

**COUNCIL MEETING
MONDAY, MAY 13, 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 (Absent)
Council Member:	William Borowsky
Borough Attorney:	Jerry J. Dasti, Esq.
Borough Administrator:	Frank Pannucci (Absent)
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. PRESENTATION

1. Investors Bank Heritage Park Donation

Mayor Sabosik stated the following: “Tonight we have two special groups that we are going to talk about. The first is Investor’s Bank. They have come forth once again with a \$20,000 stipend to help with our Heritage Park restoration and the continuation of improving open spaces in our town. This evening we have Mrs. Archer who is the bank regional manager who will step forward to give us the check. I will then give the check to the town clerk.”

B. PROCLAMATIONS

1. Star News Group Day – Friday, May 24, 2019

Mayor Sabosik stated the following: “The printed word. It has been around for centuries. But in today’s society it is vital for the well-being of our town. The printed word provides information, general knowledge, economic news, sports, games and entertainment. But above all, for the local community it is vital for the interests for everyone to share in the knowledge of what is going on in their own town. Reading newspapers broadens your outlook, it enriches your knowledge not only on local events but helps to broaden your viewpoint on a National level. Today’s newspapers are having a tough time. Their financial survival is dependent on income diversification. That is why 4 years ago, this Borough Council denied agreeing with the State plan for revenue to go to the internet rather than the printed word. Local government and local journalists work together to create an open and transparent dialogue that all citizens can all read and can enjoy and prosper. It is a vital component and I am happy to say that this evening we have a proclamation for our local newspaper who has received numerous awards from the State this year. So if we can have the representatives from the Star News Group step forward.”

Representatives from the Star News Group thanked the Mayor and Council for this honor and thanked them for their support.

2. Click It or Ticket Mobilization

Mayor Sabosik read the proclamation.

C. WORKSHOP

1. Committee Reports

Council President Furmato stated the following: “I really don’t have much to say tonight about DPW. We are going to have a committee meeting in the next couple weeks so I will have more information at the next meeting. The thing I want to talk about is Beaver Dam Road and Bridge Avenue. Since it has been paved, what I have noticed is that people are going faster. They are passing on the right and they are not stopping for pedestrians. We really have to cut down on that Chief and do something. Over the weekend I was going to get out of my truck and stop traffic. It is pretty bad.”

Chief Larsen stated the following: “What I have seen is on Bridge Avenue they reduced the travel lane by a foot in each direction creating a wider shoulder. So I think you are seeing some of the ramifications of that increased shoulder width. Some people think it is another lane to travel down. I am aware of it and my officers are aware of it. Quite frankly, I think it is a problem that we may have to live with. But rest assured, my officers are aware and visible and they will continue to be out there enforcing traffic. Historically, when spring hits this happens. It is cabin fever. After you have had a lot of rain and there is a nice sunny day, it gets busy. A lot of traffic and a lot of people rushing around. But my patrol is out and we are handling it.”

Council Member DePaola stated the following: “It just so happens now that we are on the topic of police, that this is National Law Enforcement Week. So we would like to extend our thanks to the Chief and to the members of our Police Department. They do a great job every day of keeping us all safe so if you see a police officer a little thank you can go a long way. I would like to publicly thank you all for all you do.

We are partnering with the Trenton Mercer TMA and they will be coming out and doing different kinds of bike safety education classes with our students here in the Borough. They were also invited to attend the Recreation summer camp and they will be doing bike safety with the campers. A lot of the older campers like to ride their bikes to camp and so this is just another way that we can try to enhance our pedestrian safety and our biker safety by making our kids aware of the rules. In addition to educating our drivers throughout the year, we would also like to educate the children to keep them safe and for them to understand the rules of the road.

Lastly, our Municipal Court, for those of you who don’t know, we currently share a courtroom with Point Pleasant Beach. The reason being was that the beach did not have an ADA compliant courtroom and so therefore Point Pleasant Beach was holding court here in the Borough and we shared various personnel and various equipment. We are now moving towards having our courtroom back to ourselves. There was a job posting if anybody has seen it for Municipal Court Administrator so we will be moving forward with getting somebody in that position within the next month or so.”

Council Member Wisniewski stated the following: “First I would like to give my sincerest thanks and gratitude to Investor’s Bank for their partnership. The ability to do business with government and community is what makes Point Pleasant special. I also want to say congratulations to the Star News Group.”

Council Member Borowsky stated the following: “I too would like to extend my thanks to Investor’s Bank. I watched this whole thing come together since day one and all thanks to the support from Investor’s. Just to listen to the residents and how much they love that park. It is awesome, thank you.

Point Pleasant Summer Recreation schedule is out. Registration opens online on Wednesday, May 15th at 9:00am for residents. For Non-Residents it opens on May 22. Registration will close on June 14th. There are some new things this year. One, is the Kindercamp will now be held at the Recreation Center and no longer at Nellie Bennett. Because of this they will be able to offer full day Kindercamp for Kindergartners. All told, the Recreation Department expect between 450-500 signups for summer camp and all the programs.

We are going to have Christmas in July. There is going to be a movie night on July 25th to see the movie Elf. There is going to be a Christmas bounce house, a DJ and a couple food trucks. We are hoping the Mayor can pull some strings and get a couple snow machines.

Some other new classes this year will be sewing classes and Latin dance classes. I did do the one in February and I just want to say that the instructor told me I have great hips.

One last thing, under Consent Agenda, Item #7 you are going to see 66 hires for the summer. A good portion of them are our Borough youth. I think it is awesome that our Rec Department provides such great programs for our youth but it also provides employment for them as well.

Also, Chief, I want to echo what Councilman Furmato said earlier. I don't know what was in the water on Saturday, but it was the first time I ever in 8 years of crossing Bridge Avenue, I took down a license plate and called because I almost got run over by a Jeep doing about 40 miles per hour. And when one car stopped on the other side to let me go, the other side just blew by as I was crossing."

Council President Thulen stated the following: "Starting off with the Land Use Committee. You will see in Item A that we are requesting that an employee be hired part time. Our Plumbing Inspector had a medical issue and we need part time coverage for that.

We are looking to have a meeting next week to go over a few items. I wanted to say that I got to join the Mayor at the Slade Dale Park Restoration Project that they had on Saturday. It was great to see so many people from so many different organizations out there helping everyone out and putting time in to help us regenerate the Slade Dale Watershed.

I also wanted to say thank you to Investor's Bank. It's great to have this relationship with the community. And thank you to the Ocean Star for serving us and our community. It is always on our coffee table and it is the first thing I show people when they come in from out of town."

2. Report of Mayor

Mayor Sabosik stated the following: "I too want to say thank you to Mrs. Archer of Investor's Savings Bank. She spearheaded the application to the Investor's Bank Foundation to help us make Heritage Park a park of our future. She worked very hard on our application and called me a few times to go over some of the paperwork. I want to personally thank her for her dedication. She is a lifelong Point Pleasant resident and it was nice to see her talents and her intelligence push this through. We ended up getting one of the largest awards that this foundation has ever given out. So I want to say thank you for your hard work and dedication to the people of Point Pleasant Borough.

Secondly, of course I would like to thank our newspaper. Our newspaper is a vital part of our town. The vitality of our town is shown by how great you report the news. One of the things I would like you to report in the next addition is our Memorial Day event where we the people can say thank you to the people who have served. It will be a great event. It is going to be enhanced again. It is going to be May 26th. Please come one and all. It is going to be a great event and it is going to show how Point Pleasant Borough is indeed different and the positivity of our town shows respect for everyone who has served."

D. MINUTES

1. Approve Council Meeting Minutes of April 22, 2019
2. Approve Executive Session Minutes of April 22, 2019.

MOTION: Approve Minutes

MADE: Ms. DePaola

SECOND: Mr. Furmato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Absent

Mr. Borowsky: Abstain

CARRIES:

E. ORDINANCES

1. **Final Reading and Public Hearing**
Ordinance No. 2019-11 – Amending and Supplementing Chapter XXV of the Borough Code in Order to Rescind in its Entirety Ordinance No. 2019-06

Mayor Sabosik opened the meeting for Public Comment.

Dennis Vitkauskis: 2117 Foster Road – Asked if this had to do with clothing bins and do people still have to get permission to put these out.

Council answered yes.

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: Absent

Mr. Borowsky: Yes

CARRIES:

2. **Introduction**
Ordinance No. 2019-12 – Providing Funding for Replacement of Filter Vessels/Media for the Borough of Point Pleasant and Appropriating \$89,110 for Such Purpose

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Absent

Mr. Borowsky: Yes

CARRIES:

3. **Introduction**

Ordinance No. 2019-13 – Providing Funding for Sanitary Sewer Repair Services for the Borough of Point Pleasant and Appropriating \$21,009 for Such Purpose

MOTION: Adopt Ordinance

MADE: Mr. Thulen

SECOND: Ms. DePaola

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furmato: Yes

Ms. DePaola: Yes

Ms. Snyder: Absent

Mr. Borowsky: Yes

CARRIES:

**F. 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: Mr. Wisniewski

APPROVED: All in Favor

Council President Thulen opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – Asked about Consent Agenda Item #6. Wanted to know what it is about.

Mayor Sabosik: responded that it is a class action suit and that we are going after Visa and MasterCard for some interest that some of our residents have paid for that was not deserved. Noted that this is a class action suit and there is no cost to the town to do this.

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. (134-2019) Bills and Claims**
- 2. (135-2019) Request Chapter 159 Budget Insertion – Bulletproof Vest Partnership Grant**
- 3. (136-2019) Request Chapter 159 Budget Insertion – Distracted Driving Crackdown**
- 4. (137-2019) Request Chapter 159 Budget Insertion – Click it or Ticket**

5. (138-2019) Authorize Cancellation of Capital Appropriation Balances of Completed Projects

The bills totaling the amount of \$3,781,328.82 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: Absent

Mr. Borowsky: Yes

CARRIES:

H. 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. (139-2019) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (140-2019) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (141-2019) Authorize Refund Zoning Fee -Block 278, Lot 23.20-29 – 1735 Bay Avenue
4. (142-2019) Authorize Refund Escrow Accounts – Zoning Board of Adjustment
5. (143-2019) Authorizing Payment for Consulting Services to Maintain Network for Police Department – Breaker Group, Inc. – COF #2019-125
6. (144-2019) Authorizing Execution of a Service Agreement with Brownstone Recovery Group, Inc. Concerning a Class Action Litigation Involving Visa and MasterCard
7. (145-2019) Authorize Recreation Department to Hire Part-time Seasonals
8. (146-2019) Confirming Personnel Salary Adjustments – Police Department
 - Pierce G. Drzmkowski salary increased to \$14.00 per hour.
 - Michael T. Cappello salary increased to \$14.00 per hour.
9. (147-2019) Confirming Personnel Appointments– Police Department
 - Daniel M. Guthrie, having been appointed to the position of SLEO III in the Police Department at a salary of \$30.00 per hour for 7.5 hours a day during the 180-day school year, effective May 14, 2019.
 - Joseph J. Robertazzi, having been appointed to the position of SLEO III in the Police Department at a salary of \$30.00 per hour for 7.5 hours a day during the 180-day school year, effective May 14, 2019.
10. (148-2019) Confirming Personnel Appointments- DPW:
 - Richard Chu, having been appointed to the position of temporary DPW Laborer in Building and Grounds at a salary of \$14.00 per hour, effective May 13, 2019.
 - Memorialize Frank Ferrara, hereby appointed to the position of Part-Time Recycling Laborer at a rate of \$14.00 per hour, effective May 7, 2019.

11. (149-2019) **Approving the Following Applications:**
- **Memorialize Shore House Bar and Grill, Petition to Extend Licensed Premises, Saturday, May 25, 2019 from 11:00 AM – 8:00 PM for Mitch Remig Fundraiser.**
 - **Shore House Bar and Grill, Petition to Extend Licensed Premises, Saturday, June 8, 2019 from 11:00 AM – 8:00 PM for Quinn’s Journey Fundraiser.**
 - **Point Pleasant Chamber of Commerce, Social Affair Permit, Annual Summerfest, Friday, May 31 - Sunday, June 2, 2019**
12. (150-2019) **Application to Local Finance Board Pursuant to N.J.S.A. 40A:2-26(e)**
13. (151-2019) **Rejecting All Bids for the 2019 Police Uniform and Equipment Contract**

MOTION: Adopt Consent Agenda

MADE: Ms. DePaola

SECOND: Mr. Furrato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furrato: Yes

Ms. DePaola: Yes

Ms. Snyder: Absent

Mr. Borowsky: Yes

CARRIES:

I. AUTHORIZATION

1. **Building Department to hire a Temporary, Part-Time Plumbing Inspector.**

MOTION: Approve Authorization

MADE: Ms. DePaola

SECOND: Mr. Furrato

Mr. Thulen: Yes

Mr. Wisniewski: Yes

Mr. Furrato: Yes

Ms. DePaola: Yes

Ms. Snyder: Absent

Mr. Borowsky: Yes

CARRIES:

J. 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: Mr. Wisniewski

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public

Kathleen Ebert: 1203 Dorsett Dock Road – Thanked everyone for the park. Stated that everyone loves it. She also added that they are loving the new roads and sidewalks. Requested that the Council please bring up the problem with Bridge Avenue and the speeding issues to the County. Stated that this cannot all be put on the police alone. The Engineer has to come up with a better road design. Also asked about the Street Smarts Campaign.

Mayor Sabosik: Stated that they are working on this and have many different ideas that they are going over with the Mercer County people. Also answered that there will be more information on the Street Smarts Campaign coming soon.

Dennis Vitkauskis: 2117 Foster Road – Complained that hours after Beaver Dam Road was paved, the DPW were out digging it up.

Mayor Sabosik: Explained that when they put a new road in and tamped it down, older parts of our system broke under the compaction of 80,000 pounds. Stated that we are doing the best we can to fix the problem.

Dennis Vitkauskis: Asked if they were going to do anything about the grading. Detailed that with the rain, it seems like every sidewalk handicap cut out is under water.

Mayor Sabosik: Stated that our Engineers are looking in to that.

Dennis Vitkauskis: Stated that two weeks ago Star News Group had in the paper about parking on the wrong side of the street. Asked if we were going to start enforcing that.

Chief Larsen: Stated that the article was put out as a courtesy to residents but that his officers are not going to start issuing tickets for this yet unless it is an outrageous violation.

Dennis Vitkauskis: Stated that the Slade Dale Project made the news.

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: Mrs. Snyder

APPROVED: All in Favor

Mr. Dasti: "In closed session we discussed some personnel and potential litigation matters and I have been directed to contact various attorneys on these matters."

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**