

COUNCIL MEETING

TUESDAY – OCTOBER 7, 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
Borough Attorney:	Chris Connors

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

THE PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY MAYOR KONKUS .

Acting Mayor Konkus asked for a moment of silence for a former employee, Mary Prout and for the untimely death of Lt. Adam McCarsky of Fire Co. #2.

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. PROCLAMATIONS

1. Declaring October 10, 2008 as "Put the Brakes on Fatalities Day" in Point Pleasant Borough

Acting Mayor Pyrtko asked Councilwoman Rogers to the Read the following Proclamation.

***PUT THE BRAKES ON FATALITIES DAY  
OCTOBER 10, 2008***

***WHEREAS, Across the nation, traffic crashes caused more than 41,000 fatalities in 2007, and are the leading cause of death for your people ages 15 to 34; and***

***WHEREAS, in New Jersey, 724 individuals lost their lives in traffic crashes in 2007; and***

***WHEREAS, Alcohol-related crashes accounted for 28 percent of the State's traffic fatalities, while 25 percent of all fatal crashes involved traveling at unsafe speeds; and***

***WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and***

***WHEREAS, 78 motorcyclists, 12 bicyclists and 144 pedestrians were killed in New Jersey in traffic-related crashes in 2007; and***

***WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; avoiding aggressive driving behaviors and aggressive drivers; never drinking and driving; wearing proper safety gear when riding a motorcycle or bicycle; and focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths:***

***NOW, THEREFORE, I, A. Roger Pyrtko, Acting Mayor of the Borough of Point Pleasant, County of Ocean, State of New Jersey do hereby proclaim October 10, 2008,***

***PUT THE BRAKES ON FATALITIES DAY***

***and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.***

*Witness my hand and the Official Seal of the  
Borough of Point Pleasant this 7<sup>th</sup> day of October, 2008*

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*A. ROGER PYRTKO, Acting Mayor*

2. Declaring October as National Community Planning Month in the Borough of Point Pleasant

Acting Mayor Pyrtko asked Councilman O'Rourke to read the following Proclamation.

**OCTOBER 2008  
COMMUNITY PLANNING MONTH**

*WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and*

*WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and*

*WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and*

*WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and*

*WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and*

*WHEREAS, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions, sound planning, and plan implementation make to the quality of our settlements and environment; and*

*WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the Borough of Point Pleasant; and*

*WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of the Borough of Point Pleasant and extend our heartfelt thanks for the continued commitment to public service by these professionals:*

*NOW, THEREFORE, I, A. Roger Pyrtko, Acting Mayor of the Borough of Point Pleasant, County of Ocean, State of New Jersey do hereby proclaim the month of October 2008 is hereby designated as*

**COMMUNITY PLANNING MONTH**

*in the Borough of Point Pleasant in conjunction with the celebration of National Community Planning Month.*

*Witness my hand and the Official Seal  
of the Borough of Point Pleasant this 7<sup>th</sup>  
day of October, 2008*

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*A. Roger Pyrtko, Acting Mayor*

**B. PRESENTATIONS**

1. Ocean Medical Center – Update on Hospital and Urgent Care Center

Mr. Peter Daniels, Ocean Medical Center: I just want to thank the Members of the Council for the invitation to brief you on some of the current events at Ocean Medical Center and also wanted you to know that there are two people joining me today, Donna Selman, Manager of Public Relations and Regina Foley, Chief Nurse Executive. It has been a great run and a terrific six years that I have had the privilege of being at Ocean Medical Center. One of the very first projects, I will tell you a little history. When I became President it was the development of the Ocean Care Center. As some of you may recall because some of you were in the room that night on June 13, 2003 after five hours of testimony there was a unanimous approval that we proceed with was at that time a collaborate effort for a number of

towns in and around the area that the Point Pleasant Hospital would serve to build what is the State's first satellite emergency room and that is the Care Center right here in Point Pleasant at 35 and 88. It was about a month later that we had our ground breaking and it was less than one year later that we opened the doors to the Care Center. That time we were doing about 8,500 visits at the old Point Pleasant location and I am happy to report that the tremendous success of the Care Center last year we did over 20,000 visits. In addition to that we also wanted to make sure that we were providing state of the art technology so we had CT capabilities. We do out patient testing. In the first year we did 1,200 out patient visits. Last year we did over 5,000 out patient visits. It is a tremendous benefit for the community and great access and great staff. It continues to be one of the highest rated departments at Ocean Medical Center . We have also invested a lot of time, effort and dollars in the improvement of our emergency services across the entire Ocean Medical Center complex. Right now, I can tell you we have seen some dramatic improvements in patient satisfaction and all of the time and effort we have spent in improving our technologies and facilities at the main hospital site too. In addition to that I would like to share the facilities and technologies that we have brought on board. As members of this community I can assure you that you should be very proud of the hospital staff, the facilities, the technologies that are offered in your community hospital. Just in a couple of weeks we will be re-dedicating our Women's Energy Facility, a start of the art mammography facility, a full range of facilities completely remodeled and I am very proud of the fact that we are one of the few hospitals with a dedicated fellowship breast imager and that along with the comprehensive woman's services available. We put a lot of funds into this. We have renovated quite a bit of our imaging services and there is a picture of the Ocean Care Center over there. The picture is worth a thousand words. We can diagnose cancer related conditions and we have also built a state of the arts first of its kind free standing operating room. There is a lot going on. We are the first in our area to offer what is called acute care of the elderly. It is very airy and very bright for the patients. There has been a tremendous amount of growth. We are most proud of the quality and the outcomes, the results and the pride the entire staff gets in terms of our patient satisfaction scores. A number of awards we have won. We were number one in our scores in Ocean County for heart attack, congestive heart failure scores. We are in the top ten percent in the State of New Jersey in surgical care improvement. We are very proud of our activity. Our physicians also scored very high. We have a great nursing program. We have gotten awards for safety also. There are a lot of challenges. We have a very strong hospital because we have very dedicated professionals that have done an outstanding job. A nursing staff that I have had the privilege of working with and it is the best I have ever worked with. You should be very proud of you hospital. You have a great group of Professionals. I thank you for the opportunity to address you.

Mr. Pyrtko: Thank you for taking the time to be with us.

2. Girl Scouts – Community Garden Project

Acting Mayor Pyrtko stated they will attend the next meeting.

C. OPEN PUBLIC SESSION – 5 Minute Limit Per Person

(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. 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 Resolution #221-2008 about the sale of surplus equipment, there are no bicycles on here.

Mr. Maffei: The Police have not completed their list. That will be on the next Council agenda.

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

MADE: Mr. McAlindin

SECOND: Ms. Rogers

ALL IN FAVOR.

#### D. RESOLUTIONS

1. (213-2008) Authorize Hiring Additional Temporary Part Time Recreation Personnel

MOTION: Hire Additional Recreation Personnel

WHEREAS, a need has arisen in the Recreation Department for the hiring of additional personnel on a seasonal basis; and

WHEREAS, the following individuals have shown an interest in part-time temporary employment with the Borough of Pleasant; and

WHEREAS, the following individuals have been recommended by the Superintendent of Recreation and the Recreation Commission.

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 following individuals be hired to the following positions with the salaries and accounts listed below:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>ACCOUNT</u>
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Teresa Morguess	Preschool Instructor	\$9.10 per hr	Trust
Larry Cittadino	Biddy Basketball Instructor	\$13.50 per hr	Trust

1. Hiring pending the approval by Mayor and Council, effective for Teresa Morguess on October 7, 2008 and effective for Larry Cittadino on October 9, 2008.

2. Copies of this Resolution to Treasurer, Administrator, Superintendent of Recreation, Employees, 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. (214-2008) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accounts

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 &amp; LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
202-8	Colombino	1,124.58	Remove '08 4 <sup>th</sup> ¼ Tax 100% Disabled Vet.
202-8	Colombino	2,191.71	Remove '09 1 <sup>st</sup> ½ Tax 100% Disabled Vet
269.01-1 T02	Veenboer	11.53	Remove '08 Water Meter not installed
208-16	Gynn	1,693.87	Remove '08 2 <sup>nd</sup> ½ tax 100% Disabled Vet
208-16	Gynn	846.94	Refund '08 3 <sup>rd</sup> ¼ tax 100 % Disabled Vet
208-16	Gynn	1,647.41	Remove '09 1 <sup>st</sup> ½ Tax 100% Disabled Vet

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

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. O'Rourke

Mr. Pyrko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

3. (215-2008) 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.**

<b>CHECK #</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>	<b>VENDOR</b>	<b>REASON</b>
<b>35619</b>	<b>\$423.84</b>	<b>Payroll`</b>	<b>Parker White</b>	<b>Payroll hours Reported twice</b>
<b>9196</b>	<b>\$22,000.00</b>	<b>Trust (Rec)</b>	<b>Classic Floor</b>	<b>Partial Payment Due</b>

**MOTION: Adopt Resolution**

**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**

**4. (216-2008) Authorize Termination of Employment of Judith Stoddard**

**MOTION: Resolution of the Borough of Point Pleasant, County of Ocean, State of New Jersey, Terminating Employment of Judith Stoddard**

WHEREAS, the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey (hereinafter referred to as the "Borough") has been advised of disciplinary issues involving an employee of the Borough's Tax Office, Judith Stoddard: and

WHEREAS, the disciplinary issues involved more than 200 errors related to municipal tax and utility bills, which said errors have been duly documented by the Borough Tax Collector, Bernadine Pearce, between 2004 and 2008 respectively; and

WHEREAS, pursuant to the regulations promulgated under the New Jersey Civil Service System, the Borough Administrator's Office personally served upon Judith Stoddard a Notice of Disciplinary Action dated May 9, 2008; and

WHEREAS, the Disciplinary Action was precipitated by several charges being brought against Judith Stoddard, including:

- a. Incompetency;
- b. Inefficiency;
- c. Insubordination;
- d. Disorderly Conduct;
- e. Conduct Unbecoming a Public Employee;
- f. Neglect of Duty;
- g. Failure to Perform Duties; and
- h. Inability to Perform Duties;

Which charges were supported by documentary exhibits offered into evidence at two separate hearing dates, July 10, 2008 and September 3, 2008, wherein Judith Stoddard was represented by private legal counsel throughout these proceedings; and

WHEREAS, the said proceedings were presided over by Hearing Officer Stacey D. Kerr, Esquire, who issued her findings in a written recommendation to the Mayor and Borough Council; and

WHEREAS, the Hearing Officer found that the Borough had met its burden of proof with respect to all but two of the disciplinary charges against Judith Stoddard, which charges include Disorderly conduct and Conduct Unbecoming a Public Employee; and

WHEREAS, the Hearing Officer, having found that the disciplinary charges brought against Judith Stoddard were supported by credible, competent testimony, which included documentation of some 279 recorded errors that occurred during a four-year period; and

NOW, THEREFORE, BE IT RESOLVED, THIS 7<sup>th</sup> day of October, 2008, by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

1. The Borough of Point Pleasant hereby terminates the employment of Judith Stoddard as an employee of the Borough of Point Pleasant, effective October 7, 2008.
2. The Governing Body authorizes and directs the Municipal Clerk/Administrator to take all necessary actions and 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 the following:
  - a. Honorable Martin C. Konkus, Mayor
  - b. Jerry J. Dasti, Esquire, Borough Attorney
  - c. Judith Stoddard
  - d. Richard Sciria, Esquire.

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: Abstain

CARRIES: Yes

4. (217-2008) Authorize Award of contract for Supply of Water Meters and Related Equipment – Rio supply, Inc., \$108,700.00

MOTION: Authorize Award of contract for Supply of Water Meters and Related Equipment

WHEREAS, the Mayor and Council of the Borough of Point Pleasant, did authorize the advertisement for bids for the purchase of Water Meters and Related Equipment; and

WHEREAS, Dennis Sears, Superintendent of Public Works has recommended that Rio Supply Company Inc., the sole bidder, be awarded a contract for the purchase of Water Meters and Related Equipment at a cost of \$108,700.00.

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. A contract for the purchase of Supply of Water Meters and Related Equipment As described in the authorized specifications is hereby awarded to Rio Supply Company Inc, for the bid set forth: \$108,700.00.
2. The Mayor and Municipal Clerk/Administrator are hereby authorized to execute and deliver a contract with the successful bidder for the aforesaid purpose.
3. Certified copies of this Resolution to: Public Works Superintendant, Chief Financial Officer, Rio Supply Inc., 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

5. (218-2008) Accept CFO Report – August, 2008

MOTION: Accept CFO Report – August, 2008

**WHEREAS**, the Chief Financial Officer has prepared a Cash Management Report for the month of August, 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 August, 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: 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

6. (219-2008) Confirm Leave of Absence for Emma Connors, School Crossing Guard

MOTION: Confirm Leave of Absence for Emma Connors, School Crossing Guard

**WHEREAS, the Mayor and Council approve official leave for Emma Connors, School Crossing Guard for reasons of illness.**

**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 request of Emma Connors, School Crossing Guard to take a leave of absence for reasons of illness commencing on January 29, 2007 and ending October 16, 2007 is hereby approved retroactively.**
- 2. Certified copies of this Resolution be sent to Emma Connors, Chief Hilling, Personnel File, Chief Financial Officer, 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. (2202-2008) Authorize Award of Contract for Lease/Purchase of Seven Police Vehicles, 2 Year Contract - \$219,150.00, Weisleder, Inc.

MOTION: Authorize Award of Contract for Lease/Purchase of Seven Police Vehicles, 2 year contract - \$219,150.00 – Weisleder, Inc.

WHEREAS, the Mayor and Council of the Borough of Point Pleasant, did authorize the advertisement for bids for the lease/purchase of Police Vehicles; and

WHEREAS, said advertisement of bids provided for the receipt of bids up to Tuesday, September 30, 2008; and

WHEREAS, Raymond J. Hilling, Chief of Police, has recommended that Weisleder, Inc., 575 Burnt Tavern Road, Brick, New Jersey 08723, the sole bidder, be awarded a contract for the lease/purchase of seven (7) Police Vehicles at a cost of nine thousand, five hundred eighty seven dollars and forty-one cents (\$9587.41) per month, for a period of twenty-four (24) months.

WHEREAS, sufficient funds will be made available in the 2008, 2009 and 2010 budgets for said purpose.

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. A contract for the lease/purchase of seven (7) Police Patrol Vehicles as described in the authorized specifications is hereby awarded to Weisleder, Inc., 575 Burnt Tavern Road, Brick, New Jersey, 08723, for the bid as set forth: nine thousand five hundred eighty seven dollars and forty-one cents (\$9857.41) per month, for a period of twenty-four (24) months.
2. The Mayor and Municipal Clerk/Administrator are hereby authorized to execute and deliver a contract with the successful bidder for the aforesaid purpose which contract is hereby made part hereof.
3. Certified copies of this Resolution to: Chief of Police, Chief Financial Officer,

Weisleder, Inc., 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

8. (221-2008) Declare Certain Borough Equipment as Surplus and Authorize Public Auction

MOTION: Declare Certain Borough Equipment as Surplus and Authorize Public Auction

WHEREAS, the Mayor and Council find that it is the best interest of the Borough to sell equipment listed in Schedule A at the Municipal Public Auction to be held at the James T. Clayton Public Works Facility on October 25, 2008 at 10:00 a.m.; and

WHEREAS, the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey have determined that the Borough Equipment listed in Schedule A are not needed for public use; and

WHEREAS, it is the desire of the Borough Council to declare the items listed in Schedule A as surplus equipment and authorize their sale at Public Auction or as scrap as noted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey Pursuant to R.S.40:11-36(2) that:

1. Said equipment listed in Schedule A are declared surplus and shall be sold at Public Auction or as scrap as noted.
2. In the event that any items on Schedule A are not sold at this Auction, and said items is then authorized to be scrapped.
3. Certified copies of this Resolution be sent to the Chief of Police, Municipal Clerk/Administrator, Superintendent of Public Works and any other interested parties.

#### SCHEDULE A

1 1987 GMC 5 cubic yard dump truck vin 23721 with snow plow and tailgate spreader mounted in the 1987 GMC is the PB Loader Hot Box pave – suggested minimum bid \$3700.00

1 1989 Case 680L backhoe/loader vin 70223 – Suggested minimum bid \$4500.00

1 Dell Opti Plex computer tower (Borough Tag #00559)

1 Hewlett Pakard monitor model C5211A

1 20" Samsung television

1 Xerox 627 Typewriter

Take Further notice that any item over \$100.00 will require a certified check or cash.

DAVID A. MAFFEI, CMFO, RMC  
Borough Administrator/Clerk

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

9. (222-2008) Bills and Claims

MOTION: 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. 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. RESOLUTION (223-2008) 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. Approve Council Meeting Minutes of September 16, 2008.
2. Application Raffle License, Point Pleasant Boro Fire Co. #2, off-premise 50/50 to be held December 1, 2008.
3. Application Raffle License, Point Pleasant Borough High School Band Boosters, on-premise gift auction to be held December 6, 2008.
4. Application Raffle License, Rotary Club Point Pleasant Boro Charitable Foundation Inc., off-premise 50/50 to be held December 17, 2008.
5. Application Raffle License, Rotary Club of Point Pleasant Boro, on premise 50/50's to be held January 7, 14, 21, 28, February 4, 11, 18, 25, March 4, 11, 18, 25, April 1, 8, 15, 22, 29, May 6, 13, 20, 27, June 3, 10, 17, 24, July 1, 8, 15, 22, 29, August 5, 12, 19, 26, September 2, 9, 16, 23, 30, October 7, 14, 21, 28, November 4, 11, 18, 25, December 2, 9, 16, 23, 30, 2009.
6. Application Raffle License, Nellie Bennett PTO, off premise gift raffle, to be held December 13, 2008.
7. Application Raffle License, Jersey Shore Anglers Assoc., on premise 50/50 to be held November 16, 2008.
8. Application Raffle License, Jersey Shore Anglers Assoc., on premise gift auction to be held November 16, 2008.
9. Application Raffle License, Ocean Road PTO, on premise gift auction to be held November 16, 2008.
10. Application Raffle License, Ocean Road PTO, on premise 50/50 to be held November 16, 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

## F. AUTHORIZATIONS

### 1. Manual Checks

MOTION: Authorize Manual Checks

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

### 2. Halloween Parade – Chamber of Commerce

MOTION: Approve donation of \$1500 for Halloween Parade – Chamber of Commerce

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

## G. COMMITTEE REPORTS

Ms. Rogers: I have a couple of committees I have to talk to you about. There was a lot of activity in the last 30 days. The Community Watch Program met on September 29<sup>th</sup> and we had significant participation at this meeting. It is just growing and growing with the amount of people that are coming to the meetings. Part of the reason for that is we had a very successful effort with the back to school nights. We went to Nellie Bennett, Ocean Road and the Middle School. We have registered over 400 families in a period of two weeks. There are over 178 streets participating in the program and we have 25 signs that are now being installed across the Borough. We also have other businesses that have contacted us and said they are interested in helping out with additional funds that are needed for additional signage. I want to extend special thanks because the back to school nights were very intense. There was an enormous amount of people and we were handing out tee shirts to anybody who registered that night and I wanted to give thanks to our resident coordinator who could not be here this evening. That is CJ Sabosik and her husband Bob Sabosik, Kathy Iello, Judy Block, Nick Scarpalo, Mike Kern, Donna Serpile and the PTO Board of Directors for all three of the schools who have been wonderful. Special thanks to the Principals at those schools. A very special thanks to our new Superintendent Mr. Smith who encouraged and supported and helped to advocate this program. The resident group had the opportunity to speak with Captain Williams, Lt. Larson, and Detective Hill at the last meeting. We are updating the crime statistics which I will talk about. We graphed what happened in August and September on the car burglaries. There is a chart down here that shows the different events. There were 27 streets in each month that had car burglaries. We talked about traffic issues and the juvenile complaints. October 14<sup>th</sup> at 7 p.m. is the next meeting. It will be very interesting and we have some very special guests coming. We will have a very interactive program between the residents and the police department. I can't give you the full details. You have to come and find out. It will be a very interesting meeting. November's meeting is going to incorporate Lt. Colwell to talk about the speeding issues. Residents will be able to address the speeding issues on specific streets. He will tell you the process. On the Public Safety end, I received the September stats from the Chief, Captain Williams helped and summonses rose 25% from last year. Burglaries from just four calls to 41 from last year till this past September. Disorderly person events are down from 94 calls to 60 and First Aid calls are down 134 to 84. Juvenile complaints are down 30% from last year. We had significant residents complaints about vandalism to the signs and graffiti. It is impossible to wash them off and the signs are very expensive. Dennis tries to work within the budget and they need to be replaced. It is not that we are ignoring the problem it is the cost of the new signage. Another thing that came up is the kids crossing Route 88 at Pat's Pizza. There is a significant amount of children and it is dangerous with them crossing Route 88. They have brought it to our attention.

Mr. Pyrtko: Did we ever bring up in the past about putting a traffic light there? Maybe we should look into that.

Ms. Rogers: The residents brought up the fact that the Planning Board is trying to add the curbing and sidewalks to any development on Route 88. By the time that happens it is taking too long and they are afraid someone is going to get hurt crossing 88. On the Administration end, Councilman Dikun initiated earlier in the year to bring the Borough into the new and improved technology era and providing the convenience which they could pay via credit card for their taxes and water and sewer and municipal court fines. What we have done is we had multiple meetings and Bill and I have been working with the Administrator and the Department Heads. We had discussions with the Commerce Bank, Ocean First and Bank of America. Hopefully, by the October 21<sup>st</sup> meeting we will be able to present a proposal that Council can actually act on and at the minimum have the Court system up on a credit card operation to take fines. Then more forward to a pay on line service. We are evaluating some small details and looking for better rates. We are also in the process of updating our policy and procedures manual. We are at the end of it. It will allow for better rates on our insurance and distribution to the employees will go out in the fourth quarter. As we look at the 09 budget we should see some relief in our liability insurance. I want to also thank Tamara Gobel from JIF for her assistance, David Maffei and Jerry Dasti for the many months we have spend to bring this up to date. We are working with James Nash from Industrial Appraisals to update the Borough's fixed asset inventory as noted in our financial report. I spoke with Mr. Nash this morning and he has talked with Maryann Clear and David Maffei to identify Borough facilities and properties and we are expecting to have a proposal by the end of this week and also on the agenda on the 21<sup>st</sup>. Another thing that is coming up soon is our health insurance. I can tell you from the private sector, health care costs are on the rise. I don't think the private sector was expecting a 26% increase compared to the 9% and 11% we had the year before. Not only is there a 26% increase there is a reduction of coverage. Co-pays are going in my company from \$20.00 to \$50.00. Prescriptions are doubled as well for regular and generic. For name brands are even above the double mark. X-rays seem to be the issue. The co-pays were \$20.00 and now they are going to be \$100.00. It is very concerning. I know my company is not able to absorb those increased costs. We are going to be passing them along to our employees. We have no choice but to do that. Health care payments are becoming mortgage payments. A family coverage is \$1500 a month. It is an outrageous problem. I am concerned about what the Borough rates will come in as. On the environmental commission we talked about the Earth Day for the year 2009 and the format we are in the processing of writing for the fourth and fifth graders for the Ocean Road and Nellie Bennett Schools. It we be on recycling, it is not just cans and bottles. There are also multiple grants that are coming out in the next two months and we will be applying for everything we can to support the upcoming educational training program. It will be an interactive training program with the fourth and fifth grades. There is something I feel very strongly about and something that I advocate is transparency and disclosure. Between the next October meeting and the November meeting I hope to present a vehicle for resident communication to the Governing Body to enhance transparency of process of presenting a televised version of these Council Meetings. I have had an opportunity to speak with surrounding towns who are already televising their Council Meetings and I have worked with Comcast over the last two and a half weeks and hopefully we will have another presentation between October and November to bring to sub committee and come back to Council. A lot of people

cannot get to the meetings for one reason or another. They can view it as it is happening and then view it days later. It has proved to be very successful in Bricktownship. I want to remind everyone of the cancer walk on October 19<sup>th</sup> in the Beach. If you know the Brady family they walk it every year in honor of their Mother and it is a wonderful thing to participate in. Be part of the cure.

Mr. McAlindin: As liaison to the hospital I want to thank Peter Daniels and his staff members for coming here tonight. I went above and beyond in that capacity this year. I went to the Urgent Care Center several times and spent about a week in OCMC and I am happy to report that the service was impeccable from the moment you walked in the door and register until they wheel you out the front door. I have a debt of gratitude to all of your nurses and Physicians and Staff Members. You did a great job and please keep up the great work. We are particularly grateful for all that you do. Susan mentioned something about paying your traffic fines on line. Are we hooked into NJMC Direct.com and for a \$1.00 you can pay on line. They only take VISA and Master Card.

Mr. Maffei: That is in place but we are looking into taking credit cards for payment at the window.

Mr. McAlindin: I understand. We are getting recurring revenue from the enhanced capabilities on the cell tower. The residents benefit. We are able to entertain leasing space to more carriers and that is more revenue for the Borough. October 14<sup>th</sup> is the last day to register to vote and if you are not registered it is a Presidential Year. Please register. End of report.

Mr. Dikun: I just have two quick reports. One of them involves the Hardenburg Well. Back in July I received several complaints from residents in the area about the mechanical apparatus there and the noise factor. The Well had been off line for several years and it came back the early part of the summer and by July it received several complaints about the machinery. On the top of the structure there is a object that resembles a muffler to a car and it is not doing the job that it is supposed to do. Upon receiving the complaints upon returning from fire calls I would stop there whether raining or not, windy or not, it is rather noisy. We were able to have the Borough Engineer research the issue and they were able to find a silencer to replace the apparatus that is on the top of the building. The price without installation is about \$2600. We will take this to the water and sewer committee and come back to you at the next meeting. The other item is we had a short two hour meeting about the naming committee. Naming of Borough properties and buildings after individuals. Although it was a brief meeting I thought it was rather industrious and I thank the people who did come. Joining Councilwoman Rogers and Councilman O'Rourke and myself were Sean Ward from the First Aid Squad, Kevin McLaughlin, Fire Co. #2, Larry Williams, Board of Education, Chuck Hilling, Fire Co. #1, Jeff Wells from the VFW, Henry Felsdad from Durand Masonic Lodge. Several other people were also invited. Some people could not make it. We covered a lot of ways to properly recognize people of our community that have done good things above and beyond naming the facilities and parks and buildings. Starting off with an idea that was broached was the naming of the interior of the Bennett Cabin that will be placed at the new park and considering that a Heritage Hall where we could put plaques of respected individuals into there. Another thing that was discussed in length in keeping with our New Jersey Hall of Fame which is a virtual Hall of Fame there was talk about a Hall of Fame and also being able to put

individuals on the Borough Web Site. There was a question that was brought up about space. There was also talk about bios of individuals. We also talked about the Cultural Affairs Advisory Committee and we also broached the idea of getting more in line as a Heritage Committee to go back into the history of Point Pleasant. We discussed breaking it up to include Recreation, Government, Public Safety, Education and Sports Figures. Those were the various discussions that took place. There was a lot of positive thoughts. We will have a next meeting with a rep from the Rotary and a High School Student for input. We will meet again next month. End of report.

Mr. Kaklamanis: I would like to bring to everyones attention that we had a job progress report meeting with the Riverfront Park Construction crew and the Borough Engineer and it is moving along very fine and hopefully by November they will be putting sod down. There were some things that were brought to mine and Councilman O'Rourke's attention today. There is going to be some right along Maxson Avenue and River Road and some of the sidewalks were uneven and they were highlighted in orange florescent paint and we will be reconstructing new sidewalks to make everything flat and even..There was still some discussion about erosion and dune grass along the waters edge. There was a \$25,000 increase in the asphalt that is going to be laid at the Riverfront Parking area and that is according to the DOT specs. The increased price in the oil based products and price increase. That will be discussed. There was a discussion about a \$7000 price increase for two water fountains that the Riverfront Park. It seemed funny. They said it was due to the winterization. That will be discussed. Aso, in regards to the Borough Attorney they have the proposed park rules and regulations draft update for all the parks. Alcoholic beverages will not be allowed in any park with or without a permit. Mr. Sears told me today that at one time there was a plague of recognition at the McKennan Lake Field and I would like to have a new dedication for the family of Kevin Lake and the family of Clifford McKennan. Also, a proclamation for the renovations to the bus for Mr. Lloyd for the mechanical end of it and Tony's Auto Body for the painting of the bus free of charge and for Broadway Signs for the new logo on the side of the bus. End of report. The Fire Safety Expo is tomorrow night at Ocean Road School. Use your power and authority to vote November 4<sup>th</sup>. I thank the Ocean County Medical Service for their fine work and attendance.

Mr. O'Rourke: Obviously, a municipality has an awful lot of issues that have to be dealt with on a daily basis. You can see the Council is extremely busy dealing with them. I was sitting in Dave Maffei's office the other day and in the five minutes I was sitting there I swear he had fifteen or twenty phone calls that had to be dealt with by Dave. It is amazing how much stuff comes through this building and we are lucky to have this building open every day. I wanted to visit a municipal building up in Phillipsburg last week for something I had to get some paper work on and they were closed. No posting on the front door. They were closed. I found someone in the back who said they took the day off. What Dennis brought up about the October 25<sup>th</sup> surplus auction we have. It is a fantastic time and you should come and see this. They do not just sell the dead horses we have left over. Occasionally something good turns up in that auction. It is the police auction too. Bicycles, CD's, DVD's, once we had a generator that was about the size of this room. I think the guy got it for \$10.00 and I don't know how he got it out of the building. You will be entertained by our Auctioneer. It is a real auction. We had a car that they kept bidding on. October 25<sup>th</sup>. End of report.

Mr. McAlindin: We had a meeting with Zoning and Code Enforcement this evening and Fire Co. #1 received a grant from a membership drive and with that grant they bought an electronic sign. They have realized that they can generate revenue by selling ad space on that. In order to do that they need to get a variance. We would like to make a motion that any fees involved in the variance application be waived.

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: What makes a good Mayor and Council is when the rest of the Council brings up about ten things that I was going to bring up. You cut my report down to nothing. Thank you. Under the Mayor's report, I had the privilege of joining in marriage a couple on the Manasquan Beach. It was quite exciting. I also received an e-mail from a Valerie and John Mines and they are asking if they can donate a tree to the Community Park on behalf of her Mom. Her Father of 85 years old walks the park and they think it would be nice for him to see. I would talk to Public Works and see what type of tree and the location and they would foot the bill. I would like to have a motion for that.

Mr. McAlindin: So moved.

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: I would like to talk about the Community Watch Program, I was at the first meeting where there were six people in the audience and I came to the last meeting and half of this room was filled. I am overwhelmed on the job that Councilwoman Rogers took on this and with Captain Williams and Detective Hill and how the community really came together to make it a safer place. There is still room to join in. I know we will bring the crime down. I am glad to see it has taken off and I commend you, Ms. Rogers. A great job. Mr. Dave Johnson chairs the triathlon. He is present and will explain.

Mr. Johnson: First of all I want to thank the Mayor and Council for allowing the Point Pleasant Foundation to hold this fifth annual triathlon which we held on the week of the 27<sup>th</sup> and 28<sup>th</sup>. It was our fifth annual and we did a kayak bike and run, a swim bike and run on Saturday evening. We had a kids race for 7 to 14 year olds and it was a successful fun race. Thank you again to the Mayor and Council for the approval of the race and to Dave Maffei especially for the coordination of all the people involved. Ms. Rogers, thank you for letting us fill the water jugs at your house. We raised about \$12,000 at the event. The Coast Guard, the Marine Police, Fire Co. No. 1 & 2 were very helpful. Adam McCarsky was very helpful with the event and we are very sorry that he passed away. Adam was coordinating it and

the other members took over when he passed and they did not miss a beat. The First Aid, the Public Works Department did a great job.

TAPE GOES BLANK

Mr. Johnson: We are looking forward to next year to host the 6<sup>th</sup> annual.

Mr. McAlindin: We had one minor complaint, there was an elderly resident that went to the drug store and didn't realize the road would be closed and could not get back home. Maybe we can use a bus to shuttle people in and out next year.

Mr. Pyrtko: We have the Halloween Parade on the 26<sup>th</sup> and Mary Guetzlaff chairs the parade and she is in the audience. Christy Pearce is going to be in town and we asked her to be in the parade and we will recognize her for going for the gold.

Mr. McAlindin: We never officially named the soccer field after her. Is that correct?

Mr. Maffei: The signs are currently being made. In speaking to the Mayor and Mr. Pyrtko the intention is to have an event of a dedication along with Mr. Ferrie.

Mr. McAlindin: Please put a resolution on the next meeting.

Mr. Pyrtko: Mayor Konkus is due to be back by the next meeting. It has been a pleasure to serve in his place. It is a lot of work but an experience. End of report.

Council commended Mr. Pyrtko for the fine job he has done as Acting Mayor.

OPEN PUBLIC SESSION (Resolution and Authorization 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: 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, In regards to the auction, a lot of towns are going on line for the surplus equipment and we may be able to get more money.

Mr. Maffei: I have looked into that.

Mr. Vitkauskis: The monies from the cell tower, when are they going to get rid of the temporary tower.

Mr. Pyrtko: I am waiting to hear from the Consultant. I have called him several time.

Mr. Vitkauskis: How are the contract negotiations going with Comcast?

Mr. McAlindin: We do not have a meeting set up. I don't think you should televise Council meetings. You might want to call it the "Theatre of the Absurd".

Mr. Vitkauskis: The County put up signs on Bay Avenue and 88 "Your tax dollars at work". Finally, they are starting work at that intersection. I read in the paper about Schoor DePalma pleading guilty. The \$40,000 we were supposed to get, did we ever get that money yet?

Mr. McAlindin: No, we did not have a meeting of the minds. We thought we had a meeting of the minds. We understood what the offer was and they back peddled on that. We will now push for our full claim. They do not give us any other options. It was reported to us that it was resolved and when we sought to collect they had a different point of view. We will pursue getting reimbursed in full.

Mr. Vitkauskis: As Acting Mayor do you get a higher salary?

Mr. Pyrtko: No, I don't.

Mr. Lee, Northwest Drive, Bridge Avenue and Hollywood he would like a Crossing Guard at that corner. He explained what a bad intersection and he is waiting for someone to get killed.

Mr. Pyrtko: Lt. Colwell will look into this.

Chris Leitner, 804 Donna Drive, three quick points. Mr. McAlindin, I am not in agreement with you on the televising of Council meetings. I had back in June talked to our friends in Brick about this and one of the things I found was it was cost effective and an educational tool for the students in the schools and learning about television production both in front of the camera and behind the scenes. I would like to volunteer my services and help to get that program off the ground. Mr. Dikun, the naming committee, the meetings that you are having are they invitation only? Are they opened to the Public? How can I get on the invite list? I would like to be included in that. I have no objection in naming the field after Christy Pearce, it is a great idea. Is that something that should be in front of the naming committee?

Mr. McAlindin: We decided that as a Council three years ago.

Mr. Maffei: There was a vote

Mr. McAlindin: It was a universal agreement. There are some people in town that loved to pit the accomplishments of one person against another for reasons I will never understand. Christy Pearce is certainly worthy of that accolade.

Mr. Leitner: Like I said I have no problem with honoring her. I think it is the right thing to do. My question is

Mr. McAlindin: We will put it on the agenda like any other item and certainly there will be a period of public comment just like any other meeting. I hope my fellow Council Members will support it but you never know.

Mr. Leitner: Thank you.

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

MADE: Mr. O'Rourke

SECOND: Mr. McAlindin

ALL IN FAVOR.

There will be no Executive Session this evening.

MOTION: To Adjourn

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

ALL IN FAVOR.