

**COUNCIL MEETING
MONDAY, FEBRUARY 11, 2019
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Michael Thulen, Jr.
Council Member:	John Wisniewski
Council Member:	Joseph Furmato
Council Member:	Antoinette DePaola
Council Member:	Pamela Snyder
Council Member:	William Borowsky
Borough Attorney:	Jerry J. 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 11, 2019 edition of *The Ocean Star* and *The Asbury Park Press*.

A. WORKSHOP

1. Committee Reports

Council Member Furmato stated the following: “We are applying to the County for grants to reduce our hallway floors and bathrooms to make them ADA compliant. Last year we got \$37,000.00. The plow trucks are all ready to go if we get any significant snow or ice and we have plenty of salt. Hopefully we won’t see much bad weather.”

Council Member Snyder stated the following: “Environmental Commission meeting for the month of February is being moved to February 19, 2019 at 7:00pm and that is all that I have tonight.”

Council Member DePaola stated the following: “First off I just want to thank my colleagues and the Mayor and the Borough Employees for pitching in and picking up my slack while I was at home recovering from a medical issue. Here I am, I am back so thank you everybody for your hard work while I was out of sorts. I am happy to be back.”

Also, you notice tonight we have an Introduction of our ordinance for the boat ramp usage.”

Council Member Wisniewski stated the following: “It is budget season so that means the Finance Committee will be meeting on Wednesday to go over the budget. The way I hope it will work is that we will get together for a first review and provide our feedback to the rest of council and start scheduling department heads as necessary. Also on Wednesday it is the Open Space Committee Meeting.”

Council Member Borowsky stated the following: “I am a little bit out of sorts tonight. I ended up going to the Borough High School Hockey team game at 4:00pm. What a thriller. It was the semifinals for the Handchen Cup. The Boro fell behind 2-0 early and then ended up tying the game at 3-3 and then won in overtime. It was absolutely one of the most exciting high school sports events that I have been to. This team is amazing. It is undermanned. There are only 10 kids on the team. One of them is a goalie and the defensemen never come off the ice. They have 2 shifts. I plan on attending the finals next week. I will keep everyone posted.”

Last week we had a Rec meeting of the minds. It was a small meeting attended by me, Councilman Wisniewski, Sheri Lynn Silversmith and the Committee President Mary Jane Bevais. Some of the things discussed were some of the things that are on our agenda under the Introduction of Ordinance #2019-05 which bans smoking at all parks and recreational areas. Sheri said she would work with Bob to get signs posted. Also discussed was the Easter Egg hunt coming up right around the corner on April 13th at 11:00am at the Community Park. There will be 5,000 Easter Eggs filled with candy and prizes. They will be filled by the Senior Beehive and the Girl Scouts will help hide the eggs. We are still in need of some sponsors for the eggs.

Registration for the 2019-2020 preschool will begin online on March 13, 2019. Also, the movies in the park are coming up. Sheri is going to try to have a theme with a Touch-a-Truck or some kind of activity and entertainment each month in unison with the movies just to try to get a better attendance since attendance was lagging in the past.”

Council President Thulen stated the following: “You will see that we have two ordinances coming from our Construction Committee basically dealing with building heights and its definition. The height of new construction is staying the same however, this is making it clearer and easier when applications come in. We had our Land Use Committee meeting in regards to the issue we are having with the sump pumps pumping into our streets. There is no easy solution to this problem because New Jersey had one of the wettest years on record last year and this is something that we will be working on for some time. It is a nuisance because nobody wants water flowing down their street and we can’t have these ice issues.”

2. Report of Mayor

Mayor Sabosik stated the following: “As Councilman Furmato stated, we are ready for the storm this evening. Up North the Governor has declared a state of emergency for several towns. If anyone is commuting up North tomorrow morning please take extra special care. Make sure you leave early and go slow. Traffic will be bad. Everybody be slow, calm and drive deliberately so you can get home safe. Also, there will be a 2 hour delay tomorrow for school in Point Pleasant.

On April 20th, the Slade Dale volunteer group will be welcoming anyone who wishes to help them with their Christmas tree planting to restore the Slade Dale shoreline. So if anybody would like to join them, they will be meeting at 10:00am. If you want any further information you can call town hall and talk to our Administration office.

On April 13th, it is Clean Ocean Action weekend. They will be cleaning our beaches and now they will be in competition with our Egg Hunt. That will be a busy day in town. Multiple events to keep everybody going. My wife and I will be happy to be a gold sponsor for the egg hunt.

I have been notified by the State of New Jersey that approximately \$400,000.00 will be given to the town of Point Pleasant for roadwork in the coming months. So as always we will be continuing with our plan of rebuilding the road and the infrastructure of our town. If anybody has been seeing Bridge Avenue and Beaver Dam Road, you will notice that work has been continuing with New Jersey Natural Gas. They have been taking numerous breaks which is why the work has been taking a little bit longer. We have assurances with the County that it will be resuming sometime in March. We will be repaving both streets and they will be better than ever. So, a little bit more patience from everyone would be great.”

B. MINUTES

1. Approve Re-Organization Meeting Minutes of January 6, 2019

MOTION: Approve Minutes

MADE: Mr. Thulen

SECOND: Mr. Furmato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: *Yes

Mr. Borowsky: Yes

CARRIES:

2. Approve Council Meeting Minutes of January 14, 2019

3. Approved Executive Session Minutes of January 14, 2019

MOTION: Approve Minutes

MADE: Mr. Thulen

SECOND: Mr. Borowsky

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Abstain

Ms. Snyder: *Yes

Mr. Borowsky: Yes

CARRIES:

*Mrs. Snyder stated that she thought there was a typo somewhere in the minutes but doesn't know where or which set of minutes. Other than that she approves them.

**C. 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: Ms. DePaola

SECOND: Mrs. Snyder

APPROVED: All in Favor

Council President Thulen opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – Asked about where the easement is for Consent Agenda Item #4.

Mr. Thulen: Responded that it was property in from the Canal. Stated that the paperwork was never done correctly for those easements and should have been taken care of 25 years ago.

Mr. Dasti: Elaborated that there is nothing new with it. The drain is where it is supposed to be we just have to renew the paperwork from 25 years ago.

Mr. Vitkauskis: Asked about Item #5 where River Street is.

Mr. Dasti: Responded that it should be River Road.

Mr. Vitkauskis: Asked about Item #6 what streets will be involved.

Mr. Furmato: Responded to Mr. Vitkauskis reading him the list of roads.

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

D. ORDINANCES

1. Final Reading and Public Hearing

Ordinance No. 2019-01 – Setting Salary Ranges for the Borough’s Governing Body and Certain Full Time Officials and Employees

Mayor Sabosik opened the meeting for Public Comment.

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

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mr. Furmato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

2. Introduction

Ordinance No. 2019-02 – Amending Section 19-3 of the Borough Code Entitled “Land Use Definitions”

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Mrs. Snyder

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

3. **Introduction**
**Ordinance No. 2019-03 – Supplementing Section 19-37 and Adding Section 19
37.6 “Building Height in the Flood Zone”**

MOTION: Adopt Ordinance

MADE: Mr. Thulen **SECOND: Mr. Furrato**

Mr. Thulen: Yes **Mr. Wisniewski: Yes** **Mr. Furrato: Yes**
Ms. DePaola: Yes **Ms. Snyder: Yes** **Mr. Borowsky: Yes**

CARRIES:

4. **Introduction**
**Ordinance No. 2019-04 – Amending and Supplementing Section III of the Borough
Code Entitled, “Rules and Regulations for Curtis Avenue Boat Ramp Facility”**

MOTION: Adopt Ordinance

MADE: Mr. Thulen **SECOND: Ms. DePaola**

Mr. Thulen: Yes **Mr. Wisniewski: Yes** **Mr. Furrato: Yes**
Ms. DePaola: Yes **Ms. Snyder: Yes** **Mr. Borowsky: Yes**

CARRIES:

5. **Introduction**
**Ordinance No. 2019-05 – Amending and Supplementing Chapter XV of the Borough
Code Entitled, “Beaches, Parks and Recreational Areas”**

MOTION: Adopt Ordinance

MADE: Mrs. Snyder **SECOND: Ms. DePaola**

Mr. Thulen: Yes **Mr. Wisniewski: Yes** **Mr. Furrato: Yes**
Ms. DePaola: Yes **Ms. Snyder: Yes** **Mr. Borowsky: Yes**

CARRIES:

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. (052-2019) Bills and Claims**
- 2. (053-2019) Authorize Transfer of 2019 Budget Appropriations**
- 3. (054-2019) Void Check Resolution**

The bills totaling the amount of \$5,175,406.43 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: Mr. Furmato

SECOND: Mrs. Snyder

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

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. (055-2019) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.**
- 2. (056-2019) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale**
- 3. (057-2019) Authorize DPW to Solicit Bids for Radium Removal Services at Well #8**
- 4. (058-2019) Authorizing Acceptance and Execution of an Easement for Pipeline Right-of-Way with United States Army Corps of Engineers**
- 5. (059-2019) Authorizing Acceptance and Execution of an Easement for Pipeline Right-of-Way with United States Army Corps of Engineers – River Road**
- 6. (060-2019) Authorize Change Order Number 1 – Mill & Overlay of Various Locations - COF #2019-116**
- 7. (061-2019) Recreation Department – Establishment of Fees for 2019**
- 8. (062-2019) Authorize Recreation Department to Hire Part-Time Seasonals**
- 9. (063-2019) Authorizing a Waiver of any and all Building and Zoning Permit Related Fees from the Point Boro First Aid Squad and Point Pleasant Fire Company for the year 2019**
- 10. (064-2019) Authorizing Execution of a Schedule “C” Agreement with the County of Ocean for 2019**
- 11. (065-2019) Authorizing Release of Performance Bond and Acceptance of Maintenance Bond and Close Out Documents and Adoption of Change Order No. 1 for Backwash Tank Repainting at the Riviera Parkway Water Treatment Plant**
- 12. (066-2019) Approving the Following Applications:**
 - Clean Ocean Action, Beach Sweeps, Saturday, April 13, 2019 and Saturday, October 26, 2019 from 9:00 AM – 12:30 PM.**
 - Point Boro First Aid Squad, Fundraising Efforts by Mail in the Months of May and June with additional mailing during the months of November and December**
 - Point Pleasant Fire Department, Coin Toss, Saturday, June 1, 2019 (rain date June 8, 2019) from 9:00 AM – 4:00 PM at the intersection of Bridge Avenue and Route 88 and Saturday, July 6, 2019 (rain date July 13, 2019).**
 - Point Boro First Aid Squad, Coin Toss, Saturday, July 13, 2019 between 9:00 AM – 3:00 PM at the intersection of Bridge Avenue and River Avenue (rain date July 20, 2019).**
- 13. (067-2019) Authorizing Submission of 2019 CDBG Grant Program Application**

14. (068-2019) **Confirming Personnel Appointment**
- **John M. Vitale, Point Pleasant Boro Fire Department Station 75,
Volunteer Firefighter, effective February 11, 2019.**

Mr. Thulen requested that they table items #4 and #5.

MOTION: Adopt Consent Agenda and Table Items 4 and 5

MADE: Mr. Thulen

SECOND: Mr. Wisniewski

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furrato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

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: Mr. Thulen

SECOND: Ms. DePaola

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public

Brian Barr: 727 Howe Street – Business owner of Feeling Swell. Stated that he spoke with Mr. Pannucci trying to seek approval for fundraising in town. Some local students will be selling stickers for Mental Illness awareness.

Mayor Sabosik: Stated that Mr. Pannucci will call him tomorrow.

Dennis Vitkauskis: 2117 Foster Road – Stated that he thought Public Works Road Department was doing a good job on the pothole repairs in town. Also complained about why the employees of All American Ford cannot park on public streets when other businesses can.

Mayor Sabosik: Stated that he believed it was a business decision by them to keep the potential customer base happy in that section of town. There is no legal requirement for them to move but in the spirit between the cooperation of the residents and the business, they developed a new parking plan.

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

H. 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: Ms. DePaola

APPROVED: All in Favor

Mr. Dasti: "First, we talked about a few things in closed session. Some of which we need to keep in closed session. We are going to have a meeting on February 25th at 4:00pm and letters will go out to all the homeowners regarding the storm drains. Second, the Borough is going to authorize going out to bid with a possible sale of cell tower leases we have on Memorial Drive. We have a proposal to purchase the leases for a minimum of \$1.3 million dollars and also a 70/30 split in our favor in the event that any future companies coming on the Memorial Drive Tank. We are going to go out to bid and then make a decision if we want to accept the bid. Third, I think the Council has to think about those proposed resolutions for the easements with the Army Corp of Engineers. "

Mayor Sabosik requested that they make a motion to accept the Army Corp of Engineers Resolution this evening.

MOTION: Authorizing Acceptance and Execution of an Easement for Pipeline Right-of-Way with United States Army Corps of Engineers (Item #4 on Agenda)

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

MOTION: Authorization to Bid Cell Tower Leases at the Memorial Drive Water Tank

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

**MOTION: Authorizing Acceptance and Execution of an Easement for Pipeline
Right-of-Way with United States Army Corps of Engineers – River Road
(Item #5 on Agenda)**

MADE: Mr. Thulen

SECOND: Mr. Furmato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**