

**COUNCIL MEETING
MONDAY, APRIL 25, 2022
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Charlene Archer
Council Member:	William Borowsky (Absent)
Council Member:	Joseph Furmato
Council Member:	John Wisniewski
Council Member:	Antoinette DePaola
Council Member:	Valerie Coulson
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 7, 2022, edition of *The Ocean Star* and January 7, 2022, edition of *The Asbury Park Press*.

Mayor Sabosik stated the following: “Tonight we have the distinct honor of hiring another police officer. This young man is a graduate of the Point Pleasant Borough High School. He has served the United States as a United States Marine. He has been involved in the town of Point Pleasant Borough for a few years and he deserves to be promoted to a patrolman. He is an outstanding individual and an outstanding young man. He is excited to go forward with this next step. This Mayor and Council believes in law and order. This Mayor and Council are blue. We support all of you and we look forward to a long and successful career for this young man.”

A. RESOLUTION

- 1. (135-2022) Authorize Appointment of Police Officer:**
John Jakubiak is hereby appointed to the position of Police Officer in the Police Department at the 2022 contractual salary of \$43,962.00 effective May 1, 2022.

MOTION: Approve Resolution

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

B. OATH OF OFFICE

- 1. John Jakubiak - Police Officer**

C. PROCLAMATION

1. Paint the Board Pink Month

D. WORKSHOP

1. Committee Reports

Council Member Wisniewski stated the following: “First off, I would like to congratulate whatever Borough resident hit the \$50,000.00 winning lottery ticket down the street.

Second, I would like to congratulate our newest Police Officer. We do have a great department, so I am sure it is just going to be another fine addition to our department. Along that line, I did read today that there was an attempted carjacking in Bay Head. So, I do want to tell everyone to please be careful out there.

We had a couple of kayakers show up at our Open Space Meeting. They are interested in possibly working with our Open Space Committee to create a kayak stand so that seniors and other kayakers can lock up their kayaks without having to drag their kayak back and forth. You would just leave your kayak there locked up and you can pay rent. He said there have been other communities that have done this. I thought it was a good idea. We have a couple beaches like Northstream, or Maxson Avenue and I think this would work very well. What I thought was even a better idea is I know a couple of people who want to do something for loved ones who have died. Jack McHugh came up with a great idea of a memorial tree at our parks. We could have a set fee of certain approved trees based on the park because the original trees that were planted at Riverfront Park are dying and they only have two trees left. So, his thought was, we have a pick of a couple different trees that we know will do well and it will be X amount of dollars. With it, you could get a standard concrete plaque that says In Loving Memory. He planted one for Michelle and he would like to do more of that in the Borough. I think it is a well-deserved cause and I think many people would support this idea.

On tonight’s agenda you will see that the budget is up for adoption. I know I am in the minority here because I still believe we need to do some work on it. The fact that we haven’t had the meetings is basically my fault, I have just had personal, professional and health issues which didn’t leave me time to set up the meetings to go through the rest of the budget. You may have heard our CFO and I have had some spirited discussions on our opinions. I respect his opinions and I hope he respects mine, but in my view, I think this should be tabled and not voted on tonight for several reasons I won’t go into. I will save the crowd the enthralling discussion of accounting and municipal budgeting.”

Council Member Furmato stated the following: “Paving has started for the season. Crestview Terrace paving is in the works right now. They are doing the curbing first. Also, I wanted to congratulate our new Police Officer.”

Council Member Coulson stated the following: “Last month I spoke about drafting a flood ordinance that would address changes that would comply with FEMA and the DEP as far as language. The ordinance will be introduced this evening. I also would like to congratulate our new Police Officer as well.”

Council Member DePaola stated the following: “I also would like to offer my congratulations to our newest officer. A wonderful addition to our police department here in the Borough. As Councilman Wisniewski stated earlier, there have been a few carjackings or attempted. So please, do not leave your key fob anywhere near your vehicle, lock your vehicles, do not leave any valuables in your vehicles. It is becoming an issue statewide. It is not something that is just an issue here in the Borough. We have people from out of town and North Jersey coming down, stealing vehicles, and using them to commit additional crimes. So, if we can curtail them doing this criminal activity and saving you the headache of losing a vehicle, that would be wonderful, and I am sure the police would like our cooperation with this.

The Relay for Life of Northern and Ocean County, part of the American Cancer Society, is having a clothing drive on Saturday, April 30th from 12pm to 4pm at the Mantoloking Road Ale House at 247 Mantoloking Road in Brick. They will be in the parking lot, and they will be accepting adult and children's clothing. Everything should be in their own bags. At this point in time, they are not looking for books, household items or flea market items. You can get more information at relayforlife.org/nocnj."

Council President Charlene Archer stated the following: "I too would like to congratulate our new Police Officer. I hope he has a wonderful and successful career here in the Borough. Earth Day was finally here, and it was a great success. We had about 2600 people attend. We had 48 vendors and children had a great time in the bounce house and the petting zoo. I want to thank the Police and the DPW for all their help in making the event as successful as it was. On this same day, the Littoral Society laid brush and shrubs down at Slade Dale along with the help of other Environmental Commission people. It was a very busy day for them, but they did get enough brush and shrubs to do the front section of Slade Dale to help improve the marsh."

2. Report of Mayor

Mayor Sabosik stated the following: "I too want to wish our new officer well. I know that under the astute leadership of our Chief, he will be one of the finest Police Officers in the history of Point Pleasant. I thank you Chief for supplying us with great candidates that are a part of and so well versed in the history of our town. We deeply appreciate that."

Baseball started Saturday. Some of us had dual things going on besides Earth Day. We had the biggest crowd ever. We had over 500 kids in different teams, and I am happy to report that our Councilman Joe "Ace" Furmato threw out the first pitch and it was a strike! I was pretty impressed. He definitely did a little bit better job than I would have done.

I also want to thank the American Littoral Society for helping rebuild the marsh behind Nellie Bennett. We really appreciate all the volunteers from the Environmental Commission.

Thursday night, the Borough High School Future Business Leaders will be having an open house at the Divi Tree from 5:30pm to 7:30pm. Some of the Council will be there. It is \$20.00 per person and refreshments will be served. Come on down and you can see how some of these young leaders are doing so well and how they will be a tribute to our society in the future years."

E. MINUTES

- 1. Approve Council Meeting Minutes of April 11, 2022**
- 2. Approve Executive Session Minutes of April 11, 2022**

MOTION: Approve Minutes

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Archer: Yes
Mr. Wisniewski: Yes

Mr. Borowsky: Absent
Ms. DePaola: Yes

Mr. Furmato: Abstain
Ms. Coulson: Yes

CARRIES:

F. MUNICIPAL BUDGET

- 1. (136-2022) Public Hearing and Adoption of 2022 Municipal Budget**

Himanshu Shah gave his review and stated the following: “I think after the long hard work in putting the budget together and being that Council already introduced the budget last meeting and with all the detail that was provided at this point, this budget is ready for adoption. We are self-reviewed and have submitted to the State as required. I just want to give you a summary of the budget. The budget calls for \$22,809,706.00 in expenditures. Revenue includes \$1,227,576.00 in Municipal State Aid. \$650,000.00 in new home construction code fees. \$1,993,988.00 in Miscellaneous Revenue. \$79,000.00 in Municipal Court Fines and Costs. \$40,000.00 in interest on investment and deposit. Just to caution you, most towns do not include interest on investment, but we have worked hard to maintain some level of interest in this almost 0% interest rate situation. \$400,000.00 received in delinquent tax and \$15,669,142.00 as the amount to be raised by taxation. Physically that is the taxes left. We are anticipating \$2,750,000.00 from front balance to balance the budget. And this will still leave on hand, \$2,247,636.00 in cash fund balance that will help for the future budgets. The proposed municipal tax rate is estimated at .468 in 2022 which reflects a tax increase of .004 cents over 2022 budget which was at .46.”

Mayor Sabosik: “So translation to the American Language, we are going up about 3 quarters of 1 percent.”

Himanshu Shah: “Yes, so for average homeowners, that means about \$15.67 increase in taxes. This is a good budget, and it was a hard budget. Coming out of a pandemic and all the trouble we had just like all the other municipalities in the state. We went through a loss of revenue and income in many areas. We have some American Rescue Plan money. But overall, I think we are on our way to recovery, and it looks good. I think we just need to be cautionary in our spending plan and monitor it for the next couple years to fully recover.”

Council Member Wisniewski: “I just want to go over the budget and I think we need to review it a little more. In my opinion this budget, when you mention fund balance and surplus, it is an oversimplification when you say, we are going to take some of the Borough’s savings and put it in the operating budget, knowing that we will probably regenerate that and then put it back into savings. Last year, we did not regenerate the full amount of surplus. And, on top of that we also took extra money out of our Borough assets.”

Mayor Sabosik: “I think this is a good budget, and I think you just have to realize that we have people out there struggling with dual income. I think they are all coming out of covid. When you say we are using some of our savings, we are. But the savings are to help our people. The people who live in this town. The people who have dual income and have little kids. I think that the small tax rate this year is worth it. I know we will regenerate a lot of it. I don’t have any problems with this budget. I have been doing these many years. I have a financial background as you know. This will be a good budget and it will not put the town in any risk.”

Council Member Wisniewski: “I guess that is where we are going to differ. My concern is raising the bar higher and being better.”

Himanshu Shah: “It has been many years that we have been working together and we have done a great job recovering. Remember what it once was. We are never going back there. For 10 years we have gone through a lot of these ups and downs and you, and I have always seemed to be on the same page. This is the first time I am seeing that we have different views. I understand and I do respect your opinion and your concern. I am certainly going to be more vigilant to make sure that our spending stays under control for this year, and we will start looking at everything a lot earlier for next year’s budget. I believe that is what will help. At this point, I don’t think we should table it. I don’t think we are going to make any major changes. We are already 3 months into the budget. By the time you are going to change anything, it is going to be 5 or 6 months and it will impact us even more and require even more cuts. So, I recommend that we proceed with this budget, and I ask all the Council Members, particularly Council Member Wisniewski

support and looking over how we can better manage the next couple of years, so we are completely out of the woods.”

MOTION: Adopt Municipal Budget

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: No

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

G. ORDINANCES

1. Final Reading – Public Hearing

Ordinance No. 2022-06 – To Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

PUBLIC COMMENT: NONE

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

2. Final Reading – Public Hearing

Bond Ordinance No. 2022-07 – Providing for Various Capital Improvements in and for the Borough of Point Pleasant and Appropriating \$1,782,000.00 Therefor, and Providing for the Issuance of \$1,692,300.00 in General Improvement Bonds or Notes of the Borough of Point Pleasant to Finance the Same

PUBLIC COMMENT: NONE

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

3. Final Reading – Public Hearing

Bond Ordinance No. 2022-08 – Providing for Various Water and Sewer Improvements in and for the Borough of Point Pleasant and Appropriating \$989,300.00 Therefor, and Providing for the Issuance of \$939,600.00 in General Improvement Bonds or Notes of the Borough of Point Pleasant to Finance the Same

PUBLIC COMMENT: NONE

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

- 4. Re-Introduction
Ordinance No. 2022-03 – Amending and Supplementing Subsection 7-3.4 of the
Borough Code to Add Additional No Parking Areas Under Schedule II – Front Street**

Council Member Furmato stated the following: “I have one problem with this. If we pass this, there are going to be many roads in town that other residents are going to complain about. In Point Pleasant, we have very few places to park and the more parking places we take off the street, where are people going to be able to park their cars? I will vote yes on this for now, but I might change my mind and vote no at the final reading.”

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

- 5. Introduction
Ordinance No. 2022-09 – Adopting New Floodplain Management Regulations**

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

- H. 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. Coulson

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Council President Archer opened the meeting to the public.

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

I. 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. (137-2022) Bills and Claims**
- 2. (138-2022) Void Check Resolution**

The bills totaling the amount of \$79,497.29 for 2021 and \$4,393,902.05 for 2022 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.

Council Member Wisniewski stated the following: “May we have a discussion please? In the bills and claims I saw money for X-Chair. I am just wondering about this. It is two chairs for over \$2,000.00 so it is over \$1,000.00 a chair. I know it is for the dispatchers, but my thoughts are, is this the recommended chair. It just seemed exorbitant for a chair.”

Chief Lokerson responded with the following: “We did research on this, and this is actually one of the cheapest chairs that are out there. The chairs are about \$2,000.00 for the 24-7 chairs. These chairs are sat in 365 days, 24 hours a day by our dispatchers. We must buy them a decent chair. If we buy cheaper chairs, like the \$700.00 chairs, we will be replacing those chairs every quarter. Some of them we did a lot of research on, and this company is reputable. I felt it was the best use of the monies allocated there and for the person sitting in the chair for the long hours they have to sit.”

Mayor Sabosik asked: If this is an ergonomic chair?

Chief Lokerson responded: “There are a lot of benefits to these chairs. They are wider and are not like standard chairs.”

Council Member Wisniewski stated the following: “You can understand why I am questioning this. When you look at the price.”

Mayor Sabosik stated: This will help reduce workman comp cases.

Chief Lokerson responded: “This will reduce medical issues and gives them better support and lower back support. This chair has a massager. It is reinforced. I can show you the damage on the previous chairs. It comes with recommendations for usage and a video. The chairs are registered and have different

warrantees on it. These are 24-7 chairs, and they need to be sturdy. The chairs that they originally wanted were \$2,500.00 each.”

MOTION: Adopt Resolutions

MADE: Ms. Coulson

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

J. 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. (139-2022) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
2. (140-2022) Authorize Recreation Department Refunds
3. (141-2022) Authorize Refund Board of Health Fees – Dog License
4. (142-2022) Approving Participation in the New Jersey Department of Law & Public Safety Grant for Cops in Shops – Summer Shore Initiative 2022
5. (143-2022) Authorize Refund Demolition Bond – Block 251, Lot 5, 1415 Cypress Street
6. (144-2022) Authorize Refund Demolition Bond – Block 286, Lot 2, 1835 Shore Blvd.
7. (145-2022) Authorizing Electronic Tax Sale Pursuant to N.J.S.A. 54:5-19.1
8. (146-2022) Authorizing the Road Opening for 2324 Oriole Way
9. (147-2022) Confirming Personnel Appointment:
 - Jessica Van Pelt is hereby appointed as full-time Public Safety Telecommunicator Trainee, at a starting salary of \$44,403.75, which is per the Teamsters Local Union No. 469 Collective Bargaining Unit, effective May 9, 2022.
10. (148-2022) Approving the Following Applications:
 - The Shore House Bar & Grill, Petition to Extend Licensed Premises, Annual Mike Kelly Foundation Benefit, Sunday, May 22, 2022, from 1:00 PM – 5:00 PM.
 - Bay Head Shores Property Owners Association, Social Affair Permit, Memorial Day Weekend Celebration, Saturday, May 28, 2022, from 12:00 PM – 10:00 PM, (rain date May 29, 2022).

MOTION: Adopt Resolutions

MADE: Ms. Coulson

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

K. 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.

Discussion took place by residents and the Council as to whether or not the Ordinance regarding Front Street was just passed.

Council Member Wisniewski stated that it was only passed for first reading, and we have 30 days to review.

Mayor Sabosik stated that residents could come up to talk about it if they wanted.

Jerry Dasti stated that the proposed ordinance is on the desk in front if anyone wanted to review it.

Tom Falvey: 1146 Bradford Drive – Asked the Mayor and Council if this was deemed an unsafe environment.

Mayor Sabosik called Chief Lokerson up to respond.

Chief Lokerson: “There are a lot of streets in the Borough that have very narrow roadways. Front Street is one of them. There has been a parking issue that has arisen. It prevents traffic from going two ways and that can pose a hazard. There are other streets in town are similar which is why Councilman Fumato is concerned that other roads could also end up having similar issues. It is my recommendation at this point based on what we have seen is to make it one sided parking. It does not mean that we will not reevaluate certain areas in town as well as Front Street as things progress as far as, is parking now pushed further into the neighborhood or does it create other issues. This is something that we will continue to look at. There was an old ordinance regarding Osborn Avenue. The ordinance stated no parking on the sides of the roads to allow for ambulance to get through. But now there is no ambulance coming down that road. We are always reevaluating. And with this issue, there could be concerns but at this point, based on research that I did, these are my recommendations. It is up to Council to decide.

Conversation between Tom Falvey and the Mayor and Council went on about issues and concerns regarding getting around on Front Street

John Finley: 1120 Front Street – Complained that residents of the town homes do not utilize their parking spaces the way they were approved to do so. They do not park in their garages, so they use the side streets. Residents of Front Street end up losing parking this way.

Chris Finley: 1108 Front Street – Asked for Clarification of the Ordinance regarding the 230 feet.

Mayor Sabosik stated that the 230 feet goes to Estelle Drive.

Chief Lokerson also gives clarification on Ordinance.

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

L. 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. DePaola

SECOND: Mr. Wisniewski

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mr. Dasti stated the following: “In closed session we discussed a contract negotiation issue and potential litigation.”

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: ANTOINETTE JONES, BOROUGH CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**