

**COUNCIL MEETING
TUESDAY, MAY 2, 2017
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	John Wisniewski
Council Member:	Joseph Furmato
Council Member:	Antoinette DePaola
Council Member:	William Borowsky
Council Member:	Pamela Snyder (Arrived at 7:11pm)
Council Member:	Michael Thulen, Jr
Borough Attorney:	Christopher Dasti, Esq.
Borough Administrator:	Frank Pannucci
Borough Clerk:	Antoinette Jones

THE PLEDGE OF ALLEGIANCE TO THE FLAG

STATEMENT BY COUNCIL PRESIDENT WISNIEWSKI: 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 13, 2017 edition of *The Ocean Star* and the January 19, 2017 edition of *The Asbury Park Press*.

A. PROCLAMATION

1. LADACIN Proclamation

Mayor Sabosik stated the following: “Tonight we are going to start with a Proclamation for “Be On Point” for some of the students at Point Pleasant Borough High School. To give a little background on this program, it is with the LADICIN that these young adults have given their time and effort to help people with critical injuries and problems at birth. They have done such a great job. I was fortunate enough to go to the Gala and it was outstanding for 250 people to stand up and give a round of applause for how these kids of Point Pleasant Borough have helped people with difficulties and disabilities and giving their time and effort to make their world a little bit better. So, if you would come forward I would like to read a Proclamation for you.”

Mr. David Johnson spoke about the LADACIN program and its benefits to the community and the students

B. WORKSHOP

1. Committee Reports

Council Member Thulen stated the following: “Our Land Use Committee may get a little something from our Floodplain Committee. We put everything together. Our last presentation of that will be before the next Council Meeting on May 16th at 5:30 if anyone wants to come it is in the Council Chambers. We will be getting a Floodplain recommendation. Also as a courtesy they will show up to the Planning Board meeting on May 25th and answer questions to present to the Planning Board. I think we came up with a pretty comprehensive plan to help make our town better prepared and for us to have a few insights or keyholes moving forward to continue to make our town better prepared for future storms or any circumstance.

Also, you will see that we are trying again with our deck ordinance in our floodplain zones. So, we went back with comments from the public and from our Planning Board and we reiterated that with our attorney and now we are resubmitting it for introduction. Then we will send it over to the Planning Board again and see if we can get that approved this time around.”

Council Member Furmato stated the following: “We will start with roads. We have completed five roads in the town. Most of them are over in the southern end of town. We will probably need to do five or six more by the end of the year. Probably the biggest project is Riviera Parkway. We are trying to push for sidewalks on the southern end of that road. We are waiting for estimates on that and it should be done by the end of the year.

Buildings and Grounds. The beaches are all going to be cleaned up and completed by Memorial Day weekend. Dorsett Dock down at the pier, we cleaned that up too. We are getting a lot of rocks in the road from people making U-turns there, so DPW put pilings up with ropes to block it off and made an entranceway. This will keep the cars off the rocks. So, it came out nice and that is finished.

Another thing we have going on over on East Drive is we have sanitary lines being replaced. They are almost done. When they are finished there, they are going to go over on West End and they will do the same thing. What is happening is we are getting bay water in the lines and this is costing the town money. All that water goes to the County. The County charges us per gallon for this water at the end of the year. We put cameras in and saw that we are having a lot of problems with the line. So, we need to get that taken care of.

On the Consent Agenda, we have 24 Tide Flex Valves that are going to be put in. FEMA is paying most of the cost, about \$67,000.00 and the balance will be paid by the Borough and that is about \$12,000.00.”

Council Member Borowsky stated the following: “I would like to commend our new Rec Director Sheri Silversmith. She has been busy at work lately with new summer programs. One will be Zumba at the Riverfront Park two nights a week for 6 or 8 weeks and that will be run by DeCarlo Fitness. There is going to be a fishing, fireworks and a fun trip. A late afternoon fishing trip that ends with fireworks and that will be on Thursday, July 20. There is going to be a Jersey Shore Paint Party for the ladies, I am not sure of the date yet but Jersey Shore Paint Party has signed on. There is going to be a Moana Luau. Moana and Maui will be there for the kids. There will be a mama bear self-defense program and all the programs from last year as well. The official Rec Program will go out May 17th. Signups will start June 1st and I believe will go to June 20th. We were supposed to have a Committee Meeting last Wednesday night. It got postponed until tomorrow night, so I will have more for you next meeting.”

Council Member DePaola stated the following: “As Chairperson of Public Safety, I would like to commend the Chief and our police department. Yesterday was the first day of police camp and applications went out. The department handed out all 50 applications. There is such a desire for this program. It is a great program; my children were fortunate enough to go through the program. It gives them insight into law enforcement and what our police do and other emergency workers in our community and it is a great program at a minimum cost. So, I give kudos to the Chief and the program itself. The number of people that are looking to have their children join just shows what a great program it is.

Also, I would like to commend the Police Department. One of our residents who was here as an intern learned a lot in the 6 weeks that they spent in the Police Department learning and understanding what goes on here. They sent out a thank you to the Chief and all the officers and personnel that helped them to get a new-found respect for our police and what they do here in the Borough.

Also, Officer Jeffrey Johnson got a huge thank you for his kindness during an emergency at a family's home in the Borough. Also, we had Officer Waterson who received a letter of thanks from a family that had a big matter at their home. They just wanted to reach out and say thank you. This just shows that the Police Department is out there doing what they can to keep us safe. And the fact that any matter no matter how small, the police are willing to address it and help come to a resolution for all involved. Thank you to the officers for always putting on a good face for the Borough of Point Pleasant.

Also, coming up we have a safe route to school presentation. I didn't know if Councilwoman Snyder was going to get an opportunity to speak but she just got here. So, I would just like to invite you to this. Tina May is coming to give us an opportunity to learn about grant opportunities that may be available and other funding mechanisms to help us ensure safety for our children who walk to school. So, we will have that presentation here at 5:30pm on Wednesday, May 10th.

Also, the Community Watch Organization was present at Earth Day. It was a great event. I hope most of our residents could come. It was a beautiful Sunday and I think a good time was had by all.

The Community Watch Organization will be holding its annual National Night Out in August so if you know of any volunteer organizations that would like to participate, you can contact the program through the Chief or through his department and we can get you more information and we will be advertising more as time goes by."

Council Member Snyder stated the following: "First I apologize to everyone for being a little late. I just wanted to reiterate what Councilwoman DePaola said about Earth Day. We had a very successful Earth Day which was put on by the Point Pleasant Borough Environmental Commission. The Saturday date was rained out and that decision was made Saturday morning because on Friday night, it looked like Saturday was going to be the better of the two days. But the volunteers worked together. There were emails, telephone chains etc. letting everyone know. We passed out close to 500 seedlings to Borough residents and other attendees and there were a tremendous number of volunteers."

Council President Wisniewski stated the following: "The Finance Committee had to reschedule their meeting but we will be reconvening and start working on the 5-year projection that we started working on last year which allows us to look forward and do our best in the future and help benefit our town years from now."

2. Report of Mayor

Mayor Sabosik stated the following: "Point Pleasant is pretty unique. As you saw with the award we were able to give out to the high school students for their work with the LADACIN network. In front of me I have a book. The Ducks of Point Pleasant written by a young author who lives in Point Pleasant. He made that up. He was at Earth Day. I was very fortunate, I got him to sign the book. It just shows the depth of talent that we have in this town.

May is "Older Americans Month" and what I am going to point out is we have both young kids, high school kids, parents and grandparents, in this town and if you know somebody older invite them out for lunch. Show them how Spring has sprung. Take them for a walk on the boardwalk. Let them see how great the town is doing and how great the area is doing and by the intergenerational aspect of sharing, we can continue to make this town the best that we can make it.

At the same time, May 6 to May 12 is "National Nurses Week." It is amazing that they picked that along with "Older Americans Month". There are 3.1 million registered nurses who give such dedication, and helps increase the life expectancy and make all of us a little bit better with their health capability.

Also, this month is “Paint the Town Pink Month” for Meridian Health Breast Cancer Awareness. At the same time, we have Relay for Life from May 20th from 12noon to midnight. These events are showcasing how we can come together to fight some of these bad diseases.

In closing, my Mayor’s Hours will be May 23rd from 5:30pm to 7pm. Talk to your neighbors. If you wish to come and see me for a one on one. I do this every month sometimes twice a month and I look forward to speaking to anyone who would like to converse at that time.”

C. MINUTES

1. **Approve Council Meeting Minutes of April 18, 2017**
2. **Approve Executive Meeting Minutes of April 18, 2017**

MOTION: Approve Minutes

MADE: Mr. Wisniewski

SECOND: Mrs. Snyder

Mr. Wisniewski: Yes

Mr. Furmato: Abstain

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

D. ORDINANCES

1. **Final Reading and Public Hearing**
Ordinance No. 2017-15 Amending and Supplementing Chapter IV of the Borough Code, Specifically Section 4-2 Entitled “Hawkers, Peddlers, Canvassers and Solicitors”

Mayor Sabosik opened the meeting up for public hearing.

Mary Griffin: 1206 Patterson Road – Asked what changed in this ordinance.

Mr. Dasti Esq.: Explained the only change was to specify what the fine would be, which is \$500.00.

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

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mrs. Snyder

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

2. **Introduction**
Ordinance No. 2017-16 Amending and Supplementing Chapter VIII of the Borough Code Entitled “Building and Housing and Specifically Subsection 8-1.2 Entitled Fees

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mr. Furmato

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

3. Introduction
Ordinance No. 2017-17 Amending and Supplementing Chapter XIX of the Borough Code Entitled "Land Use"

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

4. Introduction
Ordinance No. 2017-11 Amending and Supplement Chapter XIX of the Borough Code, Entitled, "Land Use" and Adding Section 5.3j

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mr. Furmato

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

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: Mrs. Snyder

SECOND: Ms. DePaola

APPROVED: All in Favor

Council President Wisniewski opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – Asked about agenda item #2

Mr. Pannucci: Explained some of the JIF's safety resources.

Seeing no other hands, 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. (171-2017) Bills and Claims

The bills totaling the amount of \$3,582,571.42 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: Mr. Thulen

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

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. (172-2017) Reappointing James A. Liguori, Esquire, as Municipal Court Judge**
- 2. (173-2017) Recognizing JIFS Initiative to Provide Safety Resources to the Borough Of Point Pleasant**
- 3. (174-2017) Authorize Recreation Department to Hire Summer Lifeguards for 2017 Season**
- 4. (175-2017) Authorize Recreation Department to Hire Summer Basketball for 2017 Season**
- 5. (176-2017) Awarding the Bid for the FEMA H.M.G.P. #519 Tide Flex Valves Installation Project to T. R. Weniger - COF #2017-138**
- 6. (177-2017) Approving the Following Applications:**
 - Point Pleasant Foundation for Excellence in Education, 14th Annual Treasure Island Sprint Triathlon, Sunday, October 1, 2017, 8:00 AM – 12:00 PM at Riverfront Park.**
 - Idle Hour, Petition to Extend Licensed Premises, AYF Football Fundraiser, May, 19, 2017, 11:00 AM – 7:00 PM (Rain Date May 22, 2017).**

MOTION: Adopt Consent Agenda

MADE: Ms. DePaola

SECOND: Mr. Furmato

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Yes

CARRIES: Yes

H. OPEN PUBLIC SESSION

5 Minute Limit Per Person. Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and 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

MADE: Mr. Borowsky

SECOND: Mrs. Snyder

APPROVED: All in Favor

Mary Griffin: 1206 Patterson Road – Stated she would like to peacefully resolve a situation at the new restaurant in the Borough, Half Moon Point. She explained that when the Forte was there, there was never a problem with parking because that owner rented space for his employees to park. But the new restaurant has caused difficulties with parking, people running stop signs, litter and garbage which is effecting the quality of life of the residents living near this restaurant. She hopes the restaurant does well, but doesn't want the residents to suffer for it. She did research and found that Harrison Road is considered a through street according to our Master Plan. This is a neighborhood of approximately 200 homes. When the police respond to an emergency or situation in this area they come out of Edgar and turn right on to Harrison. They cannot do this freely because the employees of Half Moon Point park on both sides of the street all the way down. Some of the residents do not have driveways and therefore are unable to park at their house at all. Also, they have no sidewalks, so children walk or ride their bikes and adults walk at night and have to do this in the middle of the road due to the cars from the restaurant employees parked on both sides of the street. There are other streets in the area effected that are very narrow, so the parked cars make it impossible for traffic to flow. Only one car at a time can fit through. She explained that she feels this is a safety issue as well as a quality of life issue and would like to propose resident only parking from 4pm-10pm in that area. She asked if the restaurant owner could pay to have his employee's park somewhere else the way the old owner of the Forte did for his employees.

Mayor Sabosik: Responded stated that he was there for the first 4 nights of the opening and on the first night Bob Forsyth, Supervisor of DPW noticed the parking problem and new signs were put up. He explained that this is a work in progress.

Leslie Pilot: 1309 Rue Cambone – Stated that she lives across the street from the parking lot of the restaurant Half Moon Point and agrees with the parking issues. She explained that she doesn't want to have to have a permit to park in front of her home. She would rather have signs for "No Restaurant Parking Allowed" and asked that the restaurant owner find a place for his employees to park. She also stated that when her daughter comes home from work late at night, she is forced to park all the way down the street because the employees are parked in front of her home.

Georgann Gunther: 2151 Beach Blvd – Stated that she lives right behind the restaurant and has nothing but people blocking her mailbox and cigarette butts all over her property since the restaurant has opened. She explained that her mailman won't deliver the mail and she cannot have company to her home because there is no parking.

Eric Czaplinski: 2206 Beach Blvd. – Expressed that he agrees with the other residents. He noted that his son is athletic and used to play sports in the yard and basketball in the street with their net. Now he cannot

play basketball because of all the cars. He stated that he feels this is very unfair to the residents in the area and hopes that the council will help them come to some resolution.

Steven (Resident): 1136 Patterson Road – Communicated to the Mayor and Council that he does have a driveway but that he cannot pull into it. He also has a trailer on his truck and cannot back it in to the driveway. The cars park very close to the driveway lines of him and his neighbors. He expressed that since this restaurant has opened and started hiring more employees, their quality of life has gone down in the toilet. He also stated that none of them knew this was happening until the restaurant was opened and it was too late.

Ms. DePaola: Stated as far as notice goes, this opening of the restaurant came before the Planning Board and by law the applicant is required to advertise and notify residents within a certain area. There are specific rules in place. I don't know whether something fell through the cracks or you didn't see it in the paper. All I am just trying to say is we follow the rules and regulations. We would never do anything in the town without following the law.

Mary Gunther: Stated that when the cell tower debacle happened in town, they all received letters notifying them about the cell towers. No one notified any of them of this.

Mr. Furmato: Stated that he is a member of the Planning Board and everyone within 200 feet received a letter.

James Carlo: 2124 Edgar Road – Expressed to the Mayor and Council that he cannot even mow his lawn or cut his hedges because the cars are parked right up to the curb. There is nowhere for anyone to walk and it is terribly unsafe. He stated that the cars are parked right up to the stop sign.

Liz Hoffman: 2204 Beach Blvd. – Stated that she knew the restaurant was coming but didn't worry because she didn't think the town would approve anything that would ruin their quality of life. She indicated that she didn't think about what this would become. The constant beeps of people locking and unlocking their car doors all into the night, cars blocking her mailbox, cigarettes on and around her property, K-turns in her driveway by strangers, people leaving the restaurant talking loud late at night and the parking problem. She stated that this has affected her poorly already and the restaurant just opened. She had already decided to move and had two offers on her house. One of the offers fell through because of this restaurant. She voiced that no one is going to want to buy this house with the restaurant parking all in front of her house. She expressed that she doesn't feel comfortable calling the police since none of the issues are emergencies. She would like to know what to do.

Mr. Bowers: 2139 Beach Blvd. – Asked which members of Council were on the Planning Board.

Mayor Sabosik and Mr. Furmato both stated that they were members of the Planning Board.

Mr. Bowers: Asked if they voted for this.

Mayor Sabosik and Mr. Furmato both stated that they did.

Mr. Bowers: Stated that he knows the Planning Board also took a parking spot away and said that the restaurant was not responsible for renting from any of the commercial properties for parking as a condition for them to open the restaurant. He continued to state that the Council does not care that these people are all parking on the streets in front of residential homes. He exclaimed the residents are suffering because of them. They did not receive a notice because they are more than 200 feet away but even though they are 200 feet away the restaurant employees are still parking in front of their homes.

Mayor Sabosik stated that this is an ongoing decision that will be changed.

Dennis Vitkauskis: 2117 Foster Road – Stated that when he walks down Patterson Road he has to walk in the middle of the street until he gets to the bank sidewalk. He explained that he noticed the cars coming very close not only to him but mothers with baby carriages which is a safety issue and an inconvenience to the residents.

Maryellen Klotz: 2110 Edgar Road – Explained that she has lived there for 20 years and even at 6:30 in the morning it is hazardous. Cars are parked on both sides of her and she must skim through. She is very concerned with the children riding their bikes. She expressed that she fears something tragic is going to happen if something isn't done.

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

Mayor Sabosik stated the following: “We will definitely do something about this. Quality of life is one of the most important aspects that this Administration believes in. Contrary to some of the comments made tonight, we will take corrective action. What that corrective action is now, we will conduct a study with the Police Department and our legal counsel and we will come up with something to restore the quality of life that you all richly deserve. At the same time, I wish the restaurant to be successful. But we must have a commitment on both sides to let that happen. I believe I will be sitting with the owners of the establishment and try to work out something of a positive nature to ensure that that happens. We have taken your words to heart. We realize the intensity of your feelings. The Chief is here. I will ask him to increase police presence on these roads. If people are parked too close to stop signs or blocking driveways or whatever the case may be, any infraction will be dealt with in a professional manner from our police department. I thank you for coming this evening and I thank you for your comments. They are taken to heart. We take them very seriously up here. Thank you.”

I. EXECUTIVE SESSION

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

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

WHEREAS, those matters relate to the following:

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

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

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

MOTION: To Retire into Executive Session Mr. Wisniewski

SECOND: Mrs. Snyder

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti stated the following: "In closed session we discussed some ongoing litigation and we discussed certain personnel actions that are going to be added on tonight. The Borough Clerk will read it aloud."

- 7. (178-2017) Confirming Personnel Actions:**
- **Michael Porter be hereby appointed as a part-time, temporary Building Inspector at \$35.00 per hour.**
 - **John Pinkava be hereby appointed as a part-time, temporary Building Inspector at \$35.00 per hour.**

MOTION: Adopt Resolution

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Mr. Wisniewski: Yes

Mr. Furmato: 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**