

**COUNCIL MEETING
MONDAY, MARCH 25, 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. PROCLAMATION

- 1. 2019 UDrive. UText. UPay. Distracted Driving Crackdown**

B. WORKSHOP

- 1. Committee Reports**

Council Member Furmato stated the following: “Tonight is a big night for Point Pleasant. The milling and paving should begin at 8pm on Bridge Avenue. It should get from Stop and Shop to Dunkin Donuts, so stay tuned and we will see how it goes.”

Council Member Snyder stated the following: “First I just wanted to remind everybody that Earth Day is coming up. The Environmental Commission is working very hard to put on another great event. Earth Day will be April 27th with a rain date of April 28th.

Also the Slade Dale Project. Things are moving forward with that. There is going to be a volunteer meeting on April 2nd at 6pm to figure out what volunteers are needed and when they are needed. Just as a reminder for those who may not know, the Slade Dale Project is trying to restore our shoreline over in the bay area by using discarded Christmas trees. They are going to bundle all the Christmas trees together and dump them in the water and hopefully that will help restore the shoreline and bring back all the water life that is needed there.

Also I just wanted to dispel one quick rumor that has been circulating in the Borough. The Borough itself is not offering free mulch however, our understanding is that you can obtain free mulch at the County facility on New Hampshire Avenue in Lakewood. Somehow a rumor started that we are giving away free mulch and I just wanted to clarify that we are not.”

Council Member DePaola stated the following: “First off, our Community Watch Organization is meeting here in the courtroom tomorrow night at 7pm. Some of the items to be discussed is the project for Earth Day as well as a possible collection for Dottie’s House for the moms and children for Easter season, so stay tuned for more information there.

Also, Council President Thulen and I were fortunate enough to be at the Elks Lodge in Point Pleasant on Saturday where the Mayor received the Citizen of the Year Award. I would like to congratulate our Mayor for all he has done to improve the quality of life here in the Borough of Point Pleasant. He has worked tirelessly and it was very nice to be there and see the recognition.”

Council Member Wisniewski stated the following: “It is a big night for the Finance Committee because we are introducing the budget tonight. There is a 1.35% increase and as we say whenever we introduce the budget, come by and say hello and ask any questions. It is not finalized, we are still going to have department meetings to tighten it up a little bit. Our assistant CFO, Chris Santiago, is in the front row and he is doing a great job. I am looking forward to taking a deeper look into the budget. We have really come a long way since I have started to be able to have this talk in July.”

Council Member Borowsky stated the following: “First I would like to take a moment to thank our Rec Director Sheri Lynn Silversmith, our Seniors Coordinators and the rest of the staff that helped make our

senior St. Patrick's Day Luncheon such a huge success. The Luncheon was attended by over 150 seniors. The food was catered by the Ocean County Vocational School and it turned out to be a really great time. I unfortunately was not able to attend because I had a doctor appointment at 12:30pm that day and spent 3 hours in the waiting room waiting for a checkup. And he wondered why I had high blood pressure when he checked. I would also like to thank the Ocean Star for their great coverage of the event. Thank you Kayla.

All preschool classes are sold out and there is a 50 child waiting list. That is another reason why there is a need for renovation to the current recreation center. The spring registration is all finished. There were over 900 participants that signed up for programs this year. Currently they are working on the summer Recreation program and signups will be on the 15th.

Last but not most important, Thursday March 14th there was a joint Recreation and DPW committee meeting to discuss some new Recreation Center designs. The engineers from CME were there, Bob Forsyth of Public Works and other department heads and members of council. After some discussion with the engineers on some of their proposals and ideas for the property we decided to tweak it a little and CME will come back to us with some new ideas in a couple weeks. So hopefully I will have more on that at the next meeting.

Council President Thulen stated the following: "I would also like to congratulate the Mayor. It was a very nice event over at the Elks over the weekend.

There are three ordinances on our agenda tonight. They have all come from the committee. The first two are for final reading and they are for building heights in flood zones. Generally, why we did this was to reduce some confusion and the definitions of what we have in town. We have a lot of professionals that come from out of town and do work with residents. Each town has their own flavor on how they describe everything so we hopefully made it easier for everyone. Everything is all the same it is just how we defined it. The final one is on the sump pumps. We already have an ordinance and as you can see on there, but this one will define a little better exactly what nuisances are. We can now say exactly, this is a nuisance or this is not a nuisance. It will be more clearly defined."

2. Report of Mayor

Mayor Sabosik stated the following: "April 7th to April 13th is volunteer recognition week with the State and the County and this town. This is the week that we thank everybody for helping us on the Planning Board, Zoning Board, Environmental Board and every other board that we have. They do not make any money. They do it because they love the town. They volunteer to make the town better so that week I will be going to all the meetings to thank everyone personally. I think it is important that we acknowledge the amount of volunteerism we have in this town. It makes this town the best that it can be.

As Councilman Furmato said, we are starting a major road renovation in this town. I just ask everybody who is driving, biking or walking to be careful. We are going to have construction equipment at various areas of the town for the next couple of months so just be aware of the equipment, the paving and the people so that everyone is safe.

As you have heard, I accepted an award from the Elks for helping them last year for their event. I accepted this award for all of us here on Council, all on the Chamber of Commerce, the Police Department, DPW and for all the citizens of Point Pleasant who helped out the Elks in their time of need. Their need was financial. Their need was to continue the Elks as a going organization. We all felt it was important. We were very happy with the amount of people that came to the event. The event was very happily done and there were no problems. We look forward to working with the again in a positive manner in the future.

A couple of people have called me in the past month and asked how come there is no ordinance about marijuana in this town. There is no ordinance because you cannot react to a law that isn't in effect. No offense to the counselor on the left, but to pay him to do an ordinance before we have a state law, in our humble opinion up here, would not be the smartest thing to do. That is why we did not do it. And as all of you know, this afternoon it was polled and not passed. So this shows me that our position was correct."

C. MINUTES

1. Approved Executive Session Minutes of March 11, 2019

MOTION: Approve Minutes

MADE: Mr. Thulen

SECOND: Mrs. Snyder

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Abstain

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

D. ORDINANCES

1. Final Reading and Public Hearing

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

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: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

2. Final Reading and Public Hearing

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

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:

3. Final Reading and Public Hearing

Bond Ordinance No. 2019-07 - Providing for an Asset Management Plan for the Drinking Water System in and for the Borough of Point Pleasant and Appropriating \$50,694.00 Therefor, and Providing for the Issuance of \$48,159.00 in Water-Sewer Utility Bonds or Notes of the Borough of Point Pleasant to Finance the Same

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: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

4. Final Reading and Public Hearing

Ordinance No. 2019-08 – Amending and Supplementing Chapter VIII of the Borough Code Entitled “Building and Housing” and Specifically Subsection 8-5.2 Entitled “Prohibitive Acts”

Mayor Sabosik opened the meeting for Public Comment.

Michele Donato: “My name is Michele Donato and I am an attorney and I am here representing Darlene and Scott Piccione and they reside at 2234 Kenneth Road. This ordinance is amending an existing provision of property maintenance code that restricts discharged water from private properties into a street when the discharge constitutes a public nuisance. There are a number of problems with this ordinance and we are hopeful that the Borough will address this in a manner that will constructively assist the community members to resolve the drainage problems that are prevalent and may become increasingly prevalent as the groundwater levels rise. So essentially it restricts the number of types of discharge. You can be emptying

your pool, you might have storm drainage from a sump pump that is entering the public street. Now, this Borough as well as many communities developed without storm sewer systems. So most of the residential neighborhoods do not have storm sewer systems. The public streets were created not only for pedestrian and vehicular access but also for drainage from properties. So usually with storm drainage, there is a curb and water is then transported based on how the street is graded. And that has basically been occurring since we have had streets. They were made for that purpose. So unfortunately as the Borough developed, many people got approvals for homes and builders were allowed to build. And houses were built into the seasonal high water table. And so many residents have placed sump pumps in their basements to prevent flooding. In many of the areas those sump pumps were connected to the sewer system. We know that it is not supposed to happen but most people don't know that. They just know that they bought a house. The house has a sump pump and the sump pump discharged into the sewer system. So I guess the Borough never really had a comprehensive inflow or drainage system as a result of which you kind of very sporadically identify properties that were connected to the sewer system and then were forced to disconnect. Now when they go to disconnect, they have to put the water someplace. If their property will not accept the water because the property is not conducive to that or there is a high water table, they really have no place to put the water. This ordinance basically prohibits the discharge of water to the street without really any identification of what constitutes a nuisance. So what constitutes a nuisance essentially is whether someone complains. Now, you are privileged. You are elected and appointed representatives of the municipality and if you had a discharge into the street from your property, I doubt that your neighbors would complain. But I think that many people don't want to complain about their neighbor because where are they going to put the water. This ordinance essentially takes the responsibility away from the Borough and transfers it to private properties. This is just not a healthy way to try to address it. It is not healthy because it pins one neighbor against another. They might not understand where the water came from. They might not know that the water being piped is really storm water from the entire neighborhood because that is how water runs. It doesn't just disappear from one spot. So we are pretty hopeful that maybe instead of passing this ordinance, the Borough will look at this as a comprehensive problem and decide to tackle it in a way that will help the residents of this community not to be in this unfortunate catch-22. You can't discharge into the sewer. You don't have the soil piped or the capacity on their properties to be able to store the water and they are putting it into the street. And then the Code Enforcement Official has been allowing people to connect it to a hose. I don't think you want hoses running through the neighborhood. Part of this ordinance attempts to say that you can't have a hose over a sidewalk. But if you have a hose, let's assume nobody complains about it and the winter comes, the hose freezes and then what happens. It is just not a solution. You have a capacity to do a solution. You just passed a Bond Ordinance before and you have the assessment readiness. I think it would be beneficial to this community to grapple with the storm water problem instead of trying to pose the problem for each individual homeowner to correct subject to having an unhappy neighbor complain. I don't think anybody would want to think that something that you enacted would only be enforced if somebody complains. And that is really how it happened. I think you might find that you have far more support in this community than you know because I think that you have far more people that are discharging storm water to the sewer system or discharging into the street and not being persecuted because no one has complained. I hope that you would work in a constructive manner to do what is best and cooperative to the citizens to come up with solutions."

James Cozzolino: 2129 Riviera Parkway – “As a resident I have a new construction house built in Point Pleasant and I think it has been a great 7 years until I saw this ordinance. Here is my concern. I live on a corner and the side of my house did not have a curb and that is something I chose to install. I also installed a sump pump 7 years ago. It is around an 8 feet run and it is a straight run to the catch basin. My concern is that not only as a builder but as a property owner I tried to comply with all the rules and regulations. There is no question that this ordinance needs to be addressed. All I am asking for is a little reprieve on how it is currently ran so that we can work together to find a way where it is actually constructive. I live in Bay Head Shores and more than half my neighborhood has sump pumps. They all do. And for me, I am here to tell you if this is enacted the way we see it today, I will comply. I will do a dry well, I'll get a 55 foot gallon bucket, I will fill it with stone and do you know what is going to happen? I am going to comply with your ordinance and now you are going to have water spilling into the street. Because I already know what my water table is. I have 2 feet. I only have 2 feet. So my concern is right now, I am not saying that you should grandfather all of us into anything, I am just saying that this is a complicated issue. I am not here to say let's just push it out into the future indefinitely, what I am saying is that this is going to create a lot of harm and a lot of frustration. I don't think that is the intention of the Mayor and Council. All I am asking is that you give this a little time to figure out the right way to do it. For me, I already know. I don't need to hire an engineer. My house is new and I already know what I can and can't do. So to me, as a resident of Bay Head Shores where it has an exceptionally high water table all I am asking for is time to figure this out. I want to comply with all the rules and regulations. I have been a proud resident for 7 years. However, coming here today, trying to be as professional as I can, I am very unhappy.”

Mr. Thulen and Mr. Dasti: Asked how he believes this ordinance will affect him if his pipe goes to the curb.

James Cozzolino: Stated that maybe he needs a little more definition from the Council as to what is considered a public nuisance.

Mr. Thulen: “If you are pumping water from your house every once in a while due to a major rain event, or it is just seasonally high then that is one thing. But if you are pumping 24/7 into the street that is a regular occurrence. The other part of it is, if you are pumping a lot of water for some strange reason and you are constantly pumping a lot of water and now it is 6 feet from your curb line on the other side of your car and you are parked on the street, that is a significant amount of water as opposed to just running a sump pump for 2 hours. Also, regardless if you are pumping for 24/7 or just for 2 hours, if it immediately goes on to your neighbor’s yard for some strange reason, that is a nuisance to your neighbor’s yard and they are going to complain. You can be the best neighbor in the world but if you keep flooding out their petunias in front of their house, we have got to figure out something. The point of our code here is that you do come and speak to the town and we try and help out with the issue. We tried to define this the easiest way. For someone like yourself, there would not actually be an issue for you. You are a normal user of the sump pump or drainage system where occasionally you get inundated by a heavy rain flow. But if it were half the year and it is going well into the middle of the street causing a driving hazard or inhibiting people from walking in the street that would be a nuisance.”

Mayor Sabosik: “I think your discharge would be fine. I don’t think you will be in any trouble with this.”

Small conversation ensued between James Cozzolino and the Council regarding the definition of a public nuisance.

Darlene Piccione: 2234 Kenneth Road – Asked how the Council came up with the 6 feet.

Mr. Thulen: Responded that the average car is a little less than that and if you have to get wet in order to get to your car.

Darlene Piccione: Asked about the residents that do not have curbs or storm drains in front of their homes, does the 6 feet apply to them also.

Mr. Thulen: Answered yes.

Darlene Piccione: Asked for an example of what will be expected of the property owner in violation of this ordinance.

Mr. Dasti: Stated that it depended on a particular circumstance and gave examples of issues in the Borough.

Darlene Piccione: Stated that she had an engineer come out and was told there was nothing she could do on her property. Detailed that she had an engineer come out and was told there is nothing she can do on her property to alleviate this because her water table is too high. Asked the Mayor and Council what they would do in this circumstance if they pass this ordinance. Would they accept an engineer’s report or letter?

Mr. Dasti: “You are being sued by the town for substantial funds and we are not going to answer questions that really deal with your lawsuit. You can provide in an affidavit or a certification.”

Darlene Piccione: Interrupted by stating that this is not just about her lawsuit, this is about other people.

Mr. Dasti: “No, we are not going to answer a question tonight about what happens if somebody we don’t know, brings an affidavit from an engineer we don’t know about a situation we don’t know. We are not going to answer that type of question.”

Darlene Piccione: “So if a resident receives a notice of violation and they hire an engineer and they are told there is nothing they can do on their property, what option do they have?”

Mr. Dasti: “There are many options as you well know, there was an option in front of your property that just got resolved. An engineer said that you cannot have a dry well on your property but we did get it resolved a different way.”

Darlene Piccione: “I just want to say that I just find the ordinance, as written, unreasonable. I think that you’re putting residents that have to discharge water into an impossible situation. I ask that you reject this amendment as it is written and find some other solutions.”

Dennis Vitkauskis: 2117 Foster Road – Stated that one of the reasons that we don’t want people to put their sump pump water into the sewer system is because we have to pay to have that treated. Asked if the town could require somebody who might want to do that to pay the town and put a water meter on the sump pump so that anything that gets put into the sewer system could benefit on.

Mr. Thulen: “The Ocean County MUA prefers not to have absolute clean water. It disturbs their process in the long run.”

Mr. Dasti: “That certainly is a long term potential if nothing else can be done. But there were people in this town who we believe have been doing that for 25 years. Every day, every week, every month for 25 years. So you can just imagine the sewer bills that you have paid for somebody to pump clean water into their toilet. But assuming nothing else can be done, I guess that is an alternative.”

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

MOTION: Adopt Ordinance

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:

- 5. **Introduction**
Ordinance No. 2019-09 – To Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

- 6. **Introduction**
Bond Ordinance No. 2019-10 – Providing for Various Capital Improvements in and for the Borough of Point Pleasant and Appropriating \$1,903,089.00 Therefor, and Providing for the Issuance of \$1,807,089.00 in General Improvement Bonds or Notes of the Borough of Point Pleasant to Finance the Same

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:

- E. **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. Borowsky

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Council President Thulen opened the meeting to the public.

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

F. 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. (094-2019) Bills and Claims
- 2. (095-2019) Authorize Municipal Budget to be Read by Title Only at Public Hearing
- 3. (096-2019) Authorize Transfer of 2018 Budget Appropriations
- 4. (097-2019) Approve Emergency Temporary Appropriations
- 5. (098-2019) Introduction of Municipal Budget – Fiscal Year 2019
- 6. (099-2019) Authorize Self-Examination of Budget - 2019

The bills totaling the amount of \$464,499.03 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. Wisniewski

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

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. (100-2019) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
- 2. (101-2019) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
- 3. (102-2019) Authorize Refund Demolition Bond – Block 356, Lot 1, 1826 Southeast Drive
- 4. (103-2019) Authorizing a Reduction of the Performance Guarantees for Block 9, Lot 25, a/k/a 3305 River Road
- 5. (104-2019) Authorize RVV for Additional Engineering Services for Drainage Improvements at Glenwood Drive and Center Street
- 6. (105-2019) Authorize RVV for Design Engineering Services for Rue Mirador Roadway Reconstruction Project Which Also Includes Academy Drive and Hollywood Road – COF #2019-120
- 7. (106-2019) Authorize Log-Pro Log Home Restoration Products and Services, Inc., for Improvements to Bennett Cabin – COF #2019-121
- 8. (107-2019) Approving the Following Application:
 - Shore House Bar & Grill, Petition to Extend Licensed Premises, POAC Autism Fundraiser, Saturday, April 20, 2019 from 11:00 AM – 8:00 PM.
 - St. Martha’s Roman Catholic Church, Parish Picnic, Sunday, September 8, 2019, from 7:00 AM – 7:00 PM at Riverfront Park.
 - Life Chapel 5K Race “Run with Purpose” on Saturday, October 19, 2019 from 6:00 AM – 12:00 PM at Community Park
- 9. (108-2019) Authorize Awarding a Contract for the Reconstruction of Rue Mirador To Black Rock Enterprises, Inc., - COF #2019-122

Mrs. Snyder: “I have a quick question before we do roll-call. Under item #8, for the St. Martha’s Picnic on Sunday are they subject to the new permit fees that we are doing or are non-profits exempt?”

Mayor and Council discussed and stated that they would waive it.

MOTION: Adopt Consent Agenda

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Yes

Mr. Borowsky: Yes

CARRIES:

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. Thulen

SECOND: Mrs. Snyder

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public

Seeing no 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: Mrs. Snyder

APPROVED: All in Favor

Mr. Dasti: "In closed session we discussed potential ongoing litigation as well as a contractual matter that is still being resolved."

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**