

**COUNCIL MEETING
TUESDAY, SEPTEMBER 20, 2016
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Joseph Furmato (absent)
Council Member:	Antoinette DePaola
Council Member:	John Wisniewski
Council Member:	William Borowsky
Council Member:	Pamela Snyder
Council Member:	Michael Thulen, Jr
Borough Attorney:	Christopher Dasti, Esq.
Borough Administrator:	Frank Pannucci
Professional Planner:	Jennifer Beahm
Borough Clerk:	Antoinette Jones

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: “First I just want to take a moment to praise our Police Department. You have probably noticed an increased presence over at the schools this week. I just want everyone to know that this is not due to any threats to our schools or students but in the wake of what happened over the weekend, our Superintendent Vinny Smith, as well as our Chief of Police, thought it would be a good idea to increase the presence around the schools. It has given the children and their parents more of a comfort level and I just want to thank the Police Department for that. Also, if you see anything suspicious please reach out to our Police Department. It is always better to let the Police Department know that something seems awry and have them check it out.

The Environmental Commission met last night. The Climate Action Committee did not meet last month and there are no meetings scheduled for this month. As we mentioned before, the Climate Action and Environmental Commission is hoping to create some synergy and work off of each other’s strengths as one uniform commission or committee. Perhaps combining some members. The Environmental Commission currently does not have a secretary, so we are looking for another secretary. Also there are two alternate seats which are vacant, as well as, at least one regular seat which is vacant. The appointments are usually made January first and are Mayoral appointments however if anyone is interested in becoming a member of the Environmental Commission we do ask that you send in a letter of interest addressed to the Mayor.

The Environmental Commission has also been planting trees. If you remember at Earth Day, the Council worked with the Environmental Commission and the DEP to give out free trees to the residents of Point Pleasant Borough. They didn’t look like much when we handed them out. They looked like twigs and

some may even argue that they looked dead. However, I can assure you that they are not dead and they actually do bloom into trees. The Environmental Commission has been planting these seedlings in the Borough and they are growing anywhere between 3 and 4 feet high. They have green leaves. In a few years they will look like real honest to goodness trees. So thank you to the Environmental Commission for doing that.”

Council Member Wisniewski stated the following: “Hopefully everyone saw in the paper the installation of the bell that was found on Whitelawn Cemetery. Just another example of what the Open Space Committee does to improve the town. They made a base for it and cleaned up the bell and put it near the memorial at Whitelawn. Also, from Open Space, we had a resident walk by and asked what we were doing and wondered about Open Space. She then asked if she could join. So I will presenting to the Mayor to have Marilyn Kritish appointed as an alternate member of the Open Space Committee. Also, as I mentioned last meeting, Santa will be at the Bennett Cabin on December 10th and 11th. I have already heard that he is well into his planning for his gifts for all the kids. Finally, we are trying to set up a meeting with the Open Space Committee and Congressman MacArthur. There has been some back and forth with the Canal Walk issue and the Army Corp of Engineers giving us some sort of access or right of way and Congressman MacArthur wanted a very long detailed letter explaining why we would want this as opposed to just putting pressure on the Army Corp himself. So I will be working with his aide to set that up soon.”

Council Member Thulen stated the following: “You will see on the agenda that we have an ordinance for final reading for land use in regards to driveways. I am happy that it is on here. I had a chance to speak to one of my neighbors this weekend and he was inadvertently complaining to me about wanting to do work on his house but not having anywhere to put his new driveway or extend it actually without having to go purchase land from me. Since, I had no intention of shortening my yard up, I told him that we have an ordinance ready for final reading that will help him out and he can go ahead and start putting plans together for what he wants to do. I am glad that we had something and I didn’t know it would be put to use so quickly.”

Council Member Borowsky stated the following: “I am happy to report that the four “Share the Road” signs have been installed by Public Works. Four more have been ordered and when they arrive I will keep everyone posted as to the locations that they will be installed.

The new vehicle storage facility at Public Works is about 90% complete. Landscaping will be installed and that should just about complete the project.

On tonight’s consent agenda we will be voting to authorize RVV to provide the design portion for mill and overlay of five roads. They are: Barbara Drive from Beaver Dam to Dorsett Dock, Shore Haven Court, Paula Avenue, Greentree Avenue and Juniper Street from Burnt Tavern Road to South Street. We also had three roads completed with mill and overlay this past summer. Catherine Street, Donna Drive and Partridge Run. For the past couple years our Public Works Committee have been getting our roads in town back up to speed. I think we were at a 60 year cycle, meaning your street could be paved every 60 years. The standard is every 40 to 42 years. So I am happy to see this on the agenda tonight. Hopefully we can see this through and continue to upgrade our roads throughout the town.

In light of what happened this week with the terrorist attacks in NYC and in Seaside Park, I was thinking today about it and it was because of great police work on how fast they apprehended this guy. The fact that he left a fingerprint on one of the bombs that did not explode did not help his situation but they had his pictures on surveillance cameras up in Chelsea in NYC. It got me thinking right away, all along there has been bond ordinances for surveillance cameras earmarked for our parks. So I called up Bob today all

excited to get this moving. I am a big proponent of surveillance cameras. You cannot go anywhere on my property and not be on a camera and I can't tell you how helpful they have been. I can tell you for an hour how many people I have caught and the benefits these cameras have been through the years. So I talked to Bob and asked what we had to do to get this going and he explained to me that he has been working with the Chief on this already and that the Chief is pretty much quarterbacking this project. They drove around the parks and the municipal building a couple months ago and I am excited that this is in the works. Our resident's safety is our number one concern. That is why I back our police. I can't tell you, all day Saturday, I was very calm. Throughout everything that was going on I was calm because we have a phenomenal police force and a phenomenal police chief. But our residents I don't think feel this way because they are not sitting here with us and they do not get the Chief's reports and they are not interacting with him the way we do. I want our residents to feel as safe as possible and I feel this project will give our residents a feeling of safety and comfort when they are in our parks at Summerfest etc. They will know they are being watched and no one is going to get away with putting something in our garbage cans or anywhere and try to do some damage without being on camera. I feel that we on Council should back Mr. Forsyth and our Chief as much as possible to get this project moving as quickly as possible so our residents will feel safe when they are out in public in numbers. This can happen anywhere now. The fact that five bombs were found makes me wonder if they didn't shut the beach Seafood Festival down is that what he was going to do with them? Who knows if he didn't just throw them in a garbage can because his plan was shut down already? So, I am excited to see this project move forward."

Council Member DePaola stated the following: "Echoing the sentiments of my fellow Council and the Mayor, I too would like to thank our Police Department for all of the efforts that they put forth when the terrorist bombing was discovered in Seaside Park. Even though Point Pleasant Borough itself was not a target and they were never under any suspicion of any nefarious activity. Our officers, thanks to the leadership of Chief Larsen and Captain Lokerson, they rendered mutually to Point Pleasant Beach and helped them get approximately 30,000 people evacuated from the Seafood Festival. The festival is known to attract large groups of people and started at 11:00 am. So, not only are you talking about festival goers you are talking about vendors, you are talking about emergency personnel that were there and volunteers that were there. They were able to get Point Pleasant Beach evacuated in an orderly fashion and no one panicked. Everyone got out safely and efficiently. The fact that our police department was able to render mutual aid shows that we do not live in a bubble. We are not isolated from the rest of the world. We give help when it is needed and it is nice to know that we will receive help when it is needed. We also have some officers that are on the Ocean County Swat Team that were put to use on Saturday and I just want to give a big shout out to our law enforcement officers for all the work they did because if you think that our law enforcement officers do not put themselves in harm's way every single day, then you are not watching the news. For a terrorist attack to happen in Seaside Park a small, quaint, family oriented community on the Jersey Shore right here in Ocean County. No one would ever have thought that an event that attracted our Marines and the families of our armed services who have passed away protecting our country for the rights that we all have and enjoy. For something like this to happen so close to home is a real awakening moment. I agree with Councilman Borowsky that whatever we can do to keep our residents safe and that we can afford to do, we will absolutely do. If we can get these surveillance cameras moving quicker that would be fabulous. I am sure we all agree. We all live here, we all love this town and we want to keep it safe. We want the bad guys to know that they are not welcome here and so don't even try it. I just want to thank everyone once again.

Moving on to happier events, the Community Watch Organization will be holding their annual Trunk or Treat event. It will be held on Monday, October 24, 2016. Hopefully we can get all our little ones to come out in their costumes and get free treats from all of the organizations in town. We will also have our various departments from the town there. The Chamber of Commerce, Fire and First Aid and OEM will

all be there. It will be a great event as it has been in the past. Any organization that would like to help out can contact the Community Watch Organization through Detective Hill in the Police Department.

Finally, October has been designated as National Pregnancy and Infant Loss Awareness Month. In New Jersey we have what is called the TEARS Foundation. They have been able to assist over 350 families with financial assistance for funeral services for these precious babies and they have helped countless numbers with emotional support. The organization in New Jersey is located in Wall. For October, they will be putting forth a campaign to make people aware of this important cause. We will be getting an awareness kit and we will have materials available for distribution for any of our residents who are experiencing a pregnancy or infant loss and don't know where to turn, the TEARS Foundation would be a great place to start. When we get further information we will be more than happy to make it all available."

2. Report of Mayor

Mayor Sabosik stated the following: "I think there is a general theme up here this evening. Tough times do not last, but tough people do. We are Americans and we are tough people. The events of this past weekend proved it. Cooperation between the Federal, State, County and local law enforcements prevented a great tragedy in Seaside and quite possibly, Point Pleasant Beach because we really don't know, as the Councilman said, was he going north and stopping in Point Pleasant Beach. The bombings that occurred have brought to us how close terrorism is to our lives. But as FDR said in his first inaugural speech in 1932, "the only thing we have to fear, is fear itself." All of us should be aware of our surroundings. We should know how effective our law enforcement people are. Compared to us, compared to how long it has taken the Europeans, no offense, to capture some of their terrorists, our people have done a tremendously great job. Be aware, be safe, live our lives as true Americans. For in a free society, we will not let terrorist destroy our society. By being free we are true Americans. By standing together, we are true Americans. By helping one another, town to town, county to county, state to state we will win this war. We will do everything that we can on a local level, as council has mentioned tonight to make this town safe. We will be implementing some security, some of it was mentioned tonight, and some of it we won't go in to for obvious reasons. You can be rest assured that we will do everything in our power to make this town safe today and tomorrow."

B. MINUTES

1. **Approve Council Meeting Minutes of September 6, 2016**
2. **Approve Executive Meeting Minutes of September 6, 2016**

MOTION: Approve Minutes

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Furmato Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Abstain

Mr. Thulen: Yes

CARRIES: YES

C. ORDINANCES

1. **Final Reading and Public Hearing
Ordinance No. 2016-04 Amending and Supplementing Chapter XIX of the Borough Code, Entitled "Land Use"**

Mayor Sabosik opened up this portion of the meeting for public discussion.
Seeing no hands, Mayor Sabosik closed this portion of the meeting.

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mr. Wisniewski

Mr. Furmato Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: *No

Mr. Thulen: Yes

CARRIES: YES

*Mrs. Snyder stated that she was voting “No” because she did not have a full understanding of the ordinance.

- 2. **Final Reading and Public Hearing**
Ordinance No. 2016-10 Amending Chapter XIX Entitled “Land Use”, Article I, Zoning, of the Code of the Borough of Point Pleasant, County of Ocean, and State of New Jersey to Establish an Inclusionary Zone District, Entitled MFIZ-I, Providing Affordable Housing Units to be Developed Subject to Certain Conditions and Requirements

Mayor Sabosik opened up this portion of the meeting for public discussion.

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

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Thulen

Mr. Furmato Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: *Yes

Mr. Thulen: Yes

CARRIES: YES

*Mrs. Snyder originally voted No. She asked our Borough Planner Jennifer Beahm what the difference between the Residential Multi-family and the MFIZ-I district was. She wanted to understand why we are adding another multi-family home section.

Jennifer Beahm explained that it is required under the law that when you include a project for affordable housing in your housing plan, which is what we are doing, you are required to zone specifically to the project.

After Jennifer Beahm’s explanation, Mrs. Snyder changed her vote to Yes.

Jennifer Beahm left the meeting at this time (7:27pm).

- D. **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: Mrs. Snyder

APPROVED: All in Favor

Councilman Wisniewski stood in as Council President and opened the meeting to the public.

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

E. 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. (263-2016) Bills and Claims**
- 2. (264-2016) Void Check Resolution**

The bills totaling the amount of \$759,772.97 are to be paid as presented. The bills and claims list is on file in the Clerk’s Office and can be reviewed Monday through Thursday from 8:30 a.m. – 4:00 p.m. and on Friday from 9:00 a.m. – 4:00 p.m.

MOTION: Adopt Resolutions

MADE: Ms. DePaola

SECOND: Mrs. Snyder

Mr. Furmato: Absent

Mr. Wisniewski: Yes/*Abstain

Mr. Borowsky: Yes

Ms. DePaola: Yes

Mrs. Snyder: Yes/*Abstain

Mr. Thulen: Yes

CARRIES: YES

*Mr. Wisniewski abstained from all payments made to T&M Associates and voted yes for all others

*Mrs. Snyder abstained from all payments made to Bathgate, Wegener & Wolf and voted yes for all others.

F. 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. (265-2016) Canceling Taxes and Authorizing a Refund Pursuant to N.J.S.A. 54:4-3.32**
- 2. (266-2016) Authorize Adjustment and/or Refund on Certain Tax or W/S Accounts**
- 3. (267-2016) Accepting Rotary Club Donation for Electric Sign at Community Park**
- 4. (268-2016) Authorize CME to Provide Professional Engineering Services for the Phase 1 Sanitary Sewer Rehab. Construction Project - COF #2016-120**
- 5. (269-2016) Authorize RVV to Provide the Design Portion for Mill and Overlay on Various Roads – COF #2016-121**

6. (270-2016) **Confirming Personnel Appointments:**
 - James S. Halloran be hereby appointed to the position of part time Recycling Center Laborer, effective September 20, 2016 at \$14.00 per hour with no benefits, approximately 10-25 hours per week.
 - William T. Doherty be hereby appointed to the position of part time Recycling Center Laborer, effective September 20, 2016 at \$14.00 per hour with no benefits, approximately 10-25 hours per week.
 - Gail Lagomarsino be hereby appointed to the position of part time Recycling Center Laborer, effective September 20, 2016 at \$14.00 per hour with no benefits, approximately 10-25 hours per week.
7. (271-2016) **Confirming Appointment to the Office of Emergency Management:**
 - Shawna M. Tommey - Deputy Coordinator
8. (272-2016) **Confirming Appointment to the Zoning Board of Adjustment:**
 - William Marshall – Alternate #3
9. (273-2016) **Approving the Following Application: TABLED**
 - The Shore House Bar & Grille, Petition to Extend Licensed Premises, Giants Away Game, October 23, 2016, 9:00 AM – 7:00pm
10. (274-2016) **Confirming Appointment to the Zoning Board**
 - Dennis Weiglein – Regular Member

MOTION: Adopt Consent Agenda excluding Item #9 (Item #9 Tabled for discussion)

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

Mr. Thulen requested that Item #9 on the agenda be removed for discussion.

Mr. Wisniewski moved to discuss Item #9 with Council.

Mr. Thulen suggested to Council that they move the start time later in the morning for the outside portion of the event.

Mayor Sabosik clarified that the proposal is to allow the inside to open at any time they want but to delay the time outside under the tent for a later time.

Mr. Wisniewski suggested that if they are going to delay at all, than it should be until Noon.

Mrs. Snyder agreed that since it is a Sunday, the later the better.

Ms. DePaola stated that she would not want to set a precedent allowing establishments to start parties so early in the morning and also agreed to a later start time.

Mr. Borowsky stated that starting a tent party in a residential area at 9:00 am on a Sunday morning is absurd especially given that it is a football party.

Mr. Dasti interjected that the application in front of everyone is for 9:00 am. He advised that the Mayor and Council could say no to 9:00 am but yes to 11:00 am or Noon but suggested that it be tabled since the time on the application is for 9:00 am.

Mr. Dasti suggested that the Borough Administrator convey the Council's wishes to the applicant along with a revised application with the times they would allow.

Mayor and Council discussed that there is another similar event that day but it is a charity event and the time is from 1:00 pm to 7:00 pm.

Mayor Sabosik mentioned that he spoke with Chief Larsen about this and that the Chief said it was Council's decision on the start time, but that he would like both events to end at the same time to prevent people moving from one bar to the next.

Mayor and Council gave the Administrator direction to contact the applicant with their decision.

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

MOTION: Open the meeting to the public

MADE: Mrs. Snyder

SECOND: Mr. Thulen

APPROVED: All in Favor

Council President Wisniewski opened the meeting to the public.

Judy Vallano: 2100 Evergreen Lane – Thanked the Police Department and Chief Larsen for their tremendous efforts in addressing our traffic and speeding problems. She also thanked Lt. Downs for doing a very informative presentation at Sunshine Harbor.

Dennis Vitkauskis: Foster Road – Commended the Mayor and Council for being cautious while going over liquor license permits. He stated that it is nice to have successful businesses in town but not to make money at the cost of residents that live nearby these events. He also stated that he believes there should be no extended liquor licenses unless it is for a charity.

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

H. EXECUTIVE SESSION

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

MOTION: To go into Executive Session Mrs. Snyder

SECOND: Mr. Wisniewski

APPROVED: All in Favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti: Stated in Executive Session we discussed the ongoing litigation matters. There is going to be a few add-on authorizations. Ms. DePaola has the notes so I will have her read them off.

MOTION: Authorization to Solicit Bids for Solid Waste Management Services

MADE: Mr. Wisniewski

SECOND: Mrs. Snyder

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

MOTION: Authorization to Solicit Bids for Recycling Services

MADE: Mr. Wisniewski

SECOND: Mrs. Snyder

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

MOTION: Authorization to Solicit Bids for Security Cameras

MADE: Mr. Thulen

SECOND: Mr. Wisniewski

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

MOTION: Resolution Confirming Dennis Weiglein as a Permanent Zoning Board Member

MADE: Mr. Thulen

SECOND: Mr. Wisniewski

Mr. Furmato: Absent

Mr. Wisniewski: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: YES

MOTION TO ADJOURN

All in Favor

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

**ANTOINETTE JONES
BOROUGH CLERK**

**ROBERT A. SABOSIK
MAYOR**