

**COUNCIL MEETING
MONDAY, NOVEMBER 23, 2020
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Pamela Snyder
Council Member:	William Borowsky (via telephone)
Council Member:	Joseph Furmato
Council Member:	John Wisniewski
Council Member:	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. PRESENTATION

1. Honoring Police Chief Richard Larsen on his Retirement

Mayor Sabosik stated the following: “Tonight we have the distinct honor of honoring our Police Chief who is retiring. He has always showed his dedication to our town, hard work and ability to rise through the ranks to achieve the epitome of his profession. Your love of our town will not be diminished as you enter retirement, but it will be enhanced by knowing you did the best. Your best is hereby being acknowledged by the following entities. The New Jersey State Legislature and the State Senate and the Assembly.”

Mayor Sabosik read the Joint Legislation Resolution to Chief Richard Larsen congratulating him on his retirement.

Next, Mayor Sabosik read a letter from Governor Phil Murphy noting Chief Larsen’s 34 years of remarkable commitment to the safety, health and well-being of the Borough of Point Pleasant and congratulated him on his well-deserved retirement.

Finally, Mayor Sabosik read a Proclamation from the Mayor’s office of Borough of Point Pleasant declaring Saturday, December 5th, 2020, “Chief Richard P. Larsen Day” in the town of Point Pleasant.”

Mayor Sabosik continued: “Chief, you have devoted yourself to the well-being of our community. Playing a role in helping Point Pleasant be ranked as one of the safest communities in the State of New Jersey and one of the best places to live in all of Ocean County. I applaud you for your leadership and dedication to our town. This is a plaque from Mayor and Council from the Borough of Point Pleasant. On behalf of the citizens of the Borough of Point Pleasant, the Mayor and the Borough Council would like to thank you, Chief Larsen for your dedication to our community. We would like to congratulate you on your retirement after your distinguished 34-year career in law enforcement as Patrolman, Sergeant, Lieutenant, Captain and Chief. The Borough of Point Pleasant will forever be grateful for all you have given, for all you have

sacrificed through the years for the betterment of our community. Please step forward Chief, to accept these accolades.”

Chief Richard Larsen stated the following: “First things first, to the Mayor and all of Council, I have been Chief for six years and the job of a successful Chief needs a couple of things to work. One is a great working relationship with everyone in this room which I feel I have had. The conduit was the Mayor to make that work for me. I appreciate that Mayor. I truly appreciate the support that you gave, not only me but my entire department. I could not have accomplished what I did in my six years as Chief without your support. Councilwoman DePaola, Chair of Public Safety my whole tenure. I appreciate your support and the support from the entire committee. I also would like to thank Jerry for advice over the years. Frank, thank you for your support. Toni, I appreciate your support and your facilitation of different things. I also want to speak to my officers here in the room and to those who couldn’t be here tonight. The officers and the civilians who are here supported my mission. And, let’s face it, I can be a tough boss. I expect a high bar and all of you know that. And when that bar falls low, I make myself known. Whether it is directly to a patrol officer or through the chain of command. All of you in this room and in the department knew my expectations and you stayed loyal to me. I appreciate that from the bottom of my heart. The people in our town appreciate it.

We have unwavering support from our community here in Point Pleasant. I have gotten a number of phone calls, letters from when I was a Lieutenant through Captain to Chief as to how well all of you collectively treat our citizens or members of the public during your encounters. I have even gotten many compliments from those that we arrest, complimenting on how well you treated them. That is quite frankly the way I carried myself throughout my career. I gave everyone the respect that they deserve and even if they didn’t deserve it, I still tried to give them my respect. And I am happy to say that is what I have seen from everyone here and in my entire department as to how the public has been treated.

I go back, reflecting on my career, of course, after 34 ½ years in law enforcement, you not only reflect on your career as a cop but on your whole entire life. Let’s face it, I was 24 years old when I was hired here. In August of 1986. That is a long time ago. My oldest is my son, Steven. He was born July 14, 1986. I started here about a month after. He was a month old and now he is married and 34 ½ years old. Time goes by quick. In retrospect I would not have changed a thing. This career is a cardinal career. When I first started, it always was and still is. All of you here in this room as officers and those that aren’t here. All of you in my department I feel, are the best of the best.

I look back to when I was a young boy growing up in Brooklyn, New York. I attended Holy Name of Jesus in Park Slope, Brooklyn on Prospect Avenue. When I was in either grades 1 or 2 the whole class was asked to write a paper stating what they wanted to be when they grew up and I wrote a police officer. I had an uncle who was on the NYPD and there was only a seven- or eight-year age difference between us. He worked street crimes and the filtered stories he told me made me as a young boy stayed with me and I never wavered from my decision of being a police officer. I made my dream work through hard work. I had an opportunity to go to another municipality early on, but I chose to stay here in Point Pleasant. I was hired in August 1986 and didn’t go to the police academy until February 1987 because I missed the cut-off and in that six months that I was here working I felt an affinity to this municipality. The people here are top notch. The spirit in this community, the caring nature of our governing body and the Borough employees. I have not seen that anywhere I’ve been or lived. I am proud to say that I am glad I made that decision.

It has been my honor working with all of you. I want to thank all the officers in this room for all your dedication to the residents of this town. Mayor, all of Council, Frank, Toni, and Jerry, again I cannot say enough of the support you have given me as the Chief of Police. Thank you very much!”

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 October 26, 2020
2. Approve Executive Session Meeting of October 26, 2020

MOTION: Approve Minutes

MADE: Mrs. Archer

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Abstain

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

CARRIES:

D. ORDINANCE

1. Final Reading and Public Hearing
Ordinance No. 2020-12 – Amending and Supplementing Chapter 8 of the Borough Code to Provide for New Section 8-9 Entitled “Prohibiting” Short Term Rentals of Residential Dwellings

Mayor Sabosik opened the meeting for Public Hearing on this ordinance.

Rick Barry: 1009 Philadelphia Avenue, stated he prepared a statement regarding his property at 1009 Philadelphia Avenue. He brought documents for all of council.

Mayor Sabosik: Stated that he did receive his phone messages today, but on the advice of Borough Council he was advised not to call him back because this ordinance was on the agenda this evening.

Mr. Barry: Read his prepared statement.

Mayor Sabosik: Replied in the past year the Borough has received numerous complaints regarding residential homes being used for commercial purposes, parties, etc. We are a bedroom community, other towns around us have come up with this same 30-day requirement. We are not preventing you from renting your unit.

Mr. Barry: Responded, I am a mile and half from the beach. No one is going to rent my property for the entire summer. I live on the property; we do not want to have riffraff on our property. He stated that just because other towns are doing it does not mean Point Pleasant Borough has to follow.

Mayor Sabosik: Replied that is not why we are doing it. This year they have received numerous complaints from residents. Unfortunately for you, you have a unique situation because you live on the property. We are proposing a 30-day minimum on all rentals.

Mr. Barry: Replied what you are proposing will kill me.

Mayor Sabosik: Stated we are in the middle of a national health crisis, COVID-19 and we have had numerous complaints from residents last year. We are trying to lockdown this town as much as possible and one of the ways to do it is to have a 30-day minimum on rental properties. The last thing this town needs in people coming from up north, and other states coming in for 4-5 days and then leaving. Our hospitals cannot handle it. This is an ordinance to help the town. Unfortunately for you, and I agree, you have a unique situation which can be looked at separately. I urged Council to pass this ordinance tonight.

Seeing no other hands, Mayor Sabosik closed the public portion.

MOTION: Adopt Ordinance

MADE: Mrs. Snyder

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

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: Ms. DePaola

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Council President Snyder opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road asked for an explanation about Consent Agenda No. 10 regarding Outside Dining.

Mr. Pannucci: Replied the previous outside dining Resolution was as per Governor Murphy's Executive Order which ran through November 30, 2020. He has extended outside dining through the winter, so the new Resolution reflects this extension.

Mr. Vitkauskis: Asked why there were no Committee Reports.

Mayor Sabosik: Replied because of COVID-19 there have been no committee meetings.

Seeing no other 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. (261-2020) Bills and Claims
2. (262-2020) Void Check Resolution
3. (263-2020) Chapter 159 Budget Insertion – NJDOT Grant
4. (264-2020) Chapter 159 Budget Insertion – CCDBG Stabilization Grant
5. (265-2020) Chapter 159 Budget Insertion – Bulletproof Vest Partnership Grant
6. (266-2020) Chapter 159 Budget Insertion – Ocean County Cares Act
7. (267-2020) Authorization Transfer of 2020 Budget Appropriations
8. (268-2020) Cancel Appropriation Balances - 2020

The bills totaling the amount of \$3,221,752.62 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: Mrs. Archer

SECOND: Mr. Wisniewski

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. (269-2020) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (270-2020) Memorialize Authorization to Refund of Lien Redemption and Premium Paid at Tax Sale
3. (271-2020) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
4. (272-2020) Authorize Replacement of Tax Sale Refund Check to Lienholder
5. (273-2020) Authorize Refund Demolition Bond, Block 285, Lot 4, 1838 Shore Blvd.
6. (274-2020) Authorize Refund Demolition Bond, Block 318, Lot 23, 2406 Dunkle Road
7. (275-2020) Authorize Refund Demolition Bond, Block 364, Lot 4, 1315 Comanche Ave.
8. (276-2020) Authorize Refund Demolition Bond, Block 142, Lot 20, 630 Delaware Ave.
9. (277-2020) Authorize Refund Demolition Bond, Block 227, Lot 17, 2421 Dwight Avenue
10. (278-2020) Amending Resolution #158-2020 Entitled, “Relaxing Temporarily, Already Existing Outside Dining Ordinance Rules & Regulations”
11. (279-2020) Authorizing Approval to Accept the Ocean County Senior Services Grant for the Contract Year 2021
12. (280-2020) Authorize Refund of Registrar Fee for Birth Certificate Overpayment
13. (281-2020) Confirming Personnel Appointment

- Matthew J. Ippolito, hereby appointed to the position of SLEO II in the Police Department at a rate of \$13.00 per hour, effective November 24, 2020.

14. (282-2020) Authorizing a Release of All Performance Guarantees for a Project Located at Block 299.01, Lot 44.01, AKA 2232 Bridge Avenue, Point Pleasant, NJ
15. (283-2020) Authorizing a Release of all Performance Guarantees for a Project Located at Block 133, Lot 55, AKA 1515 Richmond Avenue, Point Pleasant, NJ
16. (284-2020) Awarding a Contract through the Educational Services Commission of NJ Cooperative Pricing System to Foveonics Imaging Tech., - COF #2020-141

MOTION: Adopt Resolutions

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Abstain #1/rest Yes

CARRIES: YES

H. AUTHORIZATION

1. Memorialize Authorize RFPs for 2020 Professional Services

MOTION: Approve Authorization

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: 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: Mrs. Snyder

SECOND: Mrs. Archer

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public.

Lee Nelson: 1117 Old Drift Road: Do you have any comments regarding the recent power issues in the past few weeks. We have had several power outages lasting 30 minutes to several hours.

Mayor Sabosik: Responded he has been on the phone with JCP&L and has gone through three levels of senior executives. They are doing a complete study of power coming into our town. I find it completely unacceptable that 500-600 residents are going without power. Half of them get it back and the other half are out for several hours. We will get to the bottom of this. This Administration will not tolerate second class service from JCP&L.

Council President Snyder: Stated that the Mayor has been very calm with you this evening, a lot calmer than he has been in his discussions with JCP&L.

Mr. Nelson: Thanked Mayor and Council for going “out to bat” for its residents on this. He had a question on a separate issue regarding an article he read on the Point Pleasant Patch. Governor Murphy announced that Point Pleasant Borough received a \$401,400.00 grant for the reconstruction of Burnt Tavern Road, Johnson Avenue, Memorial Drive and Old Drift Road. He asked what are the next steps?

Mr. Pannucci: Replied the NJDOT grants are some of the most sought after grants in the entire State of New Jersey. Specifically, this Mayor and Council over the past four years have been successful in getting \$400,000 - \$800,000 in grants which is more than any other Administration in the past.

John LeCompte: Replied Old Drift Road we have looked at for the past four years. Each year it gets a little higher in priority. There are alignment issues, and drainage issues and we did not want to just do a mill and overlay on it. He walked the entire length of Old Drift Road with Jude Walker and they feel it needs a total reconstruction.

Mr. Dasti: Asked what the timetable was?

Mr. LeCompte: Replied this would be a summer project due to the proximity of the school.

Mr. Nelson: Asked if they would take special consideration to the character of the street. He also stated for the record the article mentioned the Borough has adopted a Complete Streets program and he wanted to commend Kathleen Ebert and the Complete Streets Committee for their work on this.

Council President Snyder: Stated that Mr. LeCompte will be in touch with the residents on the street, specifically if they are paving and need residents not to park on the street.

Dennis Vitkauskis: Stated while riding his bike through town he noticed a lot of streetlights not working. He asked if a Borough employee could go through town doing an inventory of the lights.

Mr. Pannucci: Stated he would look into this.

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 Mrs. Snyder

SECOND: Mr. Wisniewski

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti: “We discussed several personnel issues and have some additional Authorizations/Resolutions to be added to tonight’s agenda.”

H. AUTHORIZATION:

2. **Allowing Payment in Lieu of Public Access to Sea Point Condos and 1824-1826 Boat Point Drive**

MOTION: Approve Authorization

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: YES

G. CONSENT AGENDA:

- 17. (285-2020) Authorizing the Road Opening for 1709 Rue Mirador
- 18. (286-2020) Authorizing the Road Opening for 1717 Rue Mirador
- 19. (287-2020) Authorizing the Road Opening for 1823 Riviera Parkway

MOTION: Approve Resolution

MADE: Mrs. Snyder

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furrato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

CARRIES: YES

- 20. (288-2020) Authorizing Acceptance and Approval of a Collective Bargaining Agreement with Teamsters Local Union No. 469 (Crossing Guards)

MOTION: Approve Resolution

MADE: Mrs. Snyder

SECOND: Mr. Wisniewski

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furrato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

CARRIES: YES

- 21. (289-2020) Authorizing Acceptance and Approval of a Collective Bargaining Agreement with Teamsters Local Union No. 469 (Communication Officers)

MOTION: Approve Resolution

MADE: Ms. DePaola

SECOND: Mrs. Snyder

Ms. Snyder: Yes

Mr. Borowsky: Yes

Mr. Furrato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Archer: Yes

CARRIES: YES

- 22. (290-2020) **Confirming Personnel Actions:**
 - Carolyn Villiani resignation as full-time Tax Clerk 1, effective December 31, 2020.
 - Carolyn Villiani appointed as part-time Tax Clerk 1, as per her request, at her current salary, \$26.0992 per hour, effective January 1, 2021.

MOTION: Approve Resolution

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Snyder: Yes
Mr. Wisniewski: Yes

Mr. Borowsky: Yes
Ms. DePaola: Yes

Mr. Furmato: Yes
Ms. Archer: Yes

CARRIES: YES

23. (291-2020) Appointing Captain Robert Lokerson, as the Point Pleasant Borough Chief of Police, effective December 1, 2020

MADE: Mrs. Snyder

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 asked if there is any public comment on this Resolution and Chief Larsen replied I think this is the right decision. Mayor Sabosik stated we have a lot of experience with both of you gentlemen sitting here and it will be a pleasure working with Chief Lokerson and it has been a pleasure working with you as well, Chief Larsen. Thank you very much.

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK AND ANTOINETTE JONES, BOROUGH CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**