

**COUNCIL MEETING  
MONDAY, AUGUST 24, 2020  
7:00 P.M.**

|                           |                               |
|---------------------------|-------------------------------|
| Mayor:                    | Robert A. Sabosik             |
| Council President:        | Pamela Snyder (via Telephone) |
| Council Member:           | William Borowsky              |
| Council Member:           | Joseph Furmato                |
| Council Member:           | John Wisniewski               |
| Acting Council President: | Antoinette DePaola            |
| Council Member:           | Charlene Archer               |
| 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 10, 2020 edition of *The Ocean Star* and *The Asbury Park Press*.

**A. WORKSHOP**

1. Committee Reports
2. Report of Mayor

Mayor Sabosik stated the following: “Due to Covid-19 there will be no Workshop Committee Reports. The only thing I will say under Report of Mayor is I know that some of you were without power for a period of days. We are addressing that with JCP&L. We will be having a meeting with their representatives along with our representatives on Council to determine exactly how we can cure their deficiencies of service to our town in the amount of houses that were out for such a long time.”

**B. MINUTES**

1. Approve Council Meeting Minutes of July 27, 2020
2. Approve Executive Session Meeting of July 27, 2020

**MOTION:** Approve Minutes

**MADE:** Mr. Wisniewski

**SECOND:** Ms. DePaola

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

**CARRIES:**

**C. ORDINANCES**

1. Final Reading and Public Hearing  
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

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: Mr. Furmato**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furmato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

2. **Introduction**  
Ordinance No. 2020-08 – Amending Chapter 5 entitled, “Animal Control”,  
Specifically Section 5-3 entitled, “Licensing and Tagging”

**MOTION: Adopt Ordinance**

**MADE: Mr. Wisniewski**

**SECOND: Ms. DePaola**

**Ms. Snyder: Yes**

**Mr. Borowsky: Yes**

**Mr. Furmato: Yes**

**Mr. Wisniewski: Yes**

**Ms. DePaola: Yes**

**Ms. Archer: Yes**

**CARRIES:**

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

**OPEN PUBLIC SESSION**

**Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and deliberations. Section 5. Public Participation. Each member of the public shall keep his or her remarks brief, pertinent to the issues being discussed and shall not exceed a time period of five (5) minutes in order to adequately provide all members of the public with the opportunity to address the Governing Body consistent with good order and efficiency.**

**MOTION: Open the meeting to the public**

**MADE: Mr. Wisniewski**

**SECOND: Mr. Borowsky**

**APPROVED: All in Favor**

Acting Council President DePaola opened the meeting to the public.

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

**E. RESOLUTIONS**

“All matters listed under item “Resolution” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed and will be considered separately.”

1. (204-2020) Bills and Claims
2. (205-2020) Void Check Resolution
3. (206-2020) Request Chapter 159 Budget Insertion – Ocean Area Plan Grant for Services Provided to the Elderly

The bills totaling the amount of \$8,383,787.28 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:**

**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. (207-2020) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (208-2020) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (209-2020) Approving Renewal of Liquor Licenses for the Term 2020-2021
4. (210-2020) Authorize Refitting of First Aid Rig with Holmatro Tool Install Through HGACBuy Contract #AM10-18 – COF #2020-134
5. (211-2020) Authorize Purchase of Spatial Data Logic (SDL) Municipal Software Program Through State Contract #ITS58, Subcontract #89851 – COF #2020-135
6. (212-2020) Authorize Additional Fees for RVV Engineering Services for Rue Rivoli And Rue Lido Sidewalk Program
7. (213-2020) Authorizing Final Payment, Change Order and Maintenance Guarantee – Albert E. Clifton Avenue Water Treatment Plant
8. (214-2020) Authorize Refund Current and Escrow Accounts – Zoning Board
9. (215-2020) Authorize Recreation Department to Hire Part-Time Seasonals
10. (216-2020) Authorize Recreation Department Refunds
11. (217-2020) Awarding a Contract for NJDOT Shore Blvd. Reconstruction Project to Earle Asphalt and Rejecting the Bid Submitted by Fernandes Construction – COF #2020-136
12. (218-2020) Confirming Personnel Appointments:
  - Memorialize Alex Hubner as being hereby appointed to the position of temporary, part-time DPW Laborer in Building and Grounds at a salary of \$14.00 per hour, effective August 10, 2020.
  - Memorialize Edward Rohena as being hereby appointed to the position of temporary, part-time DPW Laborer in Building and Grounds at a salary of \$14.00 per hour, effective August 10, 2020.

- Christopher R. Jackson, Point Pleasant Boro Fire Department Station 75, Volunteer Firefighter, effective August 24, 2020.

**MOTION: Adopt Resolutions**

**MADE: Mr. Wisniewski**

**SECOND: Mr. Borowsky**

**Ms. Snyder: Yes**  
**Mr. Wisniewski: Yes**

**Mr. Borowsky: Yes**  
**Ms. DePaola: Yes**

**Mr. Furrato: Yes**  
**Ms. Archer: Yes**

**CARRIES: YES**

**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. Wisniewski**

**SECOND: Mr. Borowsky**

**APPROVED: All in Favor**

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

**Laura Beeden: 2406 Spruce Street – “I am sure you know that I came in to get the salary resolutions for this year and it turns out, you never did one.”**

**Mayor Sabosik: “We are still in negotiations.”**

**Mr. Dasti: “Yes, Ms. Beeden, I sent you an emailed letter a few days ago. You did get it, right? An email.”**

**Laura Beeden: “I check my email once a week, so I have not seen it.”**

**Mr. Dasti: “Okay. I sent you an email last week, Thursday or Friday or so. We haven’t finalized all of the negotiations with the unions yet.”**

**Laura Beeden: “But that has been going on for the 20 years that I have been coming to council meetings and it has never been like this.”**

**Mr. Dasti: “We haven’t approved those unions’ increases for 2020 yet. So, there is not a salary resolution for those employees yet.”**

**Laura Beeden: “Since years before 2016 they have always been ongoing, and I would receive them.”**

**Mr. Dasti:** “My email that I sent to you stated that you would certainly be entitled to 2018 and 2019 and to contact the Borough Clerk and you will get those.”

**Laura Beeden:** “Okay, something else that came out that I thought was weird. It was an ordinance in 2019 and it was setting salary ranges for the Borough’s Governing Body and certain full-time officials and employees. What is that?”

**Mr. Pannucci:** “Every few years the salary ordinances just adjusts the range. In other words, years can go by and with cost of living increases, the step increases per their contracts and we can go over what a range is. Every few years we adopt a new salary ordinance range. That is all that is. That is not a salary, that is a range.”

**Mayor Sabosik:** “And one other thing too, why we haven’t done it this year, to be honest with you is, no offense to Counsel, but we could have done a salary with the unions the way we did and then do another one, but I didn’t want to pay him twice.”

**Mr. Pannucci:** “Unlike years in the past, this was an interesting year where nobody had a lead on where we would be.”

**Mr. Dasti:** “We are still negotiating.”

**Laura Beeden:** “So let me ask, the Borough’s Governing Body, wouldn’t that be all of you? Have you raised your salaries again from 4 or 5 years ago during that last meeting in December? That was the last time your salaries went up?”

**Mr. Pannucci:** “Yes, that ordinance is just a range. Nothing more.”

**Laura Beeden:** “So what is the time range for this?”

**Mayor Sabosik:** “Tonight we are discussing three out of four remaining unions. Hopefully those three we can settle tonight.”

**Laura Beeden:** “Can you say which ones they are?”

**Mr. Pannucci:** “Sure we can. Our largest union which is comprised of four bargaining groups is comprised of the Teamsters. They are not done. So, once we have the memorandum of understanding with them all settled, then in the future, they can vote on that memorandum of understanding and then the contracts would be voted on at a future time. There will be no contracts voted on tonight though.”

**Laura Beeden:** “The Police Department has been settled, right?”

**Mayor Sabosik:** “Yes, they have been settled.”

**Laura Beeden:** “Then I would like to request those salaries.”

**Mr. Pannucci:** “That was already sent to you. Mr. Dasti sent you the PBA contract and the TWU since those are the only two that have been finished.”

**Antoinette Jones:** “Laura that actually came from my office.”

**Mr. Dasti:** “My eloquent email that you haven’t opened up yet, says that Mrs. Jones has the 2018 and 2019 resolutions if she hasn’t sent it to you already.”

**Mayor Sabosik:** “So what we are doing tonight is three out of the four. We are discussing this but not voting on any contracts tonight. But the Police and Superior Officers are done.”

**Laura Beeden:** “Let’s just put it this way, I have a former Police Officer friend who is interested. Anyway, I do have something else. The Ocean County Health Department. I don’t think you can really rely on them for their data and their statistics. I mean you have three people that seem to be rising from the dead and then a few days later dying again.”

**Mayor Sabosik:** “I totally understand. You don’t know how many times I have been on the phone because they will say we have 31 people and then we have 30, then 28. What is happening is, a lot of the addresses in Point Pleasant Beach and Bayhead share a zip code 08742. They are unfortunately co-mingling our people. To be honest, you are not the first to talk to me about this. I get a lot of calls about this. One of my biggest beefs is that it is a running total since March. Why can’t they give us a total of what is active? If it is a 14-day disease, logically, 90% of the people are over this. I have been on the phone with the Governor’s staff explaining to them that this information must be released. It is inaccurate. It is not productive, and it is giving false numbers. It is confusing to us as elected officials and it is confusing to the people in town.”

**Laura Beeden:** “I have spoken to different people there and have asked them, are there people just rising from the dead?”

**Mayor Sabosik:** “I totally concur with you. And like I said, I have spoken with the Governor and with his staff and the Mayor’s Association of Ocean County had put in a request to get different stats. Half my week is just on the phone with them.”

**Laura Beeden:** “I asked them where they are getting their statistics and their data, and I was told they are getting it from the hospitals. That makes no sense because not everyone goes to the hospital or gets tested through the hospital.”

**Mayor Sabosik:** “Especially if someone passes either at home or a nursing home or wherever the case may be. Believe me, I am as perplexed as you are. I have burned up my phone talking to these people. It is the most frustrating thing that I have faced, other than JCP&L for the blackouts that this town has had.”

**Laura Beeden:** “My power stayed on; I was okay. I don’t know how because the block next to me was out. It was the first time I stayed on and didn’t have over 90 degrees of heat in my house during one of these outages. I didn’t realize how bad it was until I started to see all the trees down.”

**Mayor Sabosik:** “You were one of the few lucky ones. It was bad in this town.”

**Antonia Grace Almasi:** 2215 Christine Court – “My usual question, are we still on for the end of September?”

Mayor Sabosik asks Borough Engineer, John LeCompte, for a timeline for the work to be done on Christine Court.

**Mr. Pannucci:** “The project has been bid. All the easements have come in. This is for Laguna Drive easement, correct? The bids are scheduled to be opened 11am on September 10<sup>th</sup>. So, depending on

the bidders and making sure they have submitted the proper documents, hopefully at the September council meeting we will be able to award the project.”

**John LeCompte**: “We can hopefully start the project late October or early November. They will need at least 30 days because they have to order a lot of large diameter pipe. But by November, yes.”

**Jay Signore**: 123 Harrow Lane – “We have a problem with the neighbor next door at 125 Harrow Lane. They rent the place out and this has been going on for a few years. But they are cramming 3 weeks of garbage just piling up enough so that the animals are coming. I tried to call them, but it is beyond help. This is a health issue. You can clearly see that they have garbage and recycling together.”

**Mr. Pannucci**: “I know what you are talking about. I actually had a conversation with our Code Enforcement Officer today on this issue. I sit with our Code Enforcement Officer once a week on issues. He has issued them notices of violations. By ordinance they have 10 days to abate each notice of violation. I have seen them, and he has issued them. Maybe going forward, Mr. Dasti and I can discuss further action. Maybe we can make the rules more stringent.”

**Jay Signore**: “The junk was removed today at the curb. But I am worried this is going to happen again.”

**Mayor Sabosik**: “Is this a small number of people in a house or is this a party house?”

**Rebecca Muraglia**: 120 Harrow Lane – “I am here to support Mr. Signore. His taxes are \$30,000 and mine are half that, thank goodness. We live in a beautiful neighborhood and I have always valued this neighborhood and my wonderful neighbors but lately it has turned into what seems like a commercial zone. She rents it out for parties. We have had weddings, DJ’s and Valets. This summer we have had people come in for 3 days and sometimes 2 days. They are coached to say that they are there for 7 days due to Covid restrictions, as we know there is new laws. There is a game going on here. The last week was the garbage because one wedding overlapped another wedding, right on our property next to Jay’s property. The house is incorporated and owned by the whole family so everybody is involved with this house. So, our question is, what can we do? Because at what point does this valued neighborhood turn into something that is pretty much like a commercial zone? We have had DJ’s playing into the night, which isn’t always bad. We don’t complain a lot. But in the summertime, every weekend, it is a party house. We have had a lot of nice people come in, but a lot of them are not so nice. What we are worried about is the fact that the family is selling this online as a party location to have venues. Is there anything that we can do? When I go to Riverfront Park, I am so pleased to see now that there are signs stating that you have to register to have a party and you have to pay. Before, people were taking advantage of the park and taking it up. This new policy has changed that. But now, we are a new location for having a party.”

**Mr. Pannucci**: “We have banned all short-term rentals of any kind without at least a 7-day lease. One, you can call the Police Department when you see they are doing what they are doing, and they are going to have to present a lease or else they will get summonses. As far as the trash and everything goes, we are aware of that and we are issuing them notices of violations on a constant basis. If they are having a party and it is loud and they are breaking noise ordinances and all that, you can call the police. I will give you a copy of the noise ordinance as well. I will give you my card so you can email me tomorrow so that I can give you all the information you need. You do need to call the police when it is happening so they can go out there.”

**Mayor Sabosik**: “Is it after 10:00pm?”

**Rebecca Muraglia:** “A few parties yes.”

**Mr. Dasti:** “I am sure the Council will authorize me to send out a very strong letter to them indicating that we have received complaints and that they are using the property commercially and there is too much noise. Everything that we just talked about. If you would give me your address and your contact information, I will make sure to copy you on everything. We will also alert the Zoning Officer again, which he has been issuing summonses, don’t get me wrong. Unfortunately, for now, that is the best we can do. The summonses become incremental.”

**Mayor Sabosik:** “What is the offending house address?”

**Rebecca Muraglia:** “It is 125 Harrow Lane.”

**Mr. Dasti:** “Mr. Pannucci will send to me, tomorrow, the name of the assessed owner and the mailing address where they get their tax bills. I will send them a very strong letter and if you want to give me your contact information, I will be glad to send you a copy of that letter. Of course, a copy will go to the Mayor, the Borough Clerk and Mr. Pannucci as well as the Zoning Officer. I will also send it to the Police Department. I will indicate to them to try to keep an eye on this house.”

**Mayor Sabosik:** “You know that this administration is really all about the quality of life for your residents. We have improved a lot of areas in town such as the parks, beaches, etc. This, I do not like to hear. I do not like to hear that longtime residents are having a problem with a party house, for lack of a better word, in their neighborhood. So, you can be rest assured that we will take action. I am sorry you guys didn’t come sooner to tell us.”

**Rebecca Muraglia:** “Well, we have been taking pictures of this stuff, weddings and bounce houses going on for years and I guess the straw that broke the camel’s back was all that trash that was all over.”

The Mayor requested that Rebecca Muraglia email him some of those pictures.

**Rebecca Muraglia:** “I will tell you that Kevin Burke has been wonderful. Whenever I reach out to him, he calls me back within minutes. He is so amazing with his communication. Very impressed with him. I trust the administration and Point Pleasant Borough. I have lived here forever. I think we have been very tolerant up until this point. There are other issues especially health wise.”

**Mayor Sabosik:** “Did you come before the Planning Board about 4 or 5 years ago, and they were putting a deck on the back and you didn’t like it? Was that you?”

**Jay Signore:** “No, that was not me. I haven’t had any other problems. I have been in my house since 1977.”

**Mayor Sabosik:** “Ok, I guess that was somebody else. But we will take care of this. The town Administrator is going to get your name and address.”

**Laura Beeden:** “This is not for me; it is actually for my neighbor who has brought this up to me. She takes walks, later than I do at night and she has encountered large congregations on the football fields late at night. Bicycles parked everywhere and no social distancing. I just want to be able to tell her that I told you about this.”

**Mayor Sabosik:** “Okay, I will pass this along to Vinny.”



**Laura Beeden**: “Also I do want to say, that Ryan Sansone is not local. I don’t know who said that, if it was the Planning Board or who said he was local but Sea Girt is not local. It is Monmouth County. The residents are not happy. It will be an abomination if you put all those up.”

**Mayor Sabosik**: “I can’t say anything because it is an active case.”

**Laura Beeden**: “I know. But I can tell you that everyone is talking about it and they are not happy.”

**Councilwoman DePaola**: “Yes, we know. But we have nothing to do with it. It is before Zoning and Planning. It is unfortunate but we have nothing to do with it.

**Laura Beeden**: “I know I have talked to you about Arnold Avenue and it is horrible. I mean, can they even get a fire truck in there?”

**Mayor Sabosik**: “Yes they can get a fire truck. Fire signed off on it. And once again that was our compliance building for town to eliminate 826 income.”

**Laura Beeden**: “I mean, I would rather keep the Wenkes there and make those little cabins nice.”

**Mr. Dasti**: “You really should direct those comments to the Zoning Board.”

**Laura Beeden**: “There is one or two of you on the Planning Board.”

**Mayor Sabosik**: “Joe and I are on the Planning Board, but it is not in front of us right now, it is in front of Zoning and we cannot comment on it anyway.”

**Laura Beeden**: “I just thought I would tell you that I have been reading all the comments online and the people here are really not happy.”

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 Mrs. Archer

**SECOND:** Mr. Wisniewski

**APPROVED:** All in favor

**RETURN FROM EXECUTIVE SESSION**

Mayor Sabosik: "We are now out of Executive Session and we have a few items to vote on."

13. (219-2020) Confirming Personnel Appointment to the Environmental Commission:
  - John Burke, Sr. is hereby appointed to the Environmental Commission for the remainder of the unexpired term of Sheryl Burke, who recently passed away.

**MOTION:** Adopt Resolution

**MADE:** Mrs. Archer

**SECOND:** Mr. Borowsky

Ms. Snyder: Yes  
Mr. Wisniewski: Yes

Mr. Borowsky: Yes  
Ms. DePaola: Yes

Mr. Furmato: Yes  
Ms. Archer: Yes

**CARRIES:** YES

Mr. Dasti: "We have another resolution hiring a Hearing Officer for a disciplinary matter at \$250.00 per hour."

14. (220-2020) Appointing Steven Secare, Esquire as Hearing Officer for Disciplinary Matters for Point Pleasant Borough

**MOTION:** Adopt Resolution

**MADE:** Mr. Borowsky

**SECOND:** Ms. DePaola

Ms. Snyder: Yes  
Mr. Wisniewski: Yes

Mr. Borowsky: Yes  
Ms. DePaola: Yes

Mr. Furmato: Yes  
Ms. Archer: Yes

**CARRIES:** YES

Mr. Dasti: "One more resolution, and Toni, I still have to give it to you, but we need to adopt a resolution to appoint independent counsel to represent the Borough on a nationwide class action matter. It will not cost the Borough any funds. It will all be done at no cost to Point Pleasant. We have a retainer agreement, generally speaking, indicating that we would get 2/3 of any recovery and the Firm of Kennedy and Madonna would get 1/3, generally speaking, of the recovery and it involves our wells and the water system. So, we need a resolution to adopt them under the non-fair and open proceeding."

**15. (221-2020) Appointing the Law Firm of Kennedy & Madonna to Represent the Borough in a Class Action Suit**

**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: Yes**

**CARRIES: YES**

**Mr. Dasti: “The record should also reflect that we did, in closed session, discuss ongoing negotiations of the various bargaining units.”**

**MOTION TO ADJOURN**

**All in Favor.**

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

**ATTEST:**

**APPROVED:**

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

\_\_\_\_\_  
**ROBERT A. SABOSIK  
MAYOR**