

**COUNCIL MEETING  
TUESDAY, APRIL 19, 2016  
7:00 P.M.**

<b>Mayor:</b>	<b>Robert A. Sabosik</b>
<b>Council President:</b>	<b>Joseph Furmato (Absent)</b>
<b>Council Member:</b>	<b>Antoinette DePaola</b>
<b>Council Member:</b>	<b>John Wisniewski</b>
<b>Council Member:</b>	<b>William Borowsky</b>
<b>Council Member:</b>	<b>Pamela Snyder</b>
<b>Council Member:</b>	<b>Michael Thulen, Jr</b>
<b>Borough Attorney:</b>	<b>Jerry Dasti, Esq.</b>
<b>Borough Administrator:</b>	<b>Frank Pannucci</b>
<b>Borough Clerk:</b>	<b>Antoinette Jones</b>

**THE PLEDGE OF ALLEGIANCE TO THE FLAG**

**STATEMENT BY MAYOR SABOSIK:** 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 8, 2016 edition of *The Ocean Star* and communicated to *The Asbury Park Press*.

**A. WORKSHOP**

**1. Committee Reports**

**Council Member Snyder stated the following:** “Two quick things from an administrative standpoint we are bidding adieu to our Confidential Aide, Eric Colvin, he has accepted the position of Deputy Clerk in Wall Township. We certainly appreciate all that he has done while working here. On behalf of council we wish him all the best. Also in the construction department our part-time building inspector was offered a full-time position as a building inspector in Freehold. So we thank him for all of his help with the building inspections and his help in the construction department and we also wish him the best of luck.

As the Environmental Liaison, I am pleased to report this will be the last announcement I make on Earth Day. The Earth Day Celebration will occur this Saturday, April 23<sup>rd</sup> in the very slight chance of rain it will be postponed to Sunday, April 24<sup>th</sup>. The council and mayor will be passing out trees that were provided by NJ State Forestry Program, so please pass the word. If there are any Borough residents that need to replenish their shade trees we do have some saplings and seedlings and we hope to help restore some greenery and trees that we lost due to Sandy and some of the other storms we’ve had recently.”

**Council Member Thulen stated the following:** “Good evening everyone. As Councilwoman Snyder just mentioned, we will be looking for a part-time building inspector. If you know anyone out there, please send them my way. We have an Ordinance for final reading tonight. We look to have a Land-use Committee meeting in the next few weeks. Our Construction Official is on vacation for the next two weeks in Ireland.”

**Council Member DePaola stated the following:** “On public safety, she would like the residents and mayor and council know that Officer Jesse Waterson is being honored by MADD New Jersey. MADD New Jersey is having an awards dinner/ceremony on Thursday, June 16<sup>th</sup>. They have recognized Officer Waterson for outstanding and distinguished service to the community of Point Pleasant Borough for DUI, DWI enforcement in 2015 for savings lives and preventing crashes. I would like to extend my congratulations to Officer Waterson it is a kudos to the department. They have a lot of great officers and it is nice to see they are being recognized outside of the Borough. Also something that the residents of Point Pleasant will be interested in knowing is that Chief Larsen and the Police Department have instituted an anonymous tip line for citizens to use. A citizen can now call into the Police Department, ask for the tips line and they will be transferred to an automated voice mail box where they can leave information regarding criminal activity or any other information they may want to submit to them. We just want to keep spreading the word and let the residents be aware. That is something the Community Watch Organization will also be doing.

The Community Watch Organization is always looking for new volunteers so anybody that is interested can contact Mary Bavais. One thing the Community Watch Organization is doing again this year is the “Watch Walkers”. They are a walking group for all fitness levels sponsored by the Borough Community Watch Organization and they meet every Thursday, weather permitting, at 6:00 PM at Community Park. The first meeting is this Thursday, April 21<sup>st</sup>. So let’s hope for good weather and we will be posting more information on our bulletin board. The Community Watch Organization will be at Earth Day and they are sponsoring a “Book Swap”. All you need to do is bring unwanted books and swap them out for ones that you want. A lot of our volunteers have provided books that they’ve read and are willing to give back. So anyone who would like a book should stop by. The Community Watch Organization will be hosting a car wash to help raise funds for National Night Out which is in August and this is a free event for the whole Borough. It takes a lot of time and energy to run the event and this is one of their big fundraisers. The car wash will be held on Sunday, May 15<sup>th</sup> from 10:00 AM to 2:00 PM at ME Sabosik Associates, in the parking lot located at 2319 Bridge Avenue.

Lastly, I have two items from organizations looking for support from the Borough of Point Pleasant. The first is the American Cancer Society’s “Paint the Town Purple Event”. This event will be held on Saturday, May 21<sup>st</sup> and it is the first kick off for the 7<sup>th</sup> Annual Relay for Life event. What the organization is looking to do because May is Breast Cancer Awareness Month and we “Paint the Town Pink”, they are requesting permission to “Paint the Town Purple” at the end of May and the beginning of June to lead up to the Relay for Life event which will be held on Saturday, June 11<sup>th</sup> at Point Pleasant Borough High School. Also, this year they would like permission to decorate the tree we use for the holidays. They would like to decorate it with purple lights, bows and different positive sayings and mementos for people who have fought the cancer battle.

Finally, St. Martha’s Church on behalf of Reverend David Swantek and the Hospitality Committee are formally requesting to reserve Riverfront Park for their 2<sup>nd</sup> Annual Parish Community Picnic on September 18, 2016. They had the picnic there last year. It is open to the public and they embrace the entire community. It was a great event, last year. Councilman Thulen, the Mayor and I were able to go. It was a really great event and it was very well received.”

**Council Member Borowsky stated the following:** “I am happy to report that we are in possession of three signs for the skate park. The signs were printed in the Borough colors. The larger one gives the hours of the skate park spring schedule and the smaller signs say no food or drink in the park and helmets must be worn at all times. These signs are a donation for the town from myself. I do apologize I’ve been very busy at work and we are looking to have a DPW meeting by the next meeting and I should have a more extensive report at the next meeting.”

**Acting Council President Wisniewski stated the following:** “On Earth Day, Bennett Cabin is holding a flea market of sorts of historical items from the Borough. There are old maps from the schools from the 1960’s, there are old school windows and there are also some original water colors. This will help raise money for the Historical Society.

The Finance Committee had a Budget Meeting on Thursday. We went through 10 or so departments. We have about 20-25 items that we still need to discuss and come to some sort of consensus on as a group before we finally lock down the budget. We are hoping to get that done tonight.”

## **2. Report of Mayor**

**Mayor Sabosik stated the following:** “In today’s mail I received a recycling check from the County, our share for this is \$8,902.74 and it came attention to the Mayor. I will hand it to our town administrator. We had a sad event this week in town. We had a house that burnt to the ground. The good part was that nobody got hurt. Our fire department did a wonderful job, they are a great bunch of volunteers. The mutual aid pack worked we had Bay Head, Point Pleasant Beach, Bricktown Fire Department and their fire boat. This was a waterfront home and obviously the police department did a wonderful job keeping bystanders away. Unfortunately the house was totaled but the best part was that nobody got hurt.

Let’s talk about the police for a minute. On May 9<sup>th</sup> this year we are very fortunate to have the Police Unity Tour traveling through our town. This tour will be having approximately 600-800, police officers and retired police officers and people who are involved with law enforcement on bicycles. What they will be doing is leaving the State of New Jersey and biking down to Washington DC to the Police Memorial where the new names of the police officers who were killed in the line of duty will be read and then inscribed in the stone. This is a very moving event, I haven’t been to Washington DC but I have been to several towns who have hosted the police unity tour where they have lost local officers. I hope we can have a great turnout it has been about 20 years since they’ve come to this town. It is a rare occurrence where we can really thank a lot of police officers who have taken the ride. Just to give you the idea of the intensity of this we have riders coming in from San Diego that our police will pick up from Newark Airport. It is a great event starting around 12:00 PM they will only be here for 20 minutes. Please pass the word this will be a wonderful event.

Chief Larsen stated the route coming in will be off Highway 70 they will ride all the way down Bridge Avenue and stop in our parking lot. The first support vehicles will be coming into town at noon the actual riders will be in town around 2:00 PM.

On another note I’ve received letters from Ocean County Bay Support for the Troops Project, they are looking for used sporting equipment to be sent to the troops over to our soldiers serving in harm’s way. We will be sending it out from Borough hall, if anyone would like to donate anything please bring it to the Borough Administrator’s office.

Beach Sweep we are going to be sweeping Maxson Beach on River Avenue on April 30<sup>th</sup>. We do it every spring and fall. We did it last year in Sunshine Harbor. It was a little muddy but it was fun.

Last, we will be “Painting the Town Pink” a Meridian Health event in the beginning of May and we will be coordinating between the two organizations to give them full access to the town. These are both wonderful events.

We have a new reporter for The Ocean Star her name is Sue Montgomery and we would like to formally welcome her to our town and if she ever has any questions, please do not hesitate to call.

**B. MINUTES**

- 1. Approve Council Meeting Minutes of April 5, 2016**
- 2. Approve Executive Meeting Minutes of April 5, 2106**

**MOTION: Approve Minutes**

**MADE: Ms. DePaola**

**SECOND: Mr. Wisniewski**

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

**C. MUNICIPAL BUDGET**

- 1. Public Hearing on Municipal Budget as Introduced**

**Mayor Sabosik stated we are going to have the public hearing for the budget because it was advertised, but please be advised we are still working on it. We must open it to the public because it was an advertised event.**

Mayor Sabosik asked if Himanshu Shah, our CFO or Bob Allison our Auditor, would like to make a statement regarding the budget.

Himanshu Shah: Stated as you indicated tonight is the public hearing on the budget we introduced on March 22<sup>nd</sup> but there is no action. We are still reviewing the budget and there is still discussion going on. The budget as introduced was \$19,643,083 and it is about 1% lower than finally adopted budget of 2015. The tax levy for 2016 as introduced is \$14,142,935 which sets the tax rate increase of 1.90%. Obviously that is not final and will change. We hope to have this budget adopted by the end of May.

**MOTION: Public Hearing on Municipal Budget as Introduced**

**MADE: Ms. DePaola**

**SECOND: Mr. Wisniewski**

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

**Seeing no hands, Mayor Sabosik closed this portion of the meeting.**

**D. ORDINANCES**

- 1. Public Hearing**

## **Amending and Supplementing Chapter XIX of the Borough Code Entitled “Land Use”**

**Mayor Sabosik opened the meeting to the public for comments or considerations.**

Al Faraldi: Planning Board member stated a few of the members of the Planning Board never saw this ordinance and they are asking for it to be sent back to the Planning Board again for another review. The deck part of the ordinance states heights and depths above the BFE and it would hurt the residents of the Bay Head Shores area. It is not fair to the residents who live on either side of a raised home to be looking at the underneath of the raised homes deck. Also the length of the deck going out to the bulkhead or the property line also impacts the residents who haven't raised their homes. We feel this ordinance was not written well and should be relooked at by the Planning Board.

Councilman Thulen: Stated he came before the Planning Board and discussed this ordinance.

Al Faraldi: Stated that no one on the Planning Board remembers discussing this ordinance.

Mr. Dasti, Esq.: Stated I was on vacation when this was discussed but I remember getting an email memorandum from the Planning Board stating they did not have any changes.

Al Faraldi: Stated it was a surprise for a few of us. We must have been asleep or something.

On another note I am also on the Environmental Committee and Al Clericuzio was there and he couldn't say enough about the great work that was done on Dorset Dock.

Bob Shippee: Newlin Homes stated regarding the ordinance he is very disconcerted by the Planning Board comments. Last time this was considered there was an option presented for having the perceived old setbacks on corner lots as 15' x 5' or 5' x 25'. It looks like none of that was included in the ordinance. So it looks like it will be 25' x 25' and 7.5' x 7.5' on corners. This will take 10% of the buildable area away from the corner setback and I was just wondering if this hasn't been reviewed by the Planning Board can this be forwarded to them.

Mayor Sabosik: Replied this has already been reviewed by the Planning Board and the council received a letter from them that they reviewed it. What you are saying is for a corner lot you are losing 10% buildable capability.

Bob Shippee: Replied this limits the ability to move the physical structure back into the corner to essentially clear the site lines. Most towns use 25' setback on the short side of the front yard, 15' on the alternate front or long side and 5' and 5' so there are two side yards. It gives the builder or homeowner the option to move the house around more than what would otherwise be the case. The give up is you don't have a backyard which when you drive through town most of the corner lots do not have backyards. The problem comes when you start to force the houses out towards the side street like they were a regular lot. They are really going to project way out into the side yard and potentially present the houses down the street with a view of someone's side. It will look a little funky. In order to compromise with the 7.5' x 7.5' as a standard building lot on the corner which would provide a little wider, less deep lot you could put the garage in the back. The current language reads 25' x 25' and 7.5' x 7.5' which is a traditional building lot, but on a corner lot I thought the idea was to slide the structures a little further back so they don't stick out.

Mr. Dasti, Esq.: Stated Mr. Popovitch sent a letter regarding your comments that was forwarded to the Planning Board and I'm not sure whether it wasn't seen or read because I was surprised that when I got the memo from the Planning Board they had no comments or concerns.

Councilman Thulen: It was seen and reviewed by the Planning board, I spoke with Mr. Popovitch myself and we did have a discussion our goal was to give them more of a building envelope. In the Planning Board meeting we did discuss the setbacks and they could still go before the Zoning Board. Our intention was we were giving them some relief.

Councilwoman Snyder: Asked if the prior ordinance was 15' and the new ordinance is 7.5' how is allowing you to go closer to the street a bad thing.

Bob Shippee: Responded it is not necessarily a bad thing the difference is the way the town has been interpreting the ordinance for the past 10 years. This equates to a reduction in space so as written it was 25' rear, 15' alternate front and 5' side and 25' front and they are essentially memorializing what was in the ordinance language for many years. However the practical reality was the interpretation of it by past permit, zoning and subdivision approvals reflected a 5' rear, a 5' side and a 15' alternate front so in practical reality it is a reduction.

Councilman Wisniewski: Asked what your concern is that our Zoning Officer has not been interpreting it correctly.

Bob Shippee: Replied you are affirming an ordinance that's been in place. There is a long precedence of approvals based on incorrect interpretation for over 10 years, subdivisions included.

Mr. Dasti, Esq.: Stated since a member of the Planning Board has stated the Planning Board doesn't remember reviewing this ordinance there is no harm in tabling it now and sending it back to the Planning Board for their review.

**Seeing no further hands, Mayor Sabosik closed this portion of the meeting.**

**2. Final Reading  
Amending and Supplementing Chapter XIX of the Borough Code Entitled "Land Use"**

Mayor Sabosik asked the council if they would like to make a motion to table this ordinance and have the Planning Board review it again

**MOTION: Table Ordinance**

**MADE: Ms. DePaola**

**SECOND: Ms. Snyder**

Mr. Furmato: Absent

Mr. Wisniewski: No

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: No

CARRIES: YES

**E. OPEN PUBLIC SESSION (Resolutions, Consent Agenda and Authorizations Only)  
Five (5) Minute Limit Per Person**

MOTION: Open the meeting to the public

MADE: Ms. DePaola

SECOND: Ms. Snyder

APPROVED: All in Favor with Mr. Furmato Absent

**Acting Council President Wisniewski opened the meeting to the public.**

**Seeing no hands, Acting Council President Wisniewski closed this portion of the meeting.**

**F. RESOLUTIONS**

**“All matters listed under item “Resolutions” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed and will be considered separately.”**

- 1. (132-2016) Bills and Claims**
- 2. (133-2016) Approve Emergency Temporary Appropriation**

**MOTION: Adopt Resolutions**

**MADE: Mr. Thulen**

**SECOND: Ms. DePaola**

Mr. Furmato: Absent

Mr. Wisniewski: Yes/\*Abstain

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

**CARRIES: YES**

\*Mr. Wisniewski abstained from all payments regarding T&M Associates and Yes to all others.

**G. CONSENT AGENDA**

**“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”**

- 1. (134-2016) Authorizing Refunds for Recreation Programs**
- 2. (135-2016) Authorizing Refund of Permit Fee – Block 306, Lot 87, 1623 East Drive**
- 3. (135-2016) Authorizing Refund of Permit Fee – Block 368, Lot 50, 3229 Chicopee Ave.**
- 4. (136-2016) Authorizing Refund of Demolition Bond – Block 183, Lot 11, 2427 Moore Ave.**
- 5. (137-2016) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.**
- 6. (138-2016) Authorizing Payment for Consulting Services to Maintain Network for Police Department - Breaker Group, Inc.**
- 7. (139-2016) Confirm Appointment of Timothy J. Skinner as Building Sub-Code Official**
- 8. (140-2016) Confirm Appointment of Jennifer Mills as Part-Time Recreation Special Events Coordinator – Recreation Department**

9. (141-2016) **Approving the Following Application:**
- a. **Jersey Shore Jazz and Blues Foundation, Social Affair Permit, Riverfront Park, June 18, 2016 from 12:00 PM – 7:30 PM. (All Police and DPW costs will be paid by applicant).**
  - b. **Meridian Health Event is sponsoring “Paint the Town Pink” a month long celebration during the month of May. They will be placing a banner at Community Park and placing pink ribbons along the fence.**
  - c. **American Cancer Society is sponsoring “Paint the Town Purple” in Celebration of Relay For Life of Point Pleasant which will be held at Point Pleasant Boro High School Stadium Field on Saturday, June 11, 2016.**
  - d. **St. Martha’s Church Hospitality Committee will be Holding Their Second Annual Parish Community Picnic at Riverfront Park on September 18, 2016.**

**MOTION: Adopt Consent Agenda**

**MADE: Mr. Borowsky**

**SECOND: Ms. DePaola**

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

**H. OPEN PUBLIC SESSION  
Five (5) Minute Limit Per Person**

MOTION: Open the meeting to the public

MADE: Ms. DePaola

SECOND: Ms. Snyder

APPROVED: All in Favor with Mr. Furmato Absent

**Acting Council President Wisniewski opened the meeting to the public.**

Dennis Vitkauskis: Foster Road – Stated in past Administrations the Fire Department, First Aid, etc., came before the council do discuss their budgets. He asked Mayor and Council if the Budget hearing was advertised. Normally the dates are announced at the council meetings.

Mayor Sabosik: Responded we did the budget meeting last Thursday. The Borough Administrator and the Finance Committee streamlined the process and we did the departments all in one night. The budget meeting was advertised. It was transmitted to the newspapers and posted on the bulletin board and on the website.

Dennis Vitkauskis: Commented about the car washes being held at ME Sabosik, Inc. and Councilman Borowsky’s place of business.



Mayor Sabosik: Responded he applauds Councilman Borowsky for having the car wash for the HS Wrestling Club at his place of business. I have noticed that some of the Point Pleasant organizations have resorted to having car washes in neighboring towns and I thank him for allowing the club to use his place of business.

Councilwoman DePaola: Stated that way before Mayor Sabosik was on council he allowed organizations to use his parking lot for car washes.

**Seeing no other hands, Acting Council President Wisniewski closed this portion of the meeting.**

**I. EXECUTIVE SESSION**

- 1. Personnel**
- 2. Contractual/Possible Litigation**

**MOTION:** To go into Executive Session Ms. DePaola

**SECOND:** Ms. Snyder

**APPROVED:** All in favor with Mr. Furmato Absent

**RETURN FROM EXECUTIVE SESSION**

Mr. Dasti: "In closed session we discussed some ongoing personnel matters regarding new hires and raises and contractual issues for 2016."

**MOTION TO ADJOURN**

All in Favor

**TRANSCRIBED BY: ANTOINETTE JONES, BOROUGH CLERK**

**ATTEST:**

**APPROVED:**

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**ANTOINETTE JONES**  
**BOROUGH CLERK**

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**ROBERT A. SABOSIK**  
**MAYOR**