

**COUNCIL MEETING
MONDAY, NOVEMBER 22, 2021
7:00 P.M.**

| | |
|-------------------------------|----------------------------------|
| Mayor: | Robert A. Sabosik |
| Council President: | Antoinette DePaola |
| Council Member: | William Borowsky (Absent) |
| Council Member: | Joseph Furmato |
| Council Member: | John Wisniewski |
| Council Member: | Charlene Archer |
| Council Member: | Valerie Coulson (Absent) |
| 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 8, 2021 edition of *The Ocean Star* and January 7, 2021 edition of *The Asbury Park Press*.

A. WORKSHOP

1. Committee Reports

Council Member Charlene Archer stated the following: “First, I wanted to congratulate Councilman Bill Borowsky and Councilwoman Toni DePaola on their success on winning the election again and having another three years on our council. I also want to Congratulate Councilwoman Valerie Coulson on winning the election as well. Congratulations!

I am the liaison to the Environmental Commission and they are being very active lately. They are trying to get themselves up and running since covid. They were kind of laying low and now they are getting a lot of things going on. They have 20 planters all along Point Pleasant and they change out the plants every season. So they are continually doing that. They are looking for sponsors. It is \$150.00 for a business to sponsor the planter. The Environmental Commission would also like to make pollinator pocket gardens around the town. They are looking to see if they can find some acceptable spots that can be approved for placement around the town. This will be good for butterflies and bees and such and they are good for surrounding plants.

The Environmental Commission would like to improve the area around Slade Dale. They are beginning to put chips down for the walkways. They are looking to add signage as well. They are also starting up with sustainable New Jersey. They want to try to get a Green Team set up in town.

For Earth Day, the theme will be about replacing trees which they were trying to do prior to covid. They want to replace trees that are native to New Jersey.”

Council Member Wisniewski stated the following: “The Open Space Committee are committed to having Santa at the Bennett Cabin. Everything will be inside. They have all their toys and everything is all pretty much set up. The date will be December 11th and December 12th.

As far as the Finance Committee, we are looking to set up a meeting to wrap up the calendar year. We do not have a date for that yet, but I will update everyone as soon as we do.”

Council Member Furmato stated the following: “I would like to congratulate Bill, Toni and Val for winning the election. It was a good day for them and for us and for the town of Point Pleasant.

On DPW, we received a grant for the state for Summit Drive reconstruction for \$286,000.00. That will probably be done in the Spring. This year, we are up to about 17 roads that we have repaved and hopefully we will be able to do the same for next year.”

Council President Antoinette DePaola: “As you know I am the liaison to Public Safety and as part of my duties with Public Safety and the Police Department I also volunteer with the Community Watch organization and I would just like to let residents know that we will be collecting donations for Dottie’s House. For those of you that don’t know, it is a residency for victims of domestic violence and their children. Every year we do clothing drive and toy drive for the children their and also a toy drive for the children at Brick Hospital who are there during the holidays. Information for that will be forthcoming. Anyone who wanted to adopt a child has already been given a name and they purchase pajamas and winter clothing and boots, hats, gloves and things like that for the kids. It is just a wonderful experience to be able to give back, so that is another reason why Point Pleasant is such a wonderful place to be.

Before I move on, I would like to thank the residents of Point Pleasant for voting for myself and Bill Borowsky and Valerie Coulson to the Council. We truly find it to be a privilege to work for the residents. It is a wonderful town and we have great Council members up here and a wonderful Mayor. We have wonderful residents and it is truly a joy to be able to serve this wonderful town that we love. I would like to just extend on behalf of all of us a thank you. Happy Thanksgiving to everyone.”

2. Report of Mayor

Mayor Sabosik stated the following: “I would also like to offer my congratulations to Bill Borowsky, Toni DePaola and Val Coulson. But I want to say thank you to the residents to the town of Point Pleasant for having continued faith in this team. We are here to serve the people. We are here to make sure that we do the best we possibly can to continue the tradition of family life. Along those same veins tonight, you will see that we have some professionals that we have hired. We are in the midst of a battle over density and we will protect our zoning laws which were enacted to serve our residents. We will continue to do so to the best of our ability. Unfortunately, Trenton has put upon local mandates to local towns, COAH requirements. And even though our COAH requirements were made we are now in the midst of a law suite from a developer which henceforth is making us hire these professionals. We will strive to protect the integrity of what we have in this town, especially zoning and density. We will succeed and we will go to the ends of the earth to protect our residents.

I would like to congratulate the football team for winning Friday night. It was a great night for them and for the town, so I would like to congratulate them and their coaches.

I would also like to remind everyone that Santa is also coming on December the 4th over in Community Park. If you want to bring your kids and your grandkids, just come over. We will have a market in the park and we will have Santa visiting. And rumor has it that we will be having a few events for kids young and old to enjoy.”

B. MINUTES

1. Approve Council Meeting Minutes of October 26, 2021

MOTION: Approve Minutes

MADE: Ms. DePaola

SECOND: Mr. Furmato

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Abstain

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

CARRIES:

C ORDINANCE

1. Introduction

Ordinance No. 2021-19 – Setting Ranges for the Borough’s Governing Body and Certain Full-time Officials and Employees

MOTION: Approve Ordinance

MADE: Ms. DePaola

SECOND: Mr. Furmato

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

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: Ms. Archer

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Council President DePaola opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – Asked about Consent Agenda Item #7 Rescinding Resolution. Wanted to know what Resolution is being rescinded.

Mayor Sabosik responded that the Resolution was for a Peterbilt Garbage Truck and they are having a severe problem of parts and pushed back our order to 3 years. So, we are canceling that and looking into a different manufacturer.

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

E. RESOLUTION

“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. (256-2021) Bills and Claims
2. (257-2021) Void Check Resolution
3. (258-2021) Request Chapter 159 Budget Insertion – NJDOT Grant
4. (259-2021) Authorize Emergency Appropriation – Current Fund
5. (260-2020) Authorization Transfer of 2021 Budget Appropriations

The bills totaling the amount of \$9,402,542.31 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. Furmato

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

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. (261-2021) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.
2. (262-2021) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (263-2021) Authorize Refund of Partial Construction Fees for Permit for Block 346, Lot 5 – 3206 Kickapoo Avenue
4. (264-2021) Authorize Refund of Demolition Bond for Block 26, Lot 3 – 2400 River Road
5. (265-2021) Authorize Refund of Demolition Bond for Block 326, Lot 16 – 1513 Fernwood Avenue
6. (266-2021) Authorize RVV for Engineering Services for the 2021 CDBG ADA Improvements to Northstream Parkway and Richards Road Project – COF #2021-142
7. (267-2021) Rescinding Resolution #117-2021 Adopted April 19, 2021

8. (268-2021) Authorize Recreation Department Refund
9. (269-2021) Authorize Execution of a Shared Service Agreement with the Ocean County Prosecutor – Drug Recognition Expert Callout Program (D.R.E.C.P.) 2021/2022
10. (270-2021) Appointing Robert S. Powell, Jr. of Nassau Capital Advisors, LLC for Real Estate Financial Advisor Services – COF #2021-143
11. (271-2021) Appointing Kendra A. Lelie as an Expert Witness in Point Pleasant’s Affordable Housing Litigation as a Professional Planner-COF #2021 144
12. (272-2021) Appointment of Litigation Counsel for Affordable Housing – Jeffrey R. Surenian, Esq., of the Firm Surenian, Edwards & Nolan-COF #2021 145
13. (273-2021) Authorizing Amendment to Contract with Ben Montenegro, Esq., as Planning Board Attorney
14. (274-2021) Authorizing Amendment to Contract with Remington and Vernick Engineers
15. (275-2021) Authorizing Amendment to Contract with Bathgate, Wegener & Wolf
16. (276-2021) Confirming Personnel Promotion and Salary Adjustment for Laurie Kelly.
 - Laurie Kelly promoted to Senior Clerk Typist – Clerk 2, Grade 2, Step 3, with an annual salary of \$45,789.00 as per civil service rules and regulations.
17. (277-2021) Confirming Personnel Actions/Appointments:
 - Memorialize Resignation of Stuart M. Safeer as part-time Electrical Inspector, effective October 27, 2021.
 - Memorialize Resignation of Todd Morgano as Temporary Construction Official, effective November 8, 2021.
 - Memorialize Robbie Bailey is hereby appointed to the position of temporary, part-time Plumbing Inspector effective, October 28, 2021, at an hourly rate of \$50.00 up to 18 hours per week.
 - Memorialize Anthony Lardieri is hereby appointed to the position of temporary, part-time Plumbing Inspector, effective October 28, 2021, at an hourly rate of \$50.00 up to 18 hours per week.
 - Memorialize Retirement of Carolyn Villani as part-time Tax Clerk effective November 9, 2021.
18. (278-2021) Confirming Personnel Appointment – Police Department:
 - Stacey Ryan is hereby appointed as full-time Public Safety Telecommunicator Trainee, at a starting salary of \$43,363.03, which is per the Teamsters Local Union No. 469 Collective Bargaining Unit, effective November 23, 2021.

MOTION: Adopt Resolutions

MADE: Ms. Archer

SECOND: Mr. Furmato

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

CARRIES:

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: Ms. DePaola

SECOND: Mr. Furmato

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road – “Just being a nosy citizen, what is going on at Wenkes? Are they renting out some of the cabins still?”

Mr. Dasti stated the following: “The Wenkes site is now before the Zoning Board and the applicant wants to put more units in there than are permitted by ordinance. The applicant also wants to substantially increase the affordable housing units than are necessary or even needed. So, to answer your question, the Zoning Board is going to be in litigation with the developer as a result of the application before the Zoning Board and we are going to be meeting the next week or two with the attorneys on this affordable housing issue.”

Dennis Vitkauskis: Stated that when he drives by at night, he sees lights on and people in there and wonders if people are actually living there.

Mr. Pannucci: “Presently there are contractors working on the property but no one is living there.”

Caroline Rothlisberger: 626 South Manetta Drive: Asked for a status update on the proposed stop sign on Manetta Drive.

Mayor Sabosik: Stated that this evening they have a meeting with our engineer regarding this issue and that he will have him come up with his display that he will be showing.

John LeCompte – Borough Engineer – Approached to speak on Manetta Drive. Stated that the State will be removing the stop signs and we will be putting a striped island in with a yield sign so that the cars approaching will know to yield to possible cars coming around. There will be no stop signs, so no one will have a problem with parking in that area. There will most likely be an ordinance in place on the next meeting for the yield sign. Once everything is approved, the Borough can start working on the paint and yield sign.

Caroline Rothlisberger: Asked if just putting an island in, instead of a painted stripe island, would work better.

John LeCompte: Answered that an island can possibly cause a drainage issue in that area, so they are going to use that as a last resort.

Mayor Sabosik: Stated that Bob Forsyth, along with the Borough Engineers, Police Chief and all of Council have been part of the negotiations with this so we can always modify it later on, but we feel that this has the best chance of curing the problem. This will help tremendously. The Chief will have more enforcement over there to help inform people of the change.

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 Ms. Archer

SECOND: Ms. DePaola

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti: “In closed session we discussed potential litigation matters and potential contract negotiations for shared services.”

Mayor Sabosik stated for the record that the Reorganization Meeting will be on January 2, 2022 at 12pm and asked for Authorization of Notice to Cancel Meeting on December 27, 2021.

MOTION: To Cancel December 27, 2021 Council Meeting

MADE: Ms. Archer

SECOND: Mr. Furmato

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

CARRIES:

Mr. Pannucci stated that they will need a motion for a resolution to purchase a 33-yard garbage truck from international through the Sourcewell Coop for \$232,315.68 of which funds are certified for in the Capital Budget.

19. (279-2021) Authorize Purchase of One (1) Garbage Truck Through Sourcewell
Contract #060920-NVS - COF #2021-146

MOTION: Adopt Resolution

MADE: Mr. Wisniewski

SECOND: Ms. DePaola

Ms. DePaola: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. Archer: Yes

Ms. Coulson: Absent

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