voting in the majority.

DAVID MAFFEI, Borough Administrator/Clerk

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

F. RESOLUTION (197-2008 Consent Agenda

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, Alpha Delta Kappa, Alpha Zeta Chapter, on premise gift auction to be held October 23, 2008.
2. Application raffle license, Alpha Delta Kappa, Alpha Zeta Chapter, premise 50/50 to be held October 23, 2008.
3. Approve Council Meeting Minutes of August 19, 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. Dikun SECOND: Mr. Kaklamanis

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

CARRIES: Yes

G. AUTHORIZATIONS

1. Manual Checks

MOTION: Approve manual checks

MADE: Mr. O'Rourke SECOND: Mr. Dikun

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

CARRIES: Yes

2. Request Authorization to Conduct Kids Triathlon, Saturday September 27, 2008, 4 p.m. to 7 p.m. and Request to conduct Swim, Bike and Run/Kayak, Bike and Run events, Sunday, September 28, 2008 7:30 a.m. to 12:30 p.m. Point Pleasant Foundation for Excellence in Education

MOTION: Approve request

MADE: Mr. Dikun SECOND: Mr. McAlindin

Mr. Pyrtko: Yes
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Ms. Rogers: Yes

CARRIES: Yes

3. Request to conduct UNICEF Trick or Treat for Halloween

MOTION: Approve request to conduct UNICEF Trick or Treat for Halloween

MADE: Mr. Dikun

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes
Mr. Kaklamanis: Yes

Mr. Mc Alindin: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Ms. Rogers: Yes

Carries: Yes

4. Confirm Request to use Open Space Preservation Trust Funds for Core Aeration and Seeding of Community Park Field

MOTION; Confirm Request to use Open Space Preservation Trust Funds for Core Aeration and Seeding of Community Park Field

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Ms. Rogers: Yes

CARRIES: Yes

5. Approve Fall 2008 Recreation Program Budgets and Related Fees (Tabled from 8/19/08)

MOTION: Approve Fall 2008 Recreation Program Budget and Related Fees (Tabled from 8/19/08)

MADE: Ms. Rogers

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Does this include the expenses for the wrestling program that were part of your handout?

Ms. Rogers: What I would like to do with that Brian is it is not in this specific budget. The Council moved last meeting to increase or authorize the competition program and if we can do it under a separate motion I would like to motion to increase the funding for that program so they are able to buy the mats. They did not have enough money.

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes, I want to make sure that Council is looking at the spread sheet that has all the programs and the approved fee at the right, it says approved rate by Council and that is what we are voting on. Is that correct.

Mr. Pyrtko: That is correct.

Ms. Rogers: Than my vote is yes.

CARRIES: Yes

Ms. Rogers: I want to thank Karen Haycook for all of her help and assistance.

H. COMMITTEE REPORTS

Ms. Rogers: I am in Minneapolis, MN. For the Republican National Convention. It is unbelievable. The Community Watch Program that is scheduled for September 9th is being moved until September 29th. We had some scheduling conflicts but we will be attending Back to School night to help us promote the program. We will have a lot more to report on on the 29th. What I also wanted to do is move the wrestling program to competition and ask that we increase the funding which was approved by the DCA to an additional \$16,000 so they can purchase the wrestling mats and get uniforms. It would come out of the surplus. They can only buy used mats. The \$16,000 would buy brand new mats and uniforms and the competition cost for the program. It was approved by the DCA.

Mr. McAlindin: Second.

Ms. Rogers: I believe the scheduling must be done by the Rec Center and they gave a program format and a request for what items to be purchased with a copy of the bid attached. Karen will finalize the scheduling. We need to approve the funding for them.

Mr. Kaklamanis: You had a meeting last week with yourself, Karen and Shaun. I just asked Shaun is aware of this and did she have any input on it?

Mr. O'Rourke: There is a lot more information in that pamphlet then we talked about the other night. It will be talked about.

Ms. Rogers: I think Karen is definitely aware of the competition program. We approved it at the last Council meeting. She is aware we authorized the new mats and the new uniforms. There was the issue of the additional funding that is coming up right now. There is \$70,000 left in the trust account. There is more than enough money to do this. I think it is a good investment for the future of the children.

Mr. Kaklamanis: How much is the cost of this program?

Mr. Pyrtko: \$23,874.

Ms. Rogers: That would provide for two brand new wrestling mats, uniforms, competition costs, first aid kits, sweat outfits for the 70 children. It is something that the DCA has approved for the enhancement of the program and it is a long term investment for us. At least for seven years and we have the money.

Mr. O'Rourke: When they talk about \$60.00 for the referee per match, is that per two people.

Ms. Rogers: The entire program. Over seven years

Mr. McAlindin: The enhancement is one time acquisition of mats, uniforms and the items identified. The DCA gave us guidance. We need to put the money back into the programs. I think the research showed was a surplus for years.

Ms. Rogers: We need to spend this money and it is a good investment and we don't have to go back to DCA. It is approved.

Mr. Kaklamanis; I did ask Councilman O'Rourke and he said Ms. Haycook did not have any input and this is the first time I am seeing this.

Ms. Rogers: The rec commission voted down the competition, now they brought it to Council and Council over rode that. Karen is aware this has been approved and fully aware the funding was provided for at the last Council meeting. This is not a surprise.

Mr. Kaklamanis: I haven't heard from her on this. This is the first I am seeing the numbers.

Ms. Rogers: The season starts in a couple of months and it takes time to order the products and get it in house. We will miss out on the season and I just don't see the merit of holding this off. We approved it last month. I think this is worthy and a very good investment.

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes, I will talk to Karen to see if she was fully aware.

Mr. Dikun: Yes

Mrs. Rogers: Yes

Ms. Rogers: That is all for my committee report and thank you very much for allowing me to participate in tonight's meeting via phone. I appreciate it.

Mr. Kaklamanis: As far as the tree ordinance I am happy we are going to get more input on it. If it has to be revised and updated again fine, by all means. As far as the hires, the Electrical Sub-Code and Fire Sub-Code are fine people and I am sure they will do a fine job. It is part-time and we are cost cutting. The Riverfront Park is moving along. School is opening up this week. I am glad to see the CFO, Karen Haycock and Susan Rogers coming to the middle of the road and meeting with the numbers. I said it before, we are not building a space shuttle here. I am glad to see that is working out. I will be in Europe for a couple of weeks. I will be phoning in from Greece. I would like to compliment Roger for Acting as Mayor. Watch the children in the roadways. Thank you.

Mr. McAlindin: The tax bills are out. We had to wait for the numbers from the State. We did extend the grace period until September 25th. We did get comment from the DCA on another aspect of the surplus trust. We had requested that they approve the benefits of an employee that only participates in pre school programs. We had sought to use surplus for past years of those benefits and they denied it. We may take further action in that regard. Keep your eyes peeled with the kids going back to school. I hope you had a great summer.

Mr. O'Rourke: We have three possible storms coming towards us. Please be prepared. Have your own plan ready to go. I can become really nasty around here during hurricanes. We have not been hit in decades. I mean a major hurricane. North east storms are bad enough. Don't stay around. Move inland. Don't wait until the last minute. We had an incident here last week. We had people trying to get electrical permits. Thursday we got dumped on by the county again. They were supposed to be handling our electrical permits through the first of September. Someone in the department down there decided it was time to stop on Thursday. They showed up here, walked into the Construction Department office and dropped the box of the permit folders on the Clerk's desk and said here you do, don't call us and we won't call you. Any person looking for an electrical permit on Thursday or Friday was out of luck. We have been trying to get these inspectors in place since last Spring. The inspections are supposed to pay for themselves and apparently the County could not get the system to work. We got stuck having to start our own system. None of it panned out. We had until September 1st to get this done. We didn't know we had to August whatever. I apologize to the people who came here for permits. I understand the phone calls that went to the County were told to call Cathy and she will handle it. There was no working together. They just dumped the stuff on us. I was so temped to call there but I bit my tongue. End of report.

Mr. Dikun: With respect to our water situation, the projects are moving along fantastically. Things are coming together. We had a meeting last month with the borough engineer to discuss the water projects for the future and we plan on pressing ahead with them. One of the big things is the water tower on Albert Clifton. We are looking into putting in a new structure. Eventually that will move forward. Hopefully in the next several months I will have more to report on that. I gave blood before I came here and if I fall asleep Dave can kick me. At the last meeting the Acting Mayor had some great foresight and formed a committee to discuss the naming of Borough property. At the last meeting a motion was brought forward by the Recreation Commission to name the current recreation building after Richard Blake, former educator and member of the Board of Education and the Recreation Commission. I personally have known Mr. Blake for years and years. I first had him as teacher in seventh grade. Again, I believe regardless of the letters to the Editor and the e-mail traffic I believe caution and foresight was the order of the day. After the

articles reached the Ocean Star I was personally contacted by an individual, an elderly Gentleman who has lived in this community for 70 years and given a little history lesson on the origins of our youth center this Gentleman, Mr. Frank Mulligan, a long time businessman and resident provided me with an old newspaper articles and photographs of the actual building itself. We have come to find that the actual Recreation Center was not paid for by Borough tax dollars. It was created by a group of people who had some foresight to erect the building for the youth of Point Pleasant. Mr. Mulligan and quite a few local people up to and including Former Mayor Exarhos were involved in the actual building of that building. I have a newspaper article here from February 8, 1961 where it depicts of five years of planning and hard work the Point Pleasant Youth Center is finally a going concern. It also tells me that during that period this committee went about raising funds for that building by canning. They stood out in front of super markets and collected coins. Some of the original equipment was purchased with Green Stamps. I don't know how many people in this room remember green stamps. Basically what we have is a joint effort by our citizens to make something happen. I want to preface my comments with nobody has a greater respect for Dick Blake than I. I also see that out in our community there are quite a few people that have done great things also. I have recommended to my piers up here for study and I know a lot of folks believe in action. When it comes to things like this I think we should step back and look a little bid and use caution. I would have hated to have gone ahead and made a move on this and to disregard some people who are still alive. There are a lot of notable names that worked hard as citizens for the fellow citizens. I made a recommendation to my fellow Council Members that maybe we should investigate having a Community Hall of Fame or a Community Honor Roll where we can honor these people who have done great things for our community. Honor them while they are alive for the great work that they do. As far as naming known facilities for individuals, above and beyond our Little League Field named for Lake and McKennan personally speaking I would like to see that our facilities remain the Point Pleasant Recreation Center and the parks remain named as they are. Maybe move forward with the committee to discuss or investigate other avenues to recognize our citizens. We could go back years and recognize folks like Frank Mulligan and a lady named Constance Anan and several other people including Mayor Exarhos. I will be going back to committee. I know a lot of people in the audience have far more wisdom than I do. I would like to look into this a little bit further before we jump to any decisions.

Mr. Kaklamanis: With the water tower, how much will a new water tower cost?

Mr. Maffei: I don't have those figures with me.

Mr. Kaklamanis; I heard Councilman O'Rourke say about a million dollars. That is paid by the taxpayers.

Mr. Dikun: It is one piece of metal they cannot steal.

Mr. Pyrtko: Under public works, the only thing I have it garbage pickup is going to be back to once a week next week. I hope your all heard about Christine Pearce Rampone, the Captain of the Girls Olympic Soccer Team Golden Lady. I would like to see this town do something for her like we did in 2004. I believe we had a parade. I don't know if we can afford a parade but we can certainly have some kind of a program in the park and present her with a key to the city or something. Have all the soccer leagues come out. We need a committee to form that.

Mr. Ferrie: I spoke with Mrs. Pearce. She called me over the weekend. I told her we wanted to do something for her. We are dedicating the soccer field in the community park in her name. The only reason we haven't done a plaque is we want her inducted into the Hall of Fame. She is living on the West Coast for training. We will check with her schedule and she when she is available.

Mr. Pyrtko: We will get our heads together. We are very proud of her. The Girl Scouts started a Garden at the Lutheran Church. It is unbelievable. They are waiting for pepers and they are giving the vegetables to seniors. Everything is running okay.

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 Mr. Kaklamanis

SECOND: Mr. Dikun

APPROVED: All in Favor

Chris Leitner, 804 Donna Drive, I would like to invite you all to come over to my neighborhood. Come over the Bridge to Bay Avenue and make a left on Partridge Run you can go play in the giant piles of dirt that are blocking off most of the road.

Mr. Pyrtko: I saw that for the first time today.

Mr. Leitner, These pictures show blocking off 1/3 of the road. There are rocks. It is really a problem. They have been there since yesterday. Maybe dispatch Mr. Burke.

Mr. O'Rourke: The County if redoing Bay Avenue and the dirt is from the sidewalk in Bay Head. It is 100' of dirt head high running down the length of the street. There is construction equipment parked there. This is supposed to be a residential neighborhood.

Mr. Pyrtko: This is the County.

Mr. Kaklamanis: A call should be made tomorrow.

Laura Beedon: 2406 Spruce Street. We are dedicating the soccer field to Christie Pearce?

Mr. Pyrtko: I believe

Mr. Maffei: There was a vote taken.

Ms. Beedon: She is alive and we are dedicating that but Dick Blake we have a problem with. I have a problem with that. Why is there never a police blotter for this town in the paper?

Mr. Pyrtko: Ask the Captain or the Lt.

Ms. Beedon: Can you please find out. It seems we never have crime.

Lt. Colwell: Chief Hilling has been in North Carolina.

Ms. Beedon: Were there e-mail alerts going out or were we being selective about that also as at the last Council Meeting when I asked Ms. Rogers about it and they hadn't alerted people to certain events.

Ms. Rogers: Did you hear that last statement?

Ms. Beedon: Only bits and pieces.

Mr. McAlindin: I thought there was mention by Ms. Rogers in her Public Safety Report two meetings ago that it was an issue and there were car break-ins and there was an advisory to please lock your car.

Ms. Beedon: There was something called blasts going out

Ms. Rogers: That is true. I have not received any updated blasts from Detective Hill and I did receive a message from Captain Williams that they had an investigation and there was some

information I was unable to communicate to the watch group. Hopefully, he was going to be able to release these statements soon with regards to that situation.

Ms. Beedon: There were no blasts going out alerting out and there were four cars on my street. I think there were five. There is a problem is you are going to be selective about what you send out. There are some people who will find out about it and some who aren't.

Mr. Pyrtko: Who sends out the e-mails, Detective Hill?

Ms. Rogers: I am getting my information from Detective Hill who is the liaison to the Community Watch Program. I also get updated information from Captain Williams with regard **to certain things. We haven't had anything to e-mail blast out relative to the break-ins with the cars.** We continue to sign people up for the program. It is a data base and I think once the back-to-school nights start we will be able to get more families involved and send out more information.

Mr. Pyrtko: Who send out the blasts? You or the Police Department?

Ms. Rogers: The Community Watch Program sends out the e-mail blasts

Mr. Pyrtko: Which is?

Ms. Rogers: A working group of us CJ Sabosik, myself, Kelley Mickle who I have not had the opportunity to talk with in the last ten days, she is one of the coordinators and then we have our monthly meetings so we have another one scheduled for September 9th and will be adjourned until September 29th.

Ms. Beedon: Thank you.

John Mogel, 1600 Center Street: I need clarification. I have a newspaper article here that says Point discovers scrap metal theft fines cannot be raised.

Mr. Pyrtko: To a \$1000.

Mr. Mogel: In July you voted on it and I thought it was a done deal.

Mr. Pyrtko: I thought so too. Then the State says it is a statute that you can't give a fine that high. When I brought it up no one said you can't do it.

Mr. Mogel: This Council has a history of voting on things and then step aside.

Mr. Connors: If it is the ordinance that I have knowledge of it, the fine was increased. The maximum fine for stealing metal that is placed at the curb was increased to \$2500 which is the maximum allowed by law. Previous to that it was \$1000. The fine was increased and it is up to the court to meet the fine to the maximum. The law restricts the minimum fine in which you can impose to \$100. The fine was increased.

Mr. Mogel: That is not what it says here.

Mr. Connors: Are you reading the ordinance?

Mr. Mogel: I am reading the newspaper.

Mr. Connors: I suggest that you read the ordinance and not the newspaper. The ordinance has the fine in it, not the newspaper. The ordinance increased the maximum fine up to the amount allowed by law. You could not increase the minimum.

Virginia Rocha, 507 Bolton Avenue: I am here to address the Council on an issue I have with personal fire burning devices in the Borough. Chiminea, portable fire pits. The reason I am bringing it to your attention is that as a resident for about ten years what I am finding as they gain popularity in the market they have increased in the town. As a result what I am finding is in my home when I have my windows open on days that are up to 90 degrees the smoke coming

into my home is as if I was living in a camp ground. I am sure other have experienced this as well. I don't know if Council is aware of other complaints but I have come to the conclusion that living in the Borough has resulted in me living in a camp ground. My personal area that I live in my neighborhood has seven personal burning devices and they are not being burned within the regulations provided by fire. My question is, is there an ordinance on the books here regarding these. If not, what can we do. I feel it is a safety, health and quality of life issue for the resident of the Borough. I can tell you if you go through the township at any given time you are liable to smell smoke coming from these devices. The enforcement is difficult as most of the time these devices are being used in the evening. Secondly, do we have the resources to enforce the ordinance. Are we certain that the proper material is being burned in there. It is not. I have seen them burn leaves, I have seen them throw debris from the BBQ, rolled up newspaper box, I know these things are not in the fire guidelines. What can the Council do? I have had health issues with irritation of the throat, burning eyes, my eyes, my nose, my throat. I have had to leave my home. I cannot enjoy the use of my hammock or my deck when these devices are burning. I can't understand that there could be nothing that could result in the pleasure of all residents having good quality of life. They are not being attended. I can also personally witness that they are not. I had a neighbor who literally had a fire burning in his chiminea with the smoke billowing to the sky and the orange ambers going up into the dry leaves of the oak tree and he literally turned off all lights to his house and drove away in his truck for well over an hour.

Mr. Pyrtko: At that time I would have called the fire department.

Ms. Rocha: Here is the problem, I called up the township who instructed me to call the County and they instructed me to call the police who then instructed the fire department to come out. It is a waste of resources. I am asking that Council addresses this issue. This is a problem and it will continue to be a problem as the weather gets cooler. I urge you to look at this. I am certain that I am not the only one that has this problem. I would love to continue to live in the Borough but we cannot do so and enjoy it. Are we going to wait until a house burns down or a child is burned. I see unattended and are children attending. I am proposing a ban on them or a limitation to the use perhaps by permit.

Mr. Pyrtko: The only thing I can suggest right now is to give you name and number and I will have Bill contact the Ocean County Fire Marshall. There has to be guidelines. We don't have anything on our books.

Mr. O'Rourke: You cannot have open burning in the State of New Jersey since the 60's. More and more people are burning wood and that fake log, I have one on the street and you cannot open a window.

Mr. Pyrtko: I think the next time you observe one burning I would call the fire department. I know you are neighbors and you don't want to file a complaint.

Ms. Rocha; When I did that I got a call saying how dare you waste our resources and that is why I don't want to do that. It is a safety, health and quality of life issue.

Mr. Pyrtko: Bill Dikun will take your number.

Ms. Rocha: I know they are legal but we have to enforce the rules of using them.

Jack McHugh, 806 River Avenue: I want to follow up on some comments by Councilman Dikun. I was coming here this evening to speak out in support of naming the Rec Center after Mr. Blake. He is someone who I have had the opportunity to know my whole life and he is someone I feared and respected as a teenager and admired and respected him as an adult. I also was contacted by members of the Mulligan family and it was explained about some of the issues about how the rec center came to be. What I think is most important is that the nature of his service to this town and the length of time and the dedication he showed what is most important is the honor we give him and I know there are other people that are really deserving. We need to not make this a divisive and partisan issue. It is something that these are the kind of people that deserve us coming together and finding a way to honor their service. That is what makes this town great are those people who step up and serve. I was getting a little worried that this was becoming another wedge that becomes an issue that is dividing people and it just can't be. It would be a disservice

to Mr. Blake and to all the people who step up and make great sacrifices to this town. I support Councilman Dikun in trying to work towards a resolution that everyone can support.

Mr. Pyrtko: Thank you.

Tim Ferrie, 2611 Allen Street: I would like to concur what Mr. McHugh said and I would like to concur with what Councilman Dikun said. We have been down this road before and there are a lot of people in this town that have done great things over the years. I think the idea of having some type of Community Hall of Fame or having a wall of honor even here at Boro Hall is a wonderful way to recognize people who have given back to this community in various ways. Emotions run high with the loss of someone like Dick Blake and Lee Sharpe. There are a lot of people involved. I just want to clarify what we did for Christy Pearce. When Christy came back after winning that first gold medal my kids were in Nellie Bennett School and she went to Nellie Bennett and to Ocean Road and she did not leave those schools until every kid in those schools got to touch her metal.

Mr. McAlindin: And also she had their pictures taken with the metal on. She really is a special individual and is worthy of having us name the soccer field after her.

Mr. Ferrie; I would just like to clarify, I don't want to see that confused with Mr. Blake or anything else. As far as I see it, it is two totally different issues. We memorialized that part of the park in her honor years ago and I will be happy to see the day when we can truly honor her by having her in town to do that. She has also been voted into the High School Hall of Fame.

Mr. McAlindin: Tim, you are a member of the foundation and I want to share something with you. I was at the Rec Commission Meeting and they did recommend and send us a resolution requesting that the Rec Center be named after Dick Blake. I personally have no problem with that. He was an extraordinary person. Maybe the naming of the Triathlon the Richard Blake Triathlon. That is something that maybe captures what he stood for which was education, recreation and scholarships. I don't think death is a requirement to be honored, sometimes we need to act sooner because we are learning about these people who made a contribution forty or sixty years ago. The memories of their commitment to the community and what they did have faded. Perhaps the opportunity was missed to recognize them. I would hate to see this community let the memory of Mr. Blake fade without recognizing him in a meaningful way.

Chris Leitner, Donna Drive: I actually had the opportunity to speak with Mr. Dikun previously about this idea and I always thought it was a good idea to have a memorial that can honor as Mr. McAlindin said people who are living and or dead who have dedicated themselves to the town. My brother—in-law is a physician and what they do is have a heroes dinner and they get a plaque and put it up on a pedestal and they have a dinner as a fund raising effort for good causes in town and I would recommend that to your committee for consideration. If we are going to consider some sort of memorial I would be more than happy to participate in the fund raising for that. I think it is a great idea.

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

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

Mr. Pyrtko: We do not have anything for Executive Session.

MOTION: To adjourn

MADE: Mr. Dikun

SECOND: Mr. McAlindin

ALL IN FAVOR.