

**COUNCIL MEETING
MONDAY, SEPTEMBER 27, 2021
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Antoinette DePaola
Council Member:	William Borowsky
Council Member:	Joseph Furmato
Council Member:	John Wisniewski
Council Member:	Charlene Archer
Council Member:	Valerie Coulson
Borough Attorney:	Jerry J. Dasti, Esq.
Borough Administrator:	Frank Pannucci
Deputy Borough Clerk:	Veronica Thwing

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 8, 2021 edition of *The Ocean Star* and January 7, 2021 edition of *The Asbury Park Press*.

A. WORKSHOP

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

Mayor Sabosik stated the following: “We are going to go straight to the minutes. We will start doing the workshop again as soon as Covid gets a little lighter.”

B. MINUTES

- 1. Approve Council Meeting Minutes of September 13, 2021**
- 2. Approve Executive Session Minutes of September 13, 2021**

MOTION: Approve Minutes

MADE: Ms. Archer

SECOND: Ms. DePaola

Ms. DePaola: Yes

Mr. Borowsky: Yes

Mr. Furmato: Abstain

Mr. Wisniewski: Abstain

Ms. Archer: Yes

Ms. Coulson: Yes

CARRIES:

C. ORDINANCE

- 1. Introduction**

Ordinance No. 2021-18 – Amending and Supplementing Chapter 2-29 Entitled, “Length of Service Award Program”

MOTION: Approve Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. DePaola: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: 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. Borowsky

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Council President DePaola opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – Asked for clarification about Agenda Item #8 regarding the Shore House.

Mr. Pannucci responded.

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

E. **RESOLUTIONS**

“All matters listed under item “Resolutions” 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. (222-2021) Bills and Claims
2. (223-2021) Void Check Resolution

The bills totaling the amount of \$792,435.39 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: Ms. Archer

SECOND: Mr. Wisniewski

Ms. DePaola: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: 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. (224-2021) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (225-2021) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (226-2021) Canceling Taxes and Authorizing Refund Pursuant to NJSA.54:4-3.32 – McGraw
4. (227-2021) Canceling Taxes and Authorizing Refund Pursuant to NJSA.54:4-3.32 – Saylak
5. (228-2021) Authorize Refund Zoning Fee – Block 1, Lot 1, 108 Meadow Point Road
6. (229-2021) Accepting All Closeout Documents and Approving Engineer’s Certificate No. 3 and Maintenance Bond from Earle Asphalt Company for the Shore Boulevard Reconstruction Project
7. (230-2021) Authorize Recreation Department Refunds
8. (231-2021) Approving the Following Applications:
 - Memorialize Shore House Bar and Grill, Extend License Premises, Boro Bikes and Bites, Saturday, October 2, 2021, from 3:00 PM – 10:00 PM.
 - Bay Head Shores Property Owners Association, Social Affair Permit, Saturday, October 16, 2021, from 12:00 PM – 10:00 PM.
 - Shore House Bar and Grill, Extend License Premises, Octoberfest
9. (232-2021) Accepting Donation of a 1997 AM Cargo Truck for OEM Truck from Bay Head
10. (233-2021) Accepting Gracious Award of Two All-Terrain Beach Wheelchairs from Point Pleasant Resident Margaret Mathis
11. (234-2021) Authorizing the Road Opening for 206 Barton Avenue

Mr. Dasti: “Council President, I would like the Council to consider removing #9 and #10. We do not need those appointments at this point. Maybe later but not now. So, a motion as amended.”

MOTION: Adopt Resolutions as Amended (Removing items #9 and #10)

MADE: Ms. Coulson

SECOND: Mr. Wisniewski

Ms. DePaola: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Yes

CARRIES:

G. AUTHORIZATION

1. Memorialize the Advertisement for a Part-time Electrical Inspector.

MOTION: Approve Authorization

MADE: Mr. Borowsky

SECOND: Ms. Archer

Ms. DePaola: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Yes

H. OPEN PUBLIC SESSION

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

MOTION: Open the meeting to the public

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public.

Richard Barry: 1009 River Avenue – “Before I get started, I wanted to say thank you. I had repairs done on my street by Public Works and they were spectacular. They did an incredible job solving what I thought was an impossible problem. We had flooding there and really benefitted from that work after suffering for a long time. Also, my brother had a problem on Harold Lane, and we made the Mayor and Council aware of it and they worked hard and responded to it. I greatly appreciate your response. I encouraged him to reach out to the Mayor and Council and I knew you would respond. Unfortunately for me, we have a small rental cottage in the back of our property that we have been renting since my mother-in-law died. We reside on the property. We own the property. It is consistent with what other towns have recognized as acceptable for short term rental. Because of where we are situated and because of certain circumstances, like there is not a washer dryer, we are not an attractive property for a 30-day rental. We tried to rent it out using a realtor and we did not get any interest at all.”

Mr. Barry went on to explain issues that he has with the 30-day rental.

Mayor Sabosik noted that Mr. Barry was supposed to get some information to Mr. Dasti that had not been received yet for review.

Mr. Dasti stated that they did talk briefly about Mr. Barry’s request to consider changing the Air B&B Ordinance to exempt owner occupied and it will be considered.

Mr. Dasti and Mr. Barry further discussed what is considered owner occupied and problems of enforcement.

Mayor Sabosik also stated that they will be considering exemptions to the ordinance. Also asked Mr. Barry to please forward the paperwork that they initially asked to review.

Mr. Barry handed out 7 copies of background for each member of council.

David Wurfel: 1007 Philadelphia Avenue – Stated that he has lived next door to Mr. Barry since 1983 and has never had any complaints between him and his neighbors. Came to the meeting to show support for Mr. Barry.

Linda Shaughnessy: 1011 Philadelphia Avenue – Came to the meeting to show support for Mr. Barry. Stated that her living room window is less than 20 feet from the cottage Mr. Barry rents and she never hears a peep out of anyone. She only knows it is being rented when the light is on. Has never been a problem.

Kevin Ostrander: 609 South Manetta Drive – Wanted clarification on when the Borough has Council Meetings.

Mayor Sabosik responded that in the summer months we have one meeting a month but come Fall it goes back to 2 meetings a month.

Kathleen Lieber: 1203 Dorsett Dock Road – Thanked the Mayor and Council for all the projects and events going on around town. Also mentioned that she had spoken to Frank but wanted to mention it to Mayor and Council that there have been a lot of concerns on Route 88 by the Rita's. There have been a lot of crashes and a lot of close calls and asked for help and more enforcement.

Chief Lokerson: Stated that he has been in contact with the State and the County regarding that unique intersection. Crosswalks and signs were installed. Detailed that it is difficult to install lights there, but they are continuing to look into it.

Council President DePaola: Stated that when they finally got the State to agree to put the crosswalks there, they were hopeful that it would alleviate the problem. Unfortunately, there are a lot of people speeding and we are trying to come up with new ideas. Also noted that the Chief has a lot of enforcement in the area and will continue to have officers in that area.

Kathleen Lieber: Also stated that the home at 2405 Hemlock has been vacant and is becoming overgrown with standing water.

Mr. Pannucci: Stated that he will email the code enforcement officer right away.

Dennis Vitkauskis: 2117 Foster Road – Mentioned to the Council that his power went out again. Asked if the Mayor and Council could talk to the BPU.

Mr. Pannucci: Stated the answer is exactly the same as the last time he brought this up. All the Mayor's on the barrier islands got together at the request of Mayor Sabosik, and they are formulating a multi-town plan to confront JCP&L together instead of separately. Noted that this is still in the works.

Mayor Sabosik: Added that he is questioning their return of investment. Stated that he does not have the numbers yet, but he will get them.

Dennis Vitkauskis: Asked about the new sign at the end of Roberts Place and Bridge Avenue telling pedestrians to use the crosswalk at Beaver Dam Road. Noted that right across the street from Roberts is an opening in the gate to Community Park. Stated that if you want people to use the crosswalk, they should close that entrance to the park to encourage people to walk over to the crosswalk.

Mayor and Council stated that they will look into that.

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. Borowsky

SECOND: Ms. DePaola

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti: “In closed session we discussed potential litigation and I have been given some direction as to what to do with it.”

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**