

**COUNCIL MEETING  
TUESDAY, JULY 17, 2018  
7:00 P.M.**

<b>Mayor:</b>	<b>Robert A. Sabosik</b>
<b>Council President:</b>	<b>William Borowsky (Absent)</b>
<b>Acting Council President:</b>	<b>John Wisniewski</b>
<b>Council Member:</b>	<b>Joseph Furmato</b>
<b>Council Member:</b>	<b>Antoinette DePaola</b>
<b>Council Member:</b>	<b>Pamela Snyder (Absent)</b>
<b>Council Member:</b>	<b>Michael Thulen, Jr</b>
<b>Borough Attorney:</b>	<b>Gregory P. McGuckin</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 12, 2018 edition of *The Ocean Star* and *The Asbury Park Press*.

**Mayor Sabosik stated the following:** “Due to the bad weather this evening we are going to postpone our workshop committee reports and report from the Mayor. There is bad weather coming in later tonight and we still have not recovered from this afternoon’s rain. So, the reports will be given at our next meeting.”

**A. WORKSHOP**

Postponed until next meeting.

**B. MINUTES**

- 1. Approve Council Meeting Minutes of June 19, 2018**
- 2. Approve Executive Session Minutes of June 19, 2018**

**MOTION: Approve Minutes**

**MADE: Mr. Wisniewski**

**SECOND: Mr. Furmato**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Abstain**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

**C. ORDINANCES**

- 1. Final Reading and Public Hearing  
Ordinance No. 2018-12 Amending and Supplementing Chapter VII of the Borough Code Entitled “Traffic” and Specifically Section 7-4.2 Entitled “Parking Prohibited During Certain Hours for Trucks Over Four Tons”**

Mr. Furmato requested that the Council table this ordinance to consult with the Police Chief and add more roads.

**MOTION: Table Ordinance**

**MADE: Mr. Furmato**

**SECOND: Mr. Wisniewski**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

**2. Final Reading and Public Hearing**

**Ordinance No. 2018-13 Amending and Supplementing Chapter XIX of the Borough Code Entitled "Land Use" and Sections Thereof**

Mayor Sabosik opened the meeting for public comment on Ordinance 2018-13.

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

**MOTION: Adopt Ordinance**

**MADE: Mr. Thulen**

**SECOND: Mr. Furmato**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

**3. Introduction**

**Ordinance No. 2018-14 Amending and Supplementing Chapter II of the Borough Code Entitled "Administration" and Specifically Section 2-20 entitled "Miscellaneous Fees"**

**MOTION: Adopt Ordinance**

**MADE: Mr. Thulen**

**SECOND: Mr. Wisniewski**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

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

**OPEN PUBLIC SESSION**

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. Thulen

SECOND: Ms. DePaola

APPROVED: All in Favor

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

Dennis Vitkauskis: 2117 Foster Road – Asked the Council about Consent Agenda item #19, why there is no estimated tax bill.

Mr. Pannucci: Stated that the State of New Jersey did not release their State aid figures and the tax rates until after the July 6<sup>th</sup> deadline. They finally sent everything out late last week and instead of sending out estimated bills we are sending out the actual tax bills since there is still time.

Beth Dugan: Clayton Avenue – Asked about the Chapter 159 Resolution regarding pedestrian safety.

Chief Larsen: Responded that this allows the police department and its officers to encourage pedestrian safety. Often, he allows plain clothes officers to attempt to cross at intersections with officers waiting to make sure motorists are stopping for pedestrians.

Beth Dugan: Also asked about Consent Agenda items #14 and #17.

Mr. LeCompte: Responded that for Item #14 they are taking care of drainage issues and #17 they are putting in sidewalks.

Mr. Pannucci: Also explained that the ordinance that we have states that when possible, the Borough should put in sidewalks and curbing in when we are able to.

Mr. LeCompte: Explained that the County understands what the Borough has and it is entirely up to the County as to whether they will put in the sidewalks and curbing. The Borough has asked many times over the years but it is the County's decision.

Mayor Sabosik: Stated the following: “Just so that everyone is aware, with this report, the lead agency in 93 of their points is either NJDOT or Ocean County. Point Pleasant has 35 points that we can accomplish ourselves and some of those we have done already. I just want to make that perfectly clear to everyone here. Many of the points in this report was directed to the County and the State.

Mr. LeCompte: Also stated that we can make recommendations to the County and that he will continue to follow up on this topic.

Beth Dugan: Asked if the recommendations we make to the County will be to include bike lanes.

Both Mayor Sabosik and Mr. LeCompte: Replied yes, we have requested bike lanes and will continue to do so.

Mr. LeCompte: Indicated that we recently requested bike lanes along Beaver Dam Road and also on Route 88 however, the State remains pretty strong to keep things the way that they are.

Mr. Pannucci: Specified the one thing that is in our immediate control is the ability to put curbing and sidewalks in where we can, which we are doing.

Kathleen Ebert: 1203 Dorsett Dock Road – Referred to Consent Agenda item #17 and asked if anything more was going to be done considering our most recent accident at the Beaver Dam Road crossing from Panther Path to the Library.

Ms. DePaola: Stated that when she received her email she spoke to the County Engineer’s Office, Mark Jehnke right away. She was told that he did see Kathleen Ebert’s email but that the County will probably not do anything at that location only because there needs to be enough room for emergency vehicles to make their way around traffic and if the bump out would not allow for emergency vehicles to move at that intersection than it wouldn’t be feasible for them to do that.

Kathleen Ebert: Stated there have been many accidents at that location.

Ms. DePaola: Replied that it is not our road and the only thing she can do is call and make requests. It is not in our control. The County did not come out and say no. They just said there are also other considerations and they need to look into it.

Mr. Pannucci: Stated that Mayor and Council has gotten the County to agree to allow us to instead of just simply paving up and down Bridge Avenue, they will also be redoing all of the existing crosswalks on Beaver Dam and Bridge Avenue to bring them all up to modern standards.

Mayor Sabosik: Stated this Mayor and Council has been very aggressive with the County and the State to achieve some of these items that we care about and added that they all agree this is a very important topic for this town and this is the first time in 35 years that the County is investing 3.2 million dollars into our road system.

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

**E. RESOLUTIONS**

**“All matters listed under item “Resolution” 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. (181-2018) Bills and Claims**
- 2. (182-2018) Chapter 159 – Pedestrian Safety Grant**
- 3. (183-2018) Void Check Resolution**

**The bills totaling the amount of \$7,654,366.25 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. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

**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. (184-2018) Governing Body Certification of the Annual Audit**
- 2. (185-2018) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale**
- 3. (186-2018) Refund Escrow Accounts – Zoning Board of Adjustment**
- 4. (187-2018) Authorizing the Execution of a Change Order, Acceptance of Release of Performance Bond and Acceptance of a Maintenance Bond for the Mistletoe Avenue Drainage Reconstruction Project**
- 5. (188-2018) Authorizing the Reduction in the Performance Bond for Property Known as Block 265, Lots 4, 5, 6, 7 and 8, 715 & 719 South Street**
- 6. (189-2018) Authorize Approval to Submit a Grant Application for Ocean County Senior Services Request for Competitive Contract Proposal for 2019-2021 Area Plan Contract Year One, Older Americans Act Title III Area Plan Contract 2019**
- 7. (190-2018) Authorize Recreation Department to Hire Part-Time Seasonal Employees**
- 8. (191-2018) Authorize CME Associates Proposal for Engineering Services for Water Treatment Plant Filter Replacement Project**
- 9. (192-2018) Supporting Participation in the Sustainable Jersey® Municipal Certification Program**
- 10. (193-2018) Authorizing Cancellation of General Capital Appropriation Balances of Completed Projects**
- 11. (194-2018) Authorizing Cancellation of Utility Capital Appropriation Balances of Completed Projects**
- 12. (195-2018) Approval the Following Applications**
  - 15<sup>th</sup> Annual Treasure Island Sprint Triathlon at Riverfront Park on Sunday, September 30, 2018 from 8:00 AM – 12:00 PM**
  - Shore House Bar & Grill, Petition to Extend Licensed Premises, ALS Fundraiser, Wednesday, August 22, 2018 from 11:00 AM – 8:00 PM**
- 13. (196-2018) Authorize RVV for Survey, Design and Permitting for Drainage Improvements at Glenwood Drive and Center Street and Authorization to Bid, COF #2018-134**
- 14. (197-2018) Authorize RVV for Design and Easement Preparation at Beaver Dam Road to Laguna Drive and Authorization to Bid, COF #2018-135**
- 15. (198-2018) Authorize Change Order Number 1 – Purchase and Installation of Security Camera Systems at Various Locations, COF #2018-136**
- 16. (199-2018) Authorizing RVV for Engineering and Construction Management for The Backwash Tank Repainting at the Riviera Water Treatment Plant and Authorization to Bid, COF #2018-137**
- 17. (200-2018) Authorizing Execution of a Shared Services Agreement Between the Borough of Point Pleasant and the County of Ocean for the Reconstruction and Resurfacing of a Portion of Certain County Roads**
- 18. (201-2018) Authorizing RVV for Design Engineering Services for Rue Mirador Roadway Reconstruction Project and Authorization to Bid, COF #2018-138**
- 19. (202-2018) Extend the Grace Period for Third Quarter Taxes**

**MOTION: Adopt Consent Agenda**

**MADE: Ms. DePaola**

**SECOND: Mr. Thulen**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**Mr. Thulen: Yes**

**CARRIES: Yes**

**G. AUTHORIZATION**

- 1. DPW to hire (4) Four Full-Time Temporary Employees for Leaf Collection Season (October) at \$14.00 per hour.**

**MOTION: Approve Authorization**

**MADE: Ms. DePaola**

**SECOND: Mr. Furmato**

**Mr. Borowsky: Absent**

**Mr. Wisniewski: Yes**

**Mr. Furmato: Yes**

**Ms. DePaola: Yes**

**Ms. Snyder: Absent**

**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. Wisniewski**

**SECOND: Ms. DePaola**

**APPROVED: All in Favor**

**Mayor Sabosik opened the meeting to the public**

Anthony: Lockhart Lane – Commented that Bay Head Landscaping backs up to his backyard. They have about 45 employees that park across the street and the entire neighborhood is upset about it. Stated that when his mother comes to bring the kids home from camp, she has to park far away. But the employees take up the entire street. Stated that they also block driveways and yards and even has parked on his lawn at one point. This has become a safety issue.

Mayor Sabosik: Asked the Chief if he could have Lt. Downs look into this situation.

Chief Larsen: Stated that he will have this investigated.

Beth Dugan: 921 Clayton Avenue – Stated that years ago they had a complete streets committee and wondered what happened to this committee.

Mayor Sabosik: Replied that years ago the professionals took it over. They have been doing a lot of grant writing and they have been very successful in getting grants. From our legal standpoint it should be a professional that would complete these applications.

Mr. LeCompte: Stated that as the grant applications became more and more competitive and more complicated, it made sense to have the professionals handle it to get the funding.

Beth Dugan: Replied that the Engineer did attend those committee meetings with them and they appreciated how informative and helpful it was to have the Engineer there.

Mr. Pannucci: Stated that Councilwoman Snyder has talked about setting up a committee and a lot of that falls on him to do that. Explained that they have been so focused on submitting all the grants with our Engineer that he hasn't been able to set up this committee. But now that things have calmed down a little, he can focus on setting up this committee.

Mayor Sabosik: Stated that we will look into setting up another committee.

Colleen Lapp: 606 Marshall Drive – Read a statement to speak on behalf of her friend who experienced an accident on Beaver Dam Road and on her personal experience on pedestrian safety in this town. Also asked how many people are ticketed for not wearing their helmet while bike riding.

Chief Larsen: Responded that he did not have those statistics there at the meeting but that they take it very seriously. Explained that his officers do use their discretion as to whether or not they let someone go with a warning but that they take the laws of the State very seriously.

Eric Morgan: 2303 Oaktree Road – Asked if it was possible to lower the speed limit on Beaver Dam Road and Bridge Avenue. Also asked about a crosswalk from Hollywood to Community Park.

Mayor Sabosik: Stated that we have applied to the County to have that speed limit lowered. The County can only lower the speed limit on a road by five miles an hour per year. Explained that it is our intent to get the speed limit lowered to 25 miles an hour on both of those roads. If Bay Head has 25 miles an hour, we should have the same.

Mr. Forsyth: Responded the Borough requested the crosswalk with the County about 5 years ago. There was a problem with the angle of it. It is not straight across.

Chief Larsen: Also responded that he made the same request and the County and State did not approve the request. There were many issues they had with it.

Mayor Sabosik: Directed that the request be made again.

Dennis Vitkauskis: 2117 Foster Road – Stated that even though basketball hoops are illegal in the streets, there are a lot around. Asked that it become required to have reflective material on the hoops, so he doesn't hit them with his bike. Also complained about boat trailers parked in the streets with no cars attached to them. Also announced that he saw Juno the police dog on television celebrating his second birthday.

Rich Russoman: 1308 Sunrise Avenue – Spoke about pedestrian safety and how difficult it is to cross Bridge Avenue. He stressed the importance of bump outs. Explained that when a car stopped to allow him to cross with his family another car tried to go around almost hitting them. Also noted that in Bay Head there are a lot of crosswalks even with the Fire Department right there. They seem to have it figured out.

Lee Nelson: 24 Hidden Harbor Drive – Has been a resident of the Borough for 5 years now and this is his first council meeting. Wanted to stress what an important issue pedestrian safety is in our town. Wanted to make sure that the Mayor and Council understand that the few residents that were up to speak this evening were speaking on behalf of a much larger crowd. So many parents and residents in town care about this.

Mayor Sabosik: Stated this is an important issue to all of them as well and it is in their number one priority to make this town as safe as we can.

Lee Nelson: Asked about Hidden Harbor Condos and whether they are responsible for paving the entryway over there or is it the town.

Mayor Sabosik: Suggested he speak with our Borough Engineer or our Public Works Superintendent after the meeting.

Colleen Lapp: 606 Marshall Drive – Explained to Mayor and Council that her daughter is a Girl Scout and is interested in doing a project in town regarding bicycle and pedestrian safety. Suggested that if we do consider creating a committee that we enlist our Girl Scouts since they are children and they are doing a lot of the walking and bicycling throughout our town. Also asked about pedestrian crossing signals that she has seen in other towns. Also brought up the possibility of stop signs in the areas around the middle school and high school due to cars speeding through with no care.

Mayor Sabosik: Stated that in the past three years we have increased the patrol and police presence in that area.

Chief Larsen: Detailed that he has been receiving tremendous compliments over how much better those areas have been in the last three years. He has increased police presence especially in the beginning and end of school days and also prohibits parking and double parking in the area. He stated that he has been getting very positive feedback and is surprised by her comment that cars speed through there. He will look at it again but noted that he feels very confident in the changes made in that area with police presence in and around the schools. There has never been as much enforcement and police presence as there is now.

Colleen Lapp: Noted that she did notice more police presence but not where she had witnessed problems which is by the intersection between the middle school and the high school where the fields are.

Chief Larsen: Stated that he will re-examine that area and thanked her for bringing this to his attention.

Kathleen Ebert: 1203 Dorsett Dock Road – Asked if it was possible to have a public review of County plans for repaving.

Mr. LeCompte: Responded that the plans are available for review with our Engineers and County Engineers.

Further discussion between Kathleen Ebert and Chief Larsen ensues regarding looking into possible crosswalks.

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

**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. Contractual/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. Thulen**

**SECOND: Mr. Wisniewski**

**APPROVED: All in favor**

**RETURN FROM EXECUTIVE SESSION**

Mr. McGuckin, Esq., stated the following: "While we were in closed session we discussed two items regarding potential litigation."

**MOTION TO ADJOURN**

All in Favor.

**TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK**

**ATTEST:**

**APPROVED:**

---

**ANTOINETTE JONES, RMC, CMR  
BOROUGH CLERK**

---

**ROBERT A. SABOSIK  
MAYOR**