

**COUNCIL MEETING  
MONDAY, JULY 27, 2020  
7:00 P.M.**

<b>Mayor:</b>	<b>Robert A. Sabosik</b>
<b>Council President:</b>	<b>Pamela Snyder</b>
<b>Council Member:</b>	<b>William Borowsky</b>
<b>Council Member:</b>	<b>Joseph Furmato</b>
<b>Council Member:</b>	<b>John Wisniewski</b>
<b>Council Member:</b>	<b>Antoinette DePaola</b>
<b>Council Member:</b>	<b>Charlene Archer</b>
<b>Borough Attorney:</b>	<b>Martin Buckley, Esq.</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 10, 2020 edition of *The Ocean Star* and *The Asbury Park Press*.

**Mayor Sabosik stated the following:** “Tonight the first Resolutions will be to promote two fine individuals. People ask me what makes Point Pleasant special. Is it our location? Close to water skiing and close to snow skiing? Close to various cities that we could enjoy? This is obviously all pre Covid-19 of course. The weather is most of the time pretty good. Convenience to stores close by. Families who have been here for generations and new families coming in. All with the common goal to give them the best environment that can be provided by the town of Point Pleasant. What does create that? The number one factor is safety. Our Fire Department, our First Aid and OEM does a fine job. But the best job is done with the men and ladies who wear badges and who have the guns. They are our line of defense against the people who want to harm our residents and harm our way of life. With dedication, enthusiasm and bravery all coming together. All these attributes have been shown with the Covid-19 virus. Where they all stepped up to the plate and did their job in a professional manner to the benefit of the Borough of Point Pleasant.

Now, I probably just broke the rules by lowering my mask, but I really wanted to say that this is from the heart and soul of everybody on this Council. We deeply appreciate all that you have done and all that you will do. Tonight, we are honoring two individuals who have exemplified and shown all of those attributes. The attributes that make our lives better and safer and without a doubt, without them, Point Pleasant wouldn't be what it is. We are here to support them, and we are here to help them because that is truly what a town should do. Be united against all forces that could hurt our well-being and all that we have established. So, without further ado, I would like to talk about a Sergeant that is going to become a Lieutenant. Christopher Leonhardt graduated from Donovan Catholic in 1997. Went to Ocean County College and got an associate degree in Criminal Justice. Majored in Criminal Justice and Business Administration at Rutgers and started in 2001 with Point Pleasant. But before that, he was in Allenhurst. Then he decided, I think I will come to Point Pleasant. And I am glad he did. He came here in June of 2002. He has been a certified EMT and on the Executive Board of PBA local 158 as a dedicated treasurer and president of said unit. But above all, he is a family man to his wife Nicole and their five children. He is an asset to the community, and he is an asset to his family, and I am glad to call him Lieutenant. Front and center sir.”

**A. RESOLUTIONS**

1. (xxx-2020) **Promotion of Christopher G. Leonhardt to Lieutenant**

**MOTION: Adopt Resolution**

**MADE: Mr. Borowsky**

**SECOND: Mr. Wisniewski**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furrato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

**Mayor Sabosik stated the following:** “The next individual is born and raised in Point Pleasant. Graduated from Point Pleasant Boro High School in 1991. Went to Ocean County College and Stockton State University. He was a Point Pleasant Beach Class II and hired January of 2000 to this department. He has served in various capacities including domestic violence officer, which for many of you if you don’t know, unfortunately we have a lot of cases of that in the Borough of Point Pleasant. He is also an EMT and has received lifesaving awards from the Borough and many letters of commendation. He has had outstanding service and dedication and is a brilliant officer. He is married to his wife Claire and has 2 children.”

2. (xxx-2020) **Promotion of Loren C. MacIver to Sergeant**

**MOTION: Adopt Resolution**

**MADE: Mr. Wisniewski**

**SECOND: Mrs. Snyder**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furrato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

**Mayor Sabosik stated the following:** “I threw a little levity into this presentation because in today’s world, these people have one of the toughest jobs going. Unfortunately, our society has turned into something that I believe all of us here cannot believe. Without the dedication of the men and women of our police department, we surely would be in trouble. So, from the bottom of my heart and I know from the rest of Council, we really do appreciate all of you. We know how hard it is and how difficult it is on the families, but you have our word, we will be here for all of you today and in the future. Thank you again.”

**B. WORKSHOP**

1. **Committee Reports**
2. **Report of Mayor**

**Mayor Sabosik stated the following:** “Due to Covid-19 there will be no Workshop Committee Reports.”

**C. MINUTES**

1. **Approve Council Meeting Minutes of June 22, 2020**
2. **Approve Executive Session Meeting of June 22, 2020**

**MOTION: Approve Minutes**

MADE: Mrs. Archer

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

CARRIES:

**D. ORDINANCES**

**1. Final Reading and Public Hearing**

**Ordinance No. 2020-06 – Amending and Supplementing Chapter 8, Building and Housing, Specifically Chapter 8-1.2 Entitled “Fees”**

Mayor Sabosik opened the meeting for Public Comment.

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

MOTION: Adopt Ordinance

MADE: Mr. Wisniewski

SECOND: Ms. DePaola

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Abstain

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: 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. Wisniewski

SECOND: Ms. DePaola

APPROVED: All in Favor

Council President Snyder opened the meeting to the public.

Seeing no hands, Council President Snyder 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. (175-2020) Bills and Claims
2. (176-2020) Void Check Resolution
3. (177-2020) Authorize Emergency Appropriation – Current Fund
4. (178-2020) Request Chapter 159 Budget Insertion – CCDBG Health and Safety Child Care Grant

The bills totaling the amount of \$15,955,671.79 are to be paid as presented. The bills and claims list are 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. Wisniewski**

**SECOND: Mrs. Archer**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furmato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: 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. (179-2020) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (180-2020) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (181-2020) Authorize Refund Demolition Bond– Block 317.01, Lot 18, 2408 Minerva Street
4. (182-2020) Memorialize Recreation Department Refund – Riverfront Park
5. (183-2020) Authorize Recreation Department Refunds
6. (184-2020) Amending the Use of the Storm Recovery Reserves to Include the Coronavirus Emergency
7. (185-2020) 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 2020
8. (186-2020) Authorizing an Agreement with OCUA Regarding Past Due Charges
9. (187-2020) Authorize Purchase of Two (2) Outfitted 2021 Ford Police Vehicles Through State Contract #88728 – COF #2020-129
10. (188-2020) Memorialize Authorization for Emergency Repair to Bridge Avenue and Rue Rivoli – COF #2020-130
11. (189-2020) Authorize RVV for Engineering Services for Oriole Way Road Reconstruction Project and Solicitation of Bids – COF #2020-131
12. (190-2020) Awarding a Contract Through the Educational Services Commission of NJ Cooperative Pricing System to Fovenonics Imaging Technologies – COF #2020-132
13. (191-2020) Authorize Disposal of Found/Abandoned Property Via Online Auction PD

14. (192-2020) Authorizing a Release of All Performance Bonds for a Project Located at Block 139, Lot 19, Point Pleasant, New Jersey
15. (193-2020) Authorizing an Increase in the Bid Threshold
16. (194-2020) Authorize Refund Inspection Fee Escrow Accounts
17. (195-2020) Authorize Refund Permit Fees – Block 363, Lot 105, 1617 Osprey Court
18. (196-2020) Authorizing Execution of a Schedule “C” Agreement with the County of Ocean for 2020
19. (197-2020) Accepting and Authorizing Execution of the OCCARES Grant Program Agreement
20. (198-2020) Rejecting All Bids for the NJDOT Shore Blvd. Reconstruction Project
21. (199-2020) Confirming Personnel Action/Appointments:
  - Brooke Costa, resignation as Part-time Public Safety Telecommunicator, effective June 22, 2020.
  - Steve Patterson, retiring as part-time Fire Subcode Official, effective July 6, 2020.
  - Memorialize Ronald Pizar, hereby appointed to the position of part-time Fire Subcode Official on an as needed basis, at a rate of \$40 per hour effective July 6, 2020.
  - Martin J. Smith, Point Pleasant Boro Fire Department Station 75, Volunteer Firefighter, effective July 27, 2020.
  - John R. Skinner, Point Pleasant Boro Fire Department Station 75, Volunteer Firefighter, effective July 27, 2020.
  - Memorialize James J. Nolan II, hereby appointed to the position of part-time Recycling Laborer at a rate of \$14.00 per hour, effective July 22, 2020.
22. (200-2020) Authorize Purchase of One (1) Caterpillar Model 926M Wheel Loader Through Sourcewell Contract X032119-CAT – COF #2020-133

**MOTION: Adopt Resolutions**

**MADE: Mr. Wisniewski**

**SECOND: Mr. Borowsky**

Ms. Snyder: Yes  
Mr. Wisniewski: Yes

Mr. Borowsky: Yes  
Ms. DePaola: Yes

Mr. Furmato: Yes  
Ms. Archer: Yes

**CARRIES: YES**

**H. AUTHORIZATION**

1. To Re-Bid the NJDOT Shore Boulevard Reconstruction Project

**MOTION: Approve Authorization**

**MADE: Mr. Wisniewski**

**SECOND: Mr. Furmato**

Ms. Snyder: Yes  
Mr. Wisniewski: Yes

Mr. Borowsky: Yes  
Ms. DePaola: Yes

Mr. Furmato: Yes  
Ms. Archer: Yes

**CARRIES: YES**

**I. 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: Mrs. Snyder**

**APPROVED: All in Favor**

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

Cheryl Ciara – 543 Summit Drive: “I spoke to you about a week ago about the dogs on Riverfront Park beach. To my understanding, there was never an ordinance. I have been going there for over 20 years. Now, all of the sudden on the Fourth of July I got kicked off with my Lab. There was no reason why. About 3 days later there was a sign put up that says, ‘No Dogs Allowed.’ Can you tell me why and explain this to me?”

Mr. Pannucci: “Hi, I am the Administrator, Frank Pannucci. No dogs have been allowed on the beach since the Ordinance from 1967. As a matter of fact, there have been signs on both Riverfront Beach and Maxim Avenue Beach that say no dogs are allowed on the beach. Unfortunately, because of Covid-19 and the influx of people coming to visit and social distancing, we are out there enforcing things that we really haven’t had to before. Things now are becoming an issue. Because an influx of people have been swimming on the other side of that pier that our lifeguards can’t see, more signage had to go up. Which included dog ordinance signs. Everything that was on one side that people would normally see, had to go up on the other side. Dogs have not been allowed on the beach. Unfortunately, it was probably something an officer saw that he never enforced before.”

Cheryl Ciara: “He said he got a phone call and it was from someone who was swimming on the beach, and I got kicked off and they were allowed to stay.”

Mr. Pannucci: “Well, if your dogs were asked to move up to the park, then that is acceptable, but we do not have dogs on the beach. It is not something new, but with Covid-19 and enforced social distancing we are just picking up on things that have just never been an issue before.”

Cheryl Ciara: “Is there any way to reverse it?”

Mr. Pannucci: “I had a lot of people on Council ask me about it and I talked to our risk manager. The majority of any Shore town do not allow dogs on their beaches when there is people swimming, sunbathing, kayaking, fishing and are there doing recreational activities. For a host of insurance and risk management reasons, that is why there are these ordinances.”

Cheryl Ciara: “Okay, well I pulled up two of your ordinances. One says that any crafts going out of that area cannot do it while there are sunbathers on that side. To this day, they are still sunbathing and swimming on that side.”

Mr. Pannucci: “There is a specific area for people to bring out kayaks and small crafts. That is why we put up more signs that there is no swimming there because with the influx of people, they have been doing it. There are things that have been going on with Covid-19 that has never been an issue before just because of the influx of people.”

Councilwoman Archer: “What I was thinking of suggesting that during this season, no dogs should be allowed there because some people are afraid or allergic or whatever. Off season, September to May, a lot of beaches allow dogs on the beach on the off-season. So, while we are in season, the dogs would not be allowed. That would be a way to handle it.”

Mr. Pannucci: “A lot of towns do not allow that because, while you are clearly a responsible dog owner, many are not. Our lifeguards would have to be picking up dog waste and things like that when they go on duty before and after. It is an issue. But to your suggestion Councilwoman, many towns do that in the off season where people, in the off season allow their dogs on. That is something that if the rest of council is interested in, I can certainly look into crafting and possibly changing.”

Mayor Sabosik: “Unfortunately, it is an old ordinance. In the 1960’s Point Pleasant was a different town. As well as the health code being a lot different in the 1960’s. As the town Administrator and the Councilwoman pointed out with the Covid-19, I have never seen so many people using our beaches. In fact, I think Councilman Bill Borowsky will tell us, I think our ticket sales were up 7 to 8 times our normal.”

Councilman Borowsky: “We are up to 1,800”

Cheryl Ciara: “Well I heard that to the right of the pier, that is the overflow that we are getting from the beach and they are not from this town.”

Mayor Sabosik: “That is possible. I have also been down there a couple times telling people that they can’t swim on the right-hand side as you’re looking at the beach. But the bottom line here is, we are facing something that we never have before. I have a yellow lab. I know they love the beach. But we have to look after the safety of the swimmers in this situation. I know you are a responsible dog owner. I am too. Most of us up here are responsible dog owners. We pick up after our dogs. Unfortunately, today, some people just don’t do it. We have a health problem. We have an insurance problem. So that is why I think the Councilwoman’s idea is probably the best scenario. The hottest months, they won’t be able to go but in the off months we can maybe craft something to change that. I think that is a good middle of the road.”

Council President Snyder: “And if you think about it, our beaches are open a relatively short period of time. It is only June when school lets out till Labor Day.”

Mayor Sabosik: “We are going to have to craft an ordinance and it takes two meetings. So, stay tuned.”

Councilwoman DePaola: “We have to check with the Joint Insurance Fund who ensures our land and makes sure that they don’t foresee any problems.”

Cheryl Ciara: “Will there be another sign posted up?”

Mr. Pannucci: “Signage will be a whole different thing later on. What I will do, if it is the pleasure of the Council, is I will craft some type of an ordinance for the off season and then I will bring it to all of you to deliberate on it and possibly vote on it on a future date.”

Kathleen Ebert – 1203 Dorsett Dock Road: “During Covid there has been an uptick of complaints from the Complete Streets Group of people speeding. There has been a lot more bikers and pedestrians so there is a concern with the speeding, in particular by the bridges. I have heard through posts that they have reached

out to the Mayor and Frank and I was wondering if there has been a follow-up. Have you reached out to the State or County about possibly doing something about signage?”

Mr. Pannucci: “The Mayor had us call the DOT and we also gave those suggestions to the Legislative Office. As you know, the State and all their departments are either not working at all or only a quarter of them are working so they really haven’t said one way or the other what they are doing but we will certainly follow up again.”

Mayor Sabosik: “And with Safe Streets, I am sure you have read in the paper that we are continuing our endeavor to put more sidewalks and curbs in especially around the schools.”

Kathleen Ebert: “Also, I have another question. School Street, by the football field, does that have any plans for a sidewalk?”

Mayor Sabosik: “That is the Board of Education property, but we can call Vinny Smith, School Superintendent and we can look into that.”

Robert Forsyth: “School Street is the Borough, but the actual property is the Board of Education. Anything that embarks a public road, the owner of that property is responsible for the sidewalk or curb.”

Kathleen Ebert: “A lot of people complain that there is this gorgeous field and then there is this dirt path that gets muddy in the rain and all the kids walk in the street because of it.”

Council President Snyder: “It would be safer after the football games at night to have a sidewalk there.”

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

**J. 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. Borowsky**

**SECOND: Mrs. Snyder**

**APPROVED: All in favor**

**RETURN FROM EXECUTIVE SESSION**

Mayor Sabosik: “In Executive Session we talked about various contracts and various items. Our Town Clerk will now read a new Bond Ordinance”

**Introduction**

**Ordinance No. 2020-07 – Providing Funding for the Purchase of Two (2) Police Vehicles for the Borough of Point Pleasant and Appropriating \$70,000.00 for such purpose**

**MOTION: Adopt Ordinance**

**MADE: Mr. Borowsky**

**SECOND: Mr. Wisniewski**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furrato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

- (201-2020) Confirming Personnel Appointments – Police Department -**
- **Michael G. Cappello is hereby appointed as full-time Public Safety Telecommunicator Trainee, at a starting annual salary of \$41,354.00, which is per the Teamsters Local Union No. 469 Collective Bargaining Agreement, effective August 3, 2020. -**
  - **Pierce T. Drzymkowski is hereby appointed as full-time Public Safety Telecommunicator Trainee, at a starting annual salary of \$41,354.00, which is per the Teamsters Local Union No. 469 Collective Bargaining Agreement, effective August 3, 2020.**

**MOTION: Adopt Resolutions**

**MADE: Mr. Borowsky**

**SECOND: Mr. Furrato**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furrato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

**(202-2020) Authorizing the Road Opening for 511 Greentree Avenue**

**MOTION: Adopt Resolution**

**MADE: Mr. Borowsky**

**SECOND: Mr. Furrato**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furrato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

**(203-2020) Amending Resolution No. 031-2020 Authorizing Cash Management Plan to Include Manasquan Bank**

**Mr. Pannucci**: “I want to say for the record that Councilwoman Archer has recused herself and has left the room for this item.”

**MOTION: Adopt Resolution**

**MADE: Mr. Borowsky**

**SECOND: Mr. Wisniewski**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furmato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Recused**

**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**