

**COUNCIL MEETING
MONDAY, NOVEMBER 13, 2017
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	John Wisniewski
Acting Council President:	Antoinette DePaola
Council Member:	Joseph Furmato
Council Member:	William Borowsky
Council Member:	Pamela Snyder
Council Member:	Michael Thulen, Jr (Absent)
Borough Attorney:	Christopher Dasti, Esq.
Borough Administrator:	Frank Pannucci
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 13, 2017 edition of *The Ocean Star* and the January 19, 2017 edition of *The Asbury Park Press*.

A. WORKSHOP

1. Committee Reports

Council Member Snyder stated the following: “First I would like to say congratulations to the Borough High School Marching Band. They came in fourth place at Nationals a couple weeks ago and the Color Guard Division of the Borough High School Marching Band came in second overall. So, kudos to the band members and the directors. They worked incredibly hard this year. It was a fantastic show if you happened to go to any of the football games. Speaking of football games, congratulations to the Borough Varsity football team. They are one step closer to winning the Shore Conference title and State title. They will be against Manasquan this Friday at 7pm.

If you notice on the agenda, there are a few hires that we are hopefully going to approve tonight. The first is for a substitute pre-school teacher for our preschool program with our Rec Department. We also have a Water Treatment Plant Operator. If you recall, our Water Treatment Plant Operator retired, so this is to replace that person and also a part-time building inspector. I do want to thank Bob Forsyth, Tim Skinner and Frank Pannucci for all their hard work in finding replacements for these positions. I know it has been a long road and they have worked so diligently and I truly believe you have picked the best candidates.

Finally, I would like to thank all the residents for coming out in the rain and voting on November 7th. I am eager to continue representing the Borough residents.”

Council Member Furmato stated the following: “The Bay Avenue Boat Ramp is under construction right now and should be completed by mid-December. Also, the handicap ramps here at this building and the building next door are all done and were paid for through grants.

Work has begun for the rehabilitation of well #10 on Memorial Drive. Generators have been installed in wells number 8, 10 and DPW and that was all done by FEMA grants. We are also looking at the Memorial Drive water tank which is going to be painted soon.”

Council Member Borowsky stated the following: “On tonight’s consent agenda item number 8 you will see that we are awarding the bid for the Heritage Park improvements project. This is the revised project. A couple meetings back we rejected the other bids and then we revised it and put the full basketball court back in. It was a wise decision because now we are paying less for a full basketball court than we would have been paying for a half court.

I would like to congratulate Council President John Wisniewski and Councilwoman Pamela Snyder for their victory last Tuesday. I would like to thank the residents of the Borough for their overwhelming support of these candidates. I feel that Point Pleasant is moving in the right direction and has been moving in the right direction for the past 5 years. At least we all feel that way. I think this overwhelming show of support has confirmed that this Mayor and Council and Administration are doing the right thing for the residents of Point Pleasant.”

Council Member DePaola stated the following: “First off I want to thank the residents, volunteers and our Police Department for once again hosting a very successful Community Watch Trick or Trunk event

for all our young trick or treaters. As you all know we have this here annually in the Borough Hall parking lot and we could not do it without all the volunteers and our Police Department, DPW, Fire and First Aid squad. Thank you to everyone who came out and made that a very successful event.

Also, moving forward, the Community Watch organization will begin taking donations for the mothers and their children who are housed at Dottie's House. As you may or may not know, Dottie's House is a refuge for women who come from battered relationships and it gives them a safe place for them and their children to go and get the counseling they need and it is a safe haven for these families. We will begin accepting donations so that they can have a nice holiday season and we will publish those dates shortly.

Also, the free rabies clinic will be held on November 19th in the First Aid building on Beaver Dam Road from 10am to 12pm. It is free of charge so if you have any pets who need this please feel free to come out. Thank you to the First Aid Squad for hosting that. Renewals of pet licenses will begin in January.

Finally, I just want to congratulate Pamela Snyder and John Wisniewski in a very successful race for council and I am honored and privileged to be able to sit up here with two very conscientious town workers. I know that this is a volunteer position but they work really hard and I am happy to be able to sit up here and work with them. So, congratulations."

Council President Wisniewski stated the following: "I just want to thank the residents and voters of Point Pleasant. I appreciate the support and hopefully through this next term I continue to earn it day in and day out. As Councilman Borowsky said, we are moving in the right direction. So, thank you.

To touch base on Councilman Borowsky's Heritage Park comments, I just want to congratulate him. It is just another example of the thoughtful, cautious nature of this council trying to make the best decisions in all ways. And as it turned out, rethinking the decision that we made benefitted everybody. He deserves a lot of credit for pushing for the full court basketball court.

We are tentatively scheduling the Reorganization Meeting for January 7th 2018 at noon. For all who attend it is always a fun event. To watch people get sworn in is a great honor.

The Bennett Cabin is hosting Santa Claus December 9th and 10th from 2pm-5pm. It is always a great time and we are looking for left over Halloween candy if you have it.

The budget books, we expect by the end of the month.

I also would like to congratulate the Point Pleasant Borough Football Team and for everyone who was there. It was brutally cold. Hopefully everyone comes out Friday night to support the team against Manasquan."

2. Report of Mayor

Mayor Sabosik stated the following: "First of all, I would like to congratulate Pam and John. Our citizens came out to support these two individuals because they realize the hard work, dedication and amount of time that we put in up here for the betterment of the whole town. Tonight, we have two examples of that. One, is Heritage Park. I was watching NCIS and believe it or not they had an episode about a park with no boundaries. You look at this park and you see all the specialized equipment and I have to tell you, it is lightening and lifting and it just shows you how special needs kids could have a lot of fun. I look forward to when this special park opens. It is going to be state of the art, it is going to be fun and it is going to bring a new dimension to our town.

We will continue to rebuild our infrastructure. We want to make this town as safe as possible. Sidewalks, curbs, as well as fixing drainage problems. Tonight, on the agenda for Perch Hole, we have a reconstruction to fix a problem for a street that has been flooding for at least 50 years. We are continuing to do evaluations for the whole town and to the best of our ability, to correct the worst streets. This is why it is important to have a team. A team like us who goes out and looks at the problems and assesses the problems with our professionals and getting results. Much like our Point Pleasant Borough Football Team. They have results. They are unbeaten. As the Council President said, it was bitterly cold. And at the first game, we all had to go into our cars to warm up. It was a great event with great team spirit. It shows how great Point Pleasant is coming.

The band and the color guard are another example of individuals and young adults going out and being the best that they can be. With some people who have graduated from here and now they are back coaching. It shows the evolution of this town and how we just keep getting better and better. We are not going to just sit up here on our laurels. We are going to continue doing what we have to do to make this town the best that we can make it.

Tonight, I am proud to announce our first grant for 2018. If you think I don't get paperwork, this is about 118 pages and I have to sign 22 pages to get a grant for Senior Services. Sheri Silversmith, our new Director of Recreation put forth this application to receive grant money. We were successful with the County. I believe it is one of our first Senior Services grants that this town has ever received. We are going into different avenues and we have been for the past 4 years. Grant money instead of taxes. Corporate donations instead of taxes. We are going to continue with this. We have stabilized the taxes for the past 4 or 5 years and we will continue to do so.

Lastly, on Tuesday the 21st, I will have Mayor's Hours at 5:30pm. I will be here with a couple members of council and our town Administrator. If anybody wishes to talk one on one please feel free to come down.

Once again, congratulations John and Pam. I have total faith in the intelligence of our voters and our citizens. They know that our two candidates work hard for them and they showed their appreciation on Election Day."

B. MINUTES

- 1. **Approve Council Meeting Minutes of October 17, 2017**
- 2. **Approve Executive Meeting Minutes of October 17, 2017**

MOTION: Approve Minutes

MADE: Mrs. Snyder

SECOND: Mr. Wisniewski

Mr. Wisniewski: Yes

Mr. Furfato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Absent

CARRIES: Yes

C. ORDINANCE

- 1. **Introduction**
Ordinance No. 2017-24 Amending and Supplementing Chapter II, Section 32 of the Borough Code, Entitled, "Public Contracting and Limiting of Political Contributions" to Mirror State Language

MOTION: Adopt Ordinance

MADE: Mrs. Snyder

SECOND: Mr. Wisniewski

Mr. Wisniewski: Yes

Mr. Furfato: Yes

Mr. Borowsky: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Thulen: Absent

CARRIES: Yes

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

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: Ms. DePaola

SECOND: Mrs. Snyder

APPROVED: All in Favor

Council President Wisniewski 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. (312-2017) Bills and Claims
2. (313-2017) Authorize Transfer of 2017 Budget Appropriations

The bills totaling the amount of \$3,139,184.95 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: Ms. Snyder

Mr. Wisniewski: Yes
Ms. DePaola: Yes

Mr. Furmato: Yes
Ms. Snyder: *Abstain/Yes

Mr. Borowsky: Yes
Mr. Thulen: Absent

CARRIES: Yes

*Mrs. Snyder abstained from payments made to Bathgate, Wegener & Wolf and voted Yes to 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. (314-2017) Authorize Release of Performance Bond and Acceptance of Maintenance Bond for Handicap Improvements to Borough Hall Project
2. (315-2017) Authorize Release of Performance Bond and Acceptance of Maintenance Bond for the Mill and Overlay at Various Locations Project
3. (316-2017) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
4. (317-2017) Authorize Refund for Recreation Program
5. (318-2017) Authorize Recreation Department to Hire Substitute Preschool Teacher
6. (319-2017) Authorizing Approval to Accept the Ocean County Senior Services Grant For the Contract Year 2018
7. (320-2017) Appointment of Recreation Advisory Board Secretary – Brianna Blank
8. (321-2017) Awarding the Bid for the Heritage Park Improvements Project to V&K Construction, Inc., – COF #2017-164
9. (322-2017) Awarding the Bid for the Perch Hole Point Place Roadway Reconstruction Project to C.J. Hesse, Inc., - COF #2017-165
10. (323-2017) Resolution Confirming the following Personnel Appointments:
 - Memorializing Salem Bahr as having been appointed to the position of temporary, full-time DPW Laborer for leaf season temporary help, effective October 30, 2017 at \$12.75 per hour.
 - Corey R. Correll is hereby appointed to the position of Water Treatment Plant Operator, Grade 5, Step 1, at a salary of \$60,310.00 as per the Teamsters Local Union No. 469 (Blue Collar), effective November 13, 2017.
 - Todd Morgano is hereby appointed to the position of part-time Building Inspector, effective November 13, 2017, at \$40.00 per hour, 20 hours per week.
 - William Kavanagh, Point Pleasant Boro Fire Department Station 75, Volunteer Firefighter, effective November 13, 2017.
11. (324-2017) Approving the Following Application:
 - Memorialize Extend Licensed Premises – The Shore House Bar & Grill, Fundraiser for Ryan Murray, Saturday, November 11, 2017 from 12:00 PM – 8:00 PM.

- ~~Flea Market at FINS Restaurant on the lawn on Saturday, November 25, 2017 from 11:00 AM – 4:00 PM. ITEM REMOVED AS PER COUNCIL~~

- 12. (325-2017) Authorizing Amendment to Contract with Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors – COF #2017-166, #2017-167, #2017-168
- 13. (326-2017) Authorizing Amendment to Contract with Bathgate, Wegener & Wolf – COF #2017-169
- 14. (327-2017) Authorizing Amendment to Contract with Sean Gertner of the Firm Gertner & Gertner, LLC – COF #2017-170

MOTION: To Remove Consent Agenda Item #11 for discussion – Flea Market at FINS Restaurant, November 25, 2017

MADE: Mr. Borowsky

SECOND: Mrs. Snyder

Mr. Wisniewski: Yes
Ms. DePaola: Yes

Mr. Furmato: Yes
Ms. Snyder: Yes

Mr. Borowsky: Yes
Mr. Thulen: Absent

CARRIES: Yes

MOTION: Adopt Consent Agenda

MADE: Ms. DePaola

SECOND: Mrs. Snyder

Mr. Wisniewski: Yes
Ms. DePaola: Yes

Mr. Furmato: Yes
Ms. Snyder: *Abstain/Yes

Mr. Borowsky: Yes
Mr. Thulen: Absent

CARRIES: Yes

*Mrs. Snyder Abstained from Item #13 and voted Yes to all others.

Mayor and Council begin Discussion on Item #11 – Flea Market at FINS Restaurant, November 25, 2017, from 11am-4pm.

Mr. Borowsky stated that he has some concerns about what they might be selling and if there would be competition against neighboring businesses in the area.

The Mayor requested that Chief Larsen explain what FINS has in mind for the Flea Market.

Chief Larsen explained that it is an outside vendor and they solicited FINS for a location on the highway. He stated that the flea market would be selling Christmas crafts.

Chief Larsen also stated that as long as he has been here the Borough has frowned upon this type of use of properties. It is nonconforming and it does impact local businesses. It is unsightly and could cause traffic issues.

Mrs. Snyder stated that this is almost like a change of use and could also infringe on Borough Ordinances.

After further discussion between Mayor and Council it is decided to deny this application.

- 15. (328-2017) Denying the Following Application:
 - Flea Market at FINS Restaurant on the lawn on Saturday, November 25, 2017 from 11:00 AM – 4:00 PM.

MOTION: To Deny #11 – Flea Market at FINS Restaurant, November 25, 2017

MADE: Mr. Borowsky

SECOND: Mrs. Snyder

Mr. Wisniewski: Yes
Ms. DePaola: Yes

Mr. Furmato: Yes
Ms. Snyder: Yes

Mr. Borowsky: Yes
Mr. Thulen: Absent

CARRIES: Yes

G. 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: Ms. DePaola

SECOND: Mrs. Snyder

APPROVED: All in Favor

Mark Mortensen: Shore Haven Condos – Stated that in April of this year they engaged an engineer to study some issues in their association. In July, they filed a complaint against the yacht club. Within 72 hours of filing this complaint, he stated that he had a Borough Inspector show up at his door to investigate matters that remain unclear to him but he was told it was based on anonymous tips. During his conversations, he explained the Zoning Officer has made it very clear to him, the residents of the Association and their engineer that if they continue to push this issue, the end result would be a dumpster parked in front of their front door. His hope is that the Zoning Officer was simply being diligent at his job and following up on this anonymous tip with this surprise inspection.

Mark Mortensen stated that he would like to “anonymously report” that there are 91 slips where there should be 76 and there is insufficient parking. Indicated that if anyone finds this important enough to address, he would like to work together to come to a reasonable solution.

Mark Mortensen made mention of how quickly the Tax Assessor came to his home to adjust his assessed value. He stated that it amazes him how putting in a half bathroom is diligently pursued yet the extra 25 to 30 boat slips fall through the cracks. He asked that the Council please help him to remain positive and optimistic and confirm that all anonymous tips are given the utmost respect and due diligence.

Mr. Dasti: Stated the following: “The Borough of Point Pleasant is aware of the ongoing litigation between the yacht club and the residents of the association. The Zoning Office takes every complaint that he gets, anonymous or not and investigates it.”

Richard Klein: Shore Haven Condo Association – Handed in pictures of the cars in front of the Condominiums and children playing in the parking lot to the Mayor and Council. He read a short statement in reference to the parking situation at Shore Haven Condo Association.

Mayor Sabosik asked Chief Larsen to please research the parking situation at Shore Haven Condo Association and requested that he get back to the Mayor and Council on his findings.

Aram Pehlivanian: Shore Haven Condo Association – Read a statement to the Mayor and Council concerning his fears for his children’s safety with the parking situation and his concern for the wellbeing of the Association and all of Point Pleasant. He stated that rather than what was intended, a place for residents and day trippers to enjoy the bay and a pool, the Marina is being utilized as vacation summer homes by transient visitors who should in fact be renting a home, a hotel room or like him, buy it as a vacation home and pay taxes. He also mentioned that to date, there has not been an inspection by the Zoning Officer who is required to make annual inspections. He asked the Council, what we all can do to correct this.

Mayor Sabosik asked Aram Pehlivanian to expand on what type of illegal uses are occurring

Aram Pehlivanian: Stated that the yacht club recently filed an application with the DEP and in that application they said they have 97 slips. There is only 76 allowed. The issue is parking. They only have 44 spots. For 97 slips, you would need 55 to 60 spots. Due to this, people park up and down the fire access road. He explained that a fire truck would never be able to fit down this road if there were a fire. He believes it to be dangerous with no line of sight.

Mayor Sabosik: Confirmed with Mr. Pehlivanian that the illegal use is parking and blocking fire lanes.

Aram Pehlivanian: Stated that the pool is also a problem. This area wasn’t intended to hold so many people. He detailed that not only has it become a 24 hour campground but people are always back there drinking. It is like a big party with too many cars which affects everybody’s property.

Mayor Sabosik: Asked who is responsible for controlling the pool.

Aram Pehlivanian: Stated that the yacht club controls the pool which is a non-profit organization. Also specified that nobody on that board is a resident of Point Pleasant.

Gwen and Richard Diverge: Also rose to speak on these traffic and safety issues.

Mayor Sabosik: Stated that the Mayor and Council and the Borough Attorney will definitely be looking further into this.

Jeff Snyder: 1620 Calamus Place – Has been a member since 1994 and has also found that the place has gotten too out of hand. Stated that it respects no original limitations. Stated that occasionally a board member will appear to have concern but then nothing is done to fix the situation. Believes that these problems exist because this has gone well beyond what was originally approved and it makes no sense in his mind to allow for more projects to be approved until these problems are dealt with.

Dennis Vitkauskis: 2117 Foster Road – Thanked the Mayor and Council for the new lighting in the parking lot and wished everyone a Happy Thanksgiving.

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

H. EXECUTIVE SESSION

Mayor Sabosik stated the following: “Council, I see no other business on our docket this evening. There is no Executive Session needed. So therefore, I make a motion to close this meeting.”

MOTION TO ADJOURN

All in Favor

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

**ANTOINETTE JONES
BOROUGH CLERK**

**ROBERT A. SABOSIK
MAYOR**