

**COUNCIL MEETING
MONDAY, AUGUST 22, 2022
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Charlene Archer
Council Member:	William Borowsky
Council Member:	Joseph Furmato
Council Member:	John Wisniewski
Council Member:	Antoinette DePaola
Council Member:	Valerie Coulson
Borough Attorney:	Jerry J. Dasti, Esq. – Absent
Borough Attorney:	Christopher J. Connors, 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 Borowsky stated the following: “Our Fall Rec program registration will be starting September 14th for Point Pleasant Borough residents and September 21st for non-residents. Pre-school and Pre-K will be beginning the second week of September. I would like to give a shout-out to our Public Works employees, for all the improvements they did at the Rec Center just recently and specifically I would like to thank Jim Colwell and Jim Teague for helping Sheri Silversmith, she said they did a tremendous job helping her transition from the summer camps to setting up the preschool programs.

I would like to send my heartfelt condolences to the family of Raul Cartagena. Raul was a Point Pleasant Borough resident; he was also a wrestler who passed away tragically last week. It is so sad and devastating. I saw online one of his friends started a GoFundMe page and they were trying to raise \$15,000 to help with his funeral costs. Point Pleasant, this great town, has donated over \$50,000. This is an amazing town we live in.

In a couple of weeks, school will be opening so please drive safely.”

Council Member Furmato stated the following: “I don’t have much tonight but on Consent Agenda No. 10 we are going to award the contract to rehabilitate Well #9.”

Council Member Wisniewski stated the following: “On the Open Space Committee our Admin. has resigned her name is Kerry Hoffmaster and she is moving to South Carolina. If anyone knows of anyone that would like to take her place, please let us know. This is a great committee to be on, a lot of great people. The meetings are at Bennett Cabin, every second Wednesday of the month.

Following up on the memorial tree program, for all of you that don't know, former Councilman Jack McHugh is trying to start a memorial program, I'm sure you've seen benches around that state "In Memory Of". Here in Point Borough, he is trying to start a tree program where you dedicate a tree to a loved one. He's walked the parks with the Head Horticulturist from Rutgers, Diane Larson and she determined the best trees that would thrive at our parks. They are working on pricing and the type of memorial sign that would be placed by the trees. Jack has already done this for his girlfriend that recently passed away. Once completed, I will let him introduce it."

Council Member Coulson stated the following: "For Zoning and Land Use, as we all know, Tim Skinner has retired, so the committee spent the better part of July and the beginning of August interviewing for a new Construction Official, and I am happy to say we have a new one starting on September 6, 2022."

Council Member DePaola stated the following: "Thank you to our town, thank you to our first responders and our police department for a wonderful National Night Out. It was a great night out. It is nice to see all the wonderful events going on and having a really family oriented evening at the park. There will be a Public Safety Committee meeting this week to discuss changes to the towing ordinance with the input of the Chief of Police. We will see if any changes are necessary at this time."

Council President Archer stated the following: "I too want to thank the Police Department and the Community Watch for a successful evening. Many of the residents really enjoyed being together and getting out again."

Environmental Commission is kind of quiet right now, but they are trying to get into two New Jersey projects. The first is called Sustainable Jersey and their common goal is to get more involved with this by attending a meeting to find out the requirements to get into the Sustainable Jersey program. Also, the other one is called Tree City. They want Point Pleasant to be nominated or assigned as a "tree city". There are only 14 cities in New Jersey that have acknowledgement. We would like that. Point Pleasant Beach is a Tree City. So again, they will be meeting to see if Point Pleasant Borough could get that status."

2. Report of Mayor

Mayor Sabosik stated the following: "I have some news on the beach replenishment program which is needed on the barrier islands. The ocean beaches are enjoyed by all of us. They are for everyone who visits the shore. The beach replenishment program is sorely needed for the safety of the barrier islands and also for our town. We do not want another breach like we had with Sandy. In the last few years, we've established a Barrier Islands Mayors Association, which includes all the barrier islands, and Point Pleasant Borough. We are united in creating safe beaches and beach replenishment. This united voice has gotten the attention of the government agencies and they've promised to move forward with the beach replenishment program. Unfortunately, the first rendition of the finances for the barrier island mayors would be a detriment to their budgets. Therefore, all the mayors sent a letter to the Governor and basically this is what it said:

"Tourism is the main economic engine in Ocean County. Accounting for \$6 billion dollars in revenue mainly generated in the summer months. The beaches in Ocean County along the Jersey Shore are enjoyed by all the residents of the State of New Jersey. Recent news reports have stated that New Jersey has an excess revenue between \$7 and \$8 billion dollars this fiscal year. Therefore, we have requested the State of New Jersey pay the balance of the USA Corps of Engineers costs not covered by the federal government to alleviate the financial burden on our fellow municipalities on the barrier islands."

This is important to our town. Sandy was a devastating storm due to the breach in Mantoloking we never want to see this again. Therefore, I and the rest of the mayors are beseeching the State of New Jersey to step forward and undertake this cost. We also are talking to other government agencies for help, and we are sure that other government agencies will step up and help them pay this vitally needed program.

On a local front, I don't know if you've seen the new police cars, The Chief and I were able to secure some police cars from Pennsylvania and the cars were relatively inexpensive compared to the costs in New Jersey. I believe they are here and if you see them, they will have the new colors and logo to keep our police department in a "today" look, a present look. I thank the Chief for his input.

Fireworks, October 15th will be going on in conjunction with the Chamber of Commerce and I will be announcing corporate sponsors at our next meeting. The Rotary Car Show, like National Night Out was the biggest one ever. It was the most cars we've ever had in this town. I would like to thank the First Aid, Police Department and DPW for doing such an outstanding job.

On a sad note, I too, feel a sadness for the young gentleman who lost his life. He was a rising star in our town. Raul Cartagena was a fine young man that was taken way too soon. I would like a moment of silence to think of him."

B. MINUTES

1. **Approve Council Meeting Minutes of July 22, 2022**
2. **Approve Executive Session Minutes of July 22, 2022**

MOTION: Approve Minutes

MADE: Ms. DePaola

SECOND: Ms. Archer

Ms. Archer: Yes

Mr. Borowsky: Abstain

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

C. ORDINANCE

1. **Final Reading – Public Hearing**
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

PUBLIC COMMENT: None

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Mr. Furmato

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

2. **Final Reading – Public Hearing**
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

PUBLIC COMMENT: None

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Furmato

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

3. Final Reading – Public Hearing

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

PUBLIC COMMENT: None

MOTION: Adopt Ordinance

MADE: Ms. Coulson

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

4. Introduction

Ordinance No. 2022-14 – Amending Section 7A-15 Schedule of the Borough Code – Bradford Drive

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Yes

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: Ms. DePaola

APPROVED: All in Favor

Council President Archer opened the meeting to the public.

Dennis Vitkauskis: 2117 Foster Road –Asked on Consent Agenda #17 was Shore House having two Oktoberfest celebrations?

Antoinette Jones: Replied no it was a typo.

Seeing no other 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. (205-2022) Bills and Claims**

The bills totaling the amount of \$2,409,832.70 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. Furmato

Ms. Archer: Yes

Mr. Borowsky: Yes

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. (206-2022) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accts.**
- 2. (207-2022) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale**
- 3. (208-2022) Canceling Taxes and Authorizing a Refund – Rivera**
- 4. (209-2022) Canceling Taxes and Authorizing a Refund – Aker**
- 5. (210-2022) Canceling Taxes and Authorizing a Refund – Asturias**
- 6. (211-2022) Canceling Taxes and Authorizing a Refund – Labozzetta**
- 7. (212-2022) Canceling Taxes and Authorizing a Refund - Thomas**
- 8. (213-2022) Authorize Renewal of Membership in the Ocean County Municipal JIF**
- 9. (214-2022) Accept Donation of 12 Motorola APX6000 Radios from the Bay Head Fire Department to the Point Pleasant OEM**
- 10. (215-2022) Awarding a Contract for Well No. 9 Rehabilitation to A.C. Schultes, Inc.– COF #2022-127**
- 11. (216-2022) Authorize Recreation Department Refund**
- 12. (217-2022) Authorize Refund of Demolition Bond – Block 156, Lot 12, 1309 George St.**
- 13. (218-2022) Authorizing the Road Opening for 2122 Glenwood Drive**

14. (219-2022) **Authorizing a Release and Return of the Inspection Fees to Wick It Bad, LLC**
15. (220-2022) **Authorizing a Release of the Performance Guarantee for Property Known and Designated as 1206 Wilmington Street a/k/a Route 88 at Wilmington Street, Block 95, Lot 1**
16. (221-2022) **Appointing Members to the Local Emergency Planning Committee for 2022**
17. (222-2022) **Approving the Following Applications:**
 - **Bay Head Shores Property Owners Association, Social Affair Permit, Bay Head Shores Fishing Club Annual Picnic, Saturday, September 10, 2022, from 3:00 PM – 10:00 PM.**
 - **Shore House Bar and Grill, Extension of Premises, Boro Bikes and BBQ, Saturday, September 24, 2022, from 9:00 PM.**
 - **Shore House Bar and Grill, Extension of Premises, Oktoberfest, Saturday, October 1, 2022, from 12:00 PM – 9:00 PM, (rain date October 2, 2022).**
 - **Bay Head Shores Property Owners Association, Social Affair Permit, Volunteer Annual Summer End BBQ, Saturday, October 1, 2022, from 3:00 PM – 10:00 PM.**
 - **Bay Head Shores Property Owners Association, Social Affair Permit, Annual Cornhole Tournament and BBQ, Saturday, October 8, 2022, from 2:00 PM – 10:00 PM.**
18. (223-2022) **Confirming Personnel Appointments/Actions:**
 - **Mary Knecht be appointed to the position of Crossing Guard, effective August 22, 2022, at the rate of \$23.54 per hour, as per the current Teamsters Local Union No. 469 Collective Bargaining Agreement.**
 - **Diane Vandernoot be appointed to the position of Substitute Crossing Guard, effective August 22, 2022, at the rate of \$23.54 per hour, as per the current Teamsters Local Union No. 469 Collective Bargaining Agreement.**
 - **Kelly Staunton be appointed to the position of Substitute Crossing Guard, effective August 22, 2022, at the rate of \$23.54 per hour, as per the current Teamsters Local Union No. 469 Collective Bargaining Agreement.**
 - **Russell McCarthy be appointed to part-time laborer for the Recycling Center at a rate of \$16.00 per hour effective August 22, 2022.**
 - **Resignation of Daniel M. Guthrie as Class III Special Officer effective August 31, 2022.**
 - **Resignation of Phyllis Willever as Crossing Guard effective August 18, 2022.**
19. (224-2022) **Authorizing Acceptance and Approval of a Collective Bargaining Agreement with Teamsters' Local Union No. 469 (Crossing Guards)**
20. (225-2022) **Confirming Registrar of Vital Statistics Appointments**
21. (226-2022) **Appointing Andrew Rempfer as Construction Official and Building Subcode Official effective September 6, 2022.**
22. (227-2022) **Awarding a Yearly Stipend to Andrew Rempfer for Added Responsibilities as Community Rating System Coordinator and Flood Plain Manager.**
23. (228-2022) **Authorizing Amendment to Contract with Surenian, Edwards & Nolan Inc.**

24. (229-2022) Award a Contract to Van Cleef Engineering Associates, LLC for Tax Map Revision Services

Councilman Borowsky stated he did not receive a copy of the Crossing Guard's agreement to review before the meeting. Ms. Jones replied she emailed it to all of Council. Mr. Pannucci stated nothing was changed from the Memorandum of Agreement which was signed in March.

Ms. Jones publicly apologized, after reviewing her emails, she realized that the only member of Council on the email chain was the Council President.

Councilman Borowsky stated since nothing changed, then he would vote to approve the agreement.

MOTION: Adopt Resolutions

MADE: Ms. Coulson

SECOND: Ms. DePaola

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

Mr. Pannucci stated, before the Authorizations are approved, he would like to add the authorization to begin soliciting applications for two full-time DPW laborers. Council agreed.

G. AUTHORIZATIONS

1. Authorization to hire one (1) full-time crossing guard (replacement for Phyllis Willever).
2. Authorization to begin soliciting applications for two (2) full-time DPW laborers.

MOTION: Approve Authorizations

MADE: Ms. Archer

SECOND: Ms. Coulson

Ms. Archer: Yes

Mr. Borowsky: Yes

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.

Dennis Vitkauskis: 2117 Foster Road – “Stated he received his tax bill and thanked Council for keeping the yearly increase to only \$9.00. Also, he stated the 7-11 on Bridge Avenue has plywood on the windows. He asked if anyone on Council knew why.

Mayor Sabosik stated – “They were having air conditioning problems, but he will have the Zoning Code Officer look into it”.

Frank Gullace: 2114 Route 88 - The Shore House Bar & Grill – “Asked if there was any feedback regarding the improvements made to the restaurant.”

Mayor Sabosik stated – “He hasn’t heard anything good or bad.”

Frank Gullace stated - “On Wednesday, he will be having the final meeting with the architect to go over the plans for the outside improvements. He also stated the release of the lands on Route 88 are almost complete from the State. He asked about the 25-seat ordinance for outside dining.”

Mr. Pannucci responded – “We are still looking into it.”

Dennis Vitkauskis asked - “If the fence at the Shore House was all of their property.”

Mr. Gullace replied: “Yes.”

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: Mr. Furmato

APPROVED: All in favor

RETURN FROM EXECUTIVE SESSION

Senator Connors stated the following: “In closed session we discussed approving the following two resolutions:

MOTION: Adopt Resolution 228-2022 Authorizing Amendment to Contract with Surenian, Edwards & Nolan Inc.

MADE: Ms. DePaola

SECOND: Ms. Coulson

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

MOTION: Adopt Resolution 229-2022 Award a Contract for Van Cleef Engineering Associates, LLC for Tax Map Revision Services

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Archer: Yes

Mr. Borowsky: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Ms. Coulson: Yes

CARRIES:

MOTION TO ADJOURN

All in Favor.

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

ATTEST:

APPROVED:

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

**ROBERT A. SABOSIK
MAYOR**