

**COUNCIL MEETING
MONDAY, JULY 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 Attorney:	Patrick Varga, 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*.

A. WORKSHOP

1. Committee Reports

Council Member Wisniewski stated the following: “I would like to congratulate another big lottery winner in the Borough. There was a \$10,000.00 winner from the Quick Check on Route 88.

A quick update from Open Space, I contacted former Councilman McHugh who is leading the charge on the Memorial Tree planting and he said he has everything lined up and is working with a horticulturist from Rutgers on what trees will be the most successful in certain parts of the Borough. He almost has it done. They are just trying to work out pricing for the trees and get everything together. Knowing Jack, I expect that he will have everything ready by our next meeting.”

Council Member Furmato stated the following: “Tonight, in our ordinances, we have a final reading on the Streets, Sidewalks and Sanitation. It is basically updating it to make it more of today’s language compared to 30 years ago. Some of the fees have changed in there as well. In the consent agenda, we are looking for approval to submit a grant for reconstruction of Boulton Avenue. That is from Route 88 to Herbertsville Road.”

Council Member Coulson stated the following: “Our Construction Official is retiring. We have advertised for replacement. We have received 11 resumes and interviewing will be done by the Land Use Committee.”

Council Member DePaola stated the following: “First up, I would like to remind our residents that Tuesday, August 2, 2022, is our Annual National Night Out Against Crime. This is held at the Community Park and is sponsored by our Community Watch Organization and our Police Department. Everybody has been working diligently to make it a great, free event for families. So come on out.

Also, you will see tonight that there is an introduction to lower the speed limit on Dorsett Dock Road. That was per a speed study conducted by our Police Department.

On tonight's agenda, there is also an ordinance for introduction for a stop intersection at Canal Drive and Roe Avenue. That was done by listening to the residents and having our police go out there to check the area. I would like to thank them for doing that.

Also, as Councilwoman Valerie Coulson has stated, it is the retirement of Tim Skinner. His official retirement will be next Friday. I would like to thank Tim for his hard work for the Borough over the last few years and wish him well on his retirement."

Council President Archer stated the following: "The Environmental Commission had a meeting last week and one of the topics was that the Point Pleasant Garden Club is having a bus trip to Nemours Mansion in Wilmington Delaware on September 15th. The bus will be leaving from Crystal Point and will be going to Buckley's Tavern for lunch. After that, it goes to the Nemours Estate and then returns to Crystal Point. It is \$120.00 per person including the lunch and the admission to the mansion.

The ANJEC grant of \$1,200.00 for the signage at Slade Dale the Environmental Commission is working on getting the proofs and making the signs. They are hoping to have those signs up by August."

2. Report of Mayor

Mayor Sabosik stated the following: "We have received a \$55,000.00 check as a result of a consent order in regards to a sump pump discharging into our sewer lines. Please be advised that this type of discharge is illegal and is costly to your fellow residents in regards to Ocean County Municipal Utility charges. If you know anybody who is doing this, please advise them to stop and have it done the correct and legal way. I want to thank our legal counsel to the left of me for the successful completion of this matter.

Tonight, we have a final reading of Ordinance #2022-10. It is going to help and diminish the small road patches that the utility companies are currently using in our town. In plain language, if they continue to do 2x2 and 3x3 they will be forced to pave the whole road in its entirety, under this ordinance. This is for the quality of life for our residents, and this is important for the longevity of our roads. I want to thank our legal counsel for coming up with this so quickly, quietly and efficiently so that we can stop the unsightly and potentially dangerous small patches that they are using in our town."

B. MINUTES

- 1. Approve Council Meeting Minutes of June 27, 2022**
- 2. Approve Executive Session Minutes of June 27, 2022**

MOTION: Approve Minutes

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:

C. ORDINANCE

1. Final Reading – Public Hearing

Ordinance No. 2022-10 – Amending and Supplementing Chapter 12 of the Borough Code Entitled “Streets, Sidewalks and Sanitation, Specifically Section 12-1.28D Permanent Restoration”

PUBLIC COMMENT:

Dennis Vitkauskis: 2117 Foster Road – Stated that he is glad that they are doing this ordinance and thanked the council.

MOTION: Adopt Ordinance

MADE: Mr. Furmato

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

2. Introduction

Ordinance No. 2022-11 – Amending and Supplementing Section 7-11 of the Borough Code in order to Decrease the Speed Limit on Dorsett Dock Road

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:

3. Introduction

Ordinance No. 2022-12 - Amending and Supplementing Chapter 7A of the Borough Code to Designate the Intersection of Canal Drive and Roe Avenue as a Stop Intersection

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Furmato

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

4. Introduction

Ordinance No. 2022-13 – Chapter XIX, Authorizing and Encouraging Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready Parking Spaces

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: 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: 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.

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. (188-2022) Bills and Claims**
- 2. (189-2022) Void Check Resolution**

The bills totaling the amount of \$16,262,341.91 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. Coulson

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: 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. (190-2022) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.**
- 2. (191-2022) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale**
- 3. (192-2022) Extend Grace Period for Third Quarter Taxes**
- 4. (193-2022) Authorize Recreation Department to Rehire Part-Time Seasonals**
- 5. (194-2022) Authorize Refund of Recreation Various Programs or Accounts**
- 6. (195-2022) Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the NJDOT for the Boulton Avenue Reconstruction from Lakewood Road to Herbertsville Road Project**
- 7. (196-2022) Authorize Refund of Demolition Bond - 2324 Oriole Way**
- 8. (197-2022) Confirming Personnel Action:**
 - Retirement of Timothy J. Skinner as Construction Official effective August 5, 2022.**
- 9. (198-2022) Approving the Following Applications:**
 - Shore House Bar and Grill, Extension of Premises, The Mike “Mooney” Ryan Benefit, Sunday, August 21, 2022, from 2:00 PM – 8:00 PM.**
 - Bay Head Shores Property Owners Association, Social Affair Permit, Summer BBQ, Sunday, August 14, 2022, from 2:00 PM – 9:00 PM.**
 - Bay Head Shores Property Owners Association, Social Affair Permit, Summer BBQ, Sunday, August 21, 2022, from 2:00 PM – 9:00 PM.**
 - Bay Head Shores Property Owners Association, Social Affair Permit, Summer BBQ, Sunday, August 28, 2022, from 2:00 PM – 9:00 PM.**
 - Bay Head Shores Property Owners Association, Social Affair Permit, Labor Day Celebration, Saturday, September 3, 2022, from 2:00 PM – 10:00 PM, (rain date September 4, 2022).**
- 10. (199-2022) Appoint John J. Novak, Esquire as Public Defender**
- 11. (200-2022) Authorize Title Change for Michelle Kraus from Keyboarding Clerk II (Grade 2) to Senior Clerk Transcriber (Grade 3)**
- 12. (201-2022) Authorize Title Change for Alan Kretz from Diesel Mechanic (Grade 7) to Senior Mechanic (Grade 7a)**
- 13. (202-2022) Authorize Title Change for Sharon Morgan from Senior Assessing Clerk (Grade 3) to Assessing Aide (Grade 5)**
- 14. (203-2022) Authorize Increase for Part-time Recycling Center Attendants to \$16.00 per Hour**

Councilman Wisniewski requested a discussion before adoption of Consent Agenda, stating the following: “When I read the resolutions, the step increases in the resolution is actually less than what I have as their salary in the budget. I don’t know if we have the right steps, or the right salaries in the ordinance.”

Mr. Pannucci: “I had Finance crunch out the title changes. None of this stuff is in the budget. This all has come in after the fact. Their base in the resolutions will be their base which is based off the 2022 budget. So as of the beginning of 2022, this new base, as with all promotions, will be the base salary in the resolutions.”

Councilman Wisniewski: “But if you actually look in the budget, I don’t want to use names, but somebody’s step takes them to \$66,000.00 but in the budget their base is \$68,000.00. So even their increase in the resolution is less than what we have in the budget that they make.”

Questions arise between the Council as to whether there are other factors to look at such as if the employee has a stipend or longevity.

Councilman Wisniewski: “I was just concerned that if we pass this, then we will be cutting peoples salaries.”

Mr. Pannucci assured Councilman Wisniewski that he had the whole thing broken out by the Finance Department and they went through the current contract step guide. Also stated that there is a typo in number 13. The title change should be to Senior Assessing Aide and not just Assessing Aide.

MOTION: Adopt Resolutions

MADE: Mr. Furmato

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

G. AUTHORIZATION

- 1. Authorization to Solicit Bids for Recycling Services in Point Pleasant Borough.**
- 2. Authorization to Hire Public Works Laborer Replacements**

MOTION: Approve Authorizations

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

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.

Frank Gullace: 2114 Route 88 - The Shore House Bar & Grill – “First of all, I am glad that we are pitchfork and torch free today. I do want to apologize to everyone because I did not get to the last meeting. We have taken significant steps over the past few months and continuously to make sure that we are a positive part of this community. I wanted to go over a few of the things that we went over at our meeting to catch everyone up. It looks like we are going to start the fence tomorrow around the property. We ordered it the day we were approved but there were supply chain issues. However, we were told that it will be up within the next week or so. They will start digging the post and the holes tomorrow though. We established an email community at the shorehousenj.com. I went over this at our previous meeting. We sent out VIP cards to our neighbors offering them discounts on food. So far this has been a success. I have seen many of the VIP cards come back into the restaurant. I have also had some very good email conversations with some of the neighbors, specifically with some that had major issues at the last meeting, and it went well. We moved our employee parking to the baseball field across from the Quick Check, the employees aren't the happiest, but it has helped, and it has improved our relationship with Osborne Avenue. Our nightly sound checks have been incredibly effective. What we have been doing is, every hour on the hour a member of our security team goes out and makes sure that our music is not radiating too loud into the neighborhood. And we have made sure to have someone always outside to make sure that whoever may be in the parking lot waiting for a ride or having a cigarette is not loud or inappropriate. I have looked into it with the insurance company, and we are not covered if we are offsite. We are covered if the incident begins in our parking lot and expands off the premises from there. But if we are actively patrolling the surrounding neighborhoods and an incident happens then that does not fall under our umbrella of insurance coverage. We are still looking for a glass company that would be able to do the job we are looking for. I am on the fourth company. Whether it is supply issues, or the sheer volume of the job right now. Everyone is so understaffed right now, but we are still trying to make that happen.

We are very excited because we are in the final stages of our plans for our renovations. We met with the landscape architect last week and that is the final step for us. Hopefully by September we will be able to apply for our permits. But I am incredibly excited about how that is going to come along and the benefits that it will have not only to us but to the community as a whole. The last thing I am going to ask, and I know that I have already asked this of all of you multiple times but I would like to get some clarification on the ordinance in town of the twenty-five seats outside. I know when we spoke at the previous meeting, everyone was under the assumption that we were able to have twenty-five seats outside because of the Borough Ordinance, however it has become an ABC issue because when we ended the expansion of the liquor license for Covid, it ended the outside ABC approval. So currently the only places allowed to have outside dining are the BYOB's in Point Pleasant. So, I called the ABC and they said it was a town issue and that the town has to amend the ordinance to allow that to happen. I have been bouncing back and forth to try to figure this out, but I would like to participate in the twenty-five seats outside. It would make a tremendous difference. We are down about 45% in our business just from last summer.”

Mr. Dasti: “Wouldn't you have to amend your ABC application to include that area?”

Frank Gullace: “When I spoke to them, they said first it would have to start with the town to allow you to do it. They said if the town allows it, they will amend it. They said they have no issue because with the ABC, they are already extended until November with every restaurant in New Jersey because of the Governor's order. So, they don't care how many seats we have outside. They said that is a Borough issue. If you allow it, I will put something nice outside, no tents, just something small to get us through until we can put forth a full plan for our expansion. But we are asking if we can temporarily, just like the BYOB's in town, have the 25-seat limit for our outdoor dining.”

Mayor Sabosik: “I want to tell all of Council and everybody here that this family has done a great job sitting with myself and some of Council working out these problems. I applauded both generations for what you do for the town. Tonight, on our agenda we passed a resolution for a benefit that you are having at your restaurant. You always give back to the town. So, we will definitely look into this to help you too. You help this town, you are very responsive, and we really appreciate the positivity of the meeting we had with you. My attorney on my left even called me after the meeting and said what a great positive energy there was in that meeting. We will see how fast and what we can do to help you with that. We are going to talk in executive session about this.”

Dennis Vitkauskis: 2117 Foster Road – “With the heat and the water situation, are we enforcing the water restrictions from NJ American Water?”

Mayor Sabosik stated that we are enforcing restrictions and that notices have posted on our Facebook page and our website that watering will be allowed on alternating days from 7-9.

Dennis Vitkauskis: “In Point Pleasant Beach, I am on their call list. If they have a holiday coming up, they have a robocall that goes out to inform residents. Can we have something like that?”

Mayor Sabosik: “We have had complaints about robocalls, believe it or not, even though it is civic matters. I will look into again with our personnel but there are two sides of the story. Some people like to get these phone calls and some people don’t want to be bothered.”

Council Person DePaola: “Dennis, you can also sign up for our recycle coach. It is an app on your phone.”

Mr. Pannucci: “We do send out calls and text messages if you sign up for NIXEL. Anything that is an emergency when the roads shut down or if there is an accident or a storm coming, they will send you a warning.”

Dennis Vitkauskis: “What about the old school emergency notification of sirens? Do they still activate for any reason? I see them but never hear them go off.”

Captain Picca: “We are actually looking into that now because there is a problem with the batteries. It is being addressed and we are researching it to see what we can do to get the sirens back online.”

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. DePaola

SECOND: Mr. Wisniewski

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Mayor Sabosik stated the following: “In closed session we discussed approving a resolution to give Collier Engineering and Design a contract of \$36,000.00 to respond to our need for a New Rec Center feasibility study and a continuation for the planning of a new building.

- 15. (204-2022) Authorize Collier Engineering & Design, Inc., (dba Maser Consulting)
for Engineering and Architectural Services for Improvements to the
Recreation Building Project – COF #2022-126**

MOTION: Adopt Resolution

MADE: Mr. Furmato

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Absent

Mr. Furmato: Yes

Mr. Wisniewski: No

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

MOTION TO ADJOURN

All in Favor.

TRANSCRIBED BY: VERONICA THWING, DEPUTY BOROUGH CLERK

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**