

**COUNCIL MEETING
MONDAY, MARCH 13, 2023
7:00 P.M.**

Mayor:	Robert A. Sabosik
Council President:	Valerie Coulson
Council Member:	William Borowsky
Council Member:	Joseph Furmato
Council Member:	John Wisniewski
Council Member:	Antoinette DePaola
Council Member:	Charlene Archer
Borough Attorney:	Christopher 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 6, 2023, edition of *The Ocean Star* and January 6, 2023, edition of *The Asbury Park Press*.

A. PROCLAMATION

1. **Child Abuse Prevention Month – April 2023**

B. WORKSHOP

1. **Committee Reports**

Council Member Wisniewski stated the following: “I have no update for Legislative and Land Acquisition, but I have been following the school board now that I am the liaison, and I wanted to congratulate our schools Governor Educator’s of the Year. They are Ian Kearns of Point Pleasant Borough High School, Kathryn Kuri of Nellie Bennett, Janet Magley of Ocean Road and Lisa Miller of Memorial Middle School. Our Educational Services Professional of the Year is Catherine Murphy at Nelle Bennett.”

Council Member Borowsky stated the following: “The Environmental Commission had a meeting on February 21st. Ceili Pestalozzi of the Barnegat Bay Partnership was there to discuss the Nellie Bennett salt marsh restoration project. She talked about Phase 1 and said it was in the contracting phase and then explained Phase 1 consists of building a stake holder committee, co-defining the restoration goals for the site, site assessment, preliminary design, start permitting discussions and then the stakeholders decide how to proceed. It is all pretty interesting to sit in on. Also discussed was Earth Day and hopefully we will have the usual petting zoo, bounce house, pony rides and rock wall.”

Council Member DePaola stated the following: “I have nothing new to report this month.”

Council Member Furmato stated the following: “On February 28th we had a preconstruction meeting regarding the Maxson Avenue/Herbertsville sidewalk project. That project is going to begin at the beginning of April. We also met regarding the Summit Drive NJDOT project which will start at the beginning of May. Last week we had a DPW meeting and there was many ongoing topics to discuss. The biggest topic was about NJ Natural Gas. They have been destroying our roads. So, they will be in the process of starting to pave the roads that they have dug up over the past few years. This will begin soon. The water tower on

Riviera Parkway has the tents up. The inside is done and now they will be doing the outside. DPW is repairing the road at the Recycling Center. They might have to close up for a couple of days but if they do, they will make sure to notify the town.”

Council Member Archer stated the following: “In the Finance Committee, we have reviewed the budget and we have a resolution tonight for introduction. But discussing the budget, due to inflation issues affecting us and our municipalities, and unfunded state mandates issued like the 25 percent increase to state health benefits, all towns are getting thanks to the Governor, we are working to keeping this budget as low as possible while delivering the services residents have come to expect from the town of Point Pleasant. We hope to have some more state aid from the Governor’s multi-million dollar surplus to help with the health benefits increase. So, stay tuned. Our CFO will be at the public hearing to answer any and all questions the residents may have about the budget.

Open Space is already planning Christmas, even though it is a little ways away. The dates are going to be December 9th and 10th for Santa to visit at the Bennett Cabin. Also, I don’t know if anybody has been over to the Riverfront Park but they have a beautiful deck behind Bennett’s Cabin right now. The DPW is building it for us and they are putting benches out for our residents to look out on the water. Residents can sit, relax and enjoy while they look out at the boats. It is very nice and I thank the DPW for this. Anybody who visits the Riverfront Park is really going to enjoy that space.

The Memorial Tree Project will soon come to fruition. Jack McHugh has been instrumental in spearheading this dedication for the Open Space Committee. This worthwhile cause is going to dedicate trees to memorialize anyone who has passed away or who they want to dedicate to remember them by and be able to contemplate them when they go to the park. We are going to have 12 locations at the Riverfront Park and the estimated cost of this will be \$700.00.”

Council President Coulson stated the following: “Spring Recreation registration opens online this Wednesday, March 15th at 10:00 AM for Borough Residents. All programs can be found online. There are many for both the children and for adults. Non-resident registration is Wednesday, March 22nd at 10:00 AM. Our Annual Easter Egg Hunt will be March 25th. This is open to Borough residents only. There is four different slotted times and different age groups between under 1 to 10 years old. Please bring an Easter basket to gather your eggs and a camera for your photo op with the Easter Bunny.

Mark your calendars for the Memorial Event on Monday, May 29th where we will have a special event this year to honor our Point Pleasant Borough fallen heroes.

There is also going to be Senior Pickle Ball. This will be an addition to the fitness program. This will be on Wednesdays from 10am to 11am. From April 19th through June 7th. Beginners are welcome. All the equipment and instruction is included and there is no charge. That will be a nice addition to the senior program.

We are starting Summer Sunday’s this year. It will be a farm market planned with Bay Head and Mantoloking. It will be over here by the gazebo. The new pollinator garden that was started will be there and we will have the vendor’s all lined up in front of the Gazebo. That will be on Sunday’s starting June 18th and will go through September 3rd. The Chamber of Commerce will be managing this. More details about Summer Sunday’s will be coming as we get closer to the date.

The Recreation Committee will be meeting this Wednesday, March 15th to discuss other things that they would like to do.

Happy St. Patrick’s Day everyone.”

2. Report of Mayor

Mayor Sabosik stated the following: “Regarding the state health plan for our town, as our Councilwoman has mentioned before, we have a tremendous increase this year. The New Jersey Mayor’s Association is still trying to get the Governor to respond to the totally unfair practice of what happened to the Counties and the Towns compared to what the State workers received. I will be continuing to monitor this situation. Secondly, the whale population seems to be the comment up and down the coast. The offshore implementation of windmills is deathly causing some sort of reaction to the mammals and the fish that we all depend on. I am one 30 mayors who wrote a letter asking for a temporary moratorium while we do some research into finding out exactly what is happening with this. I will keep you posted. So far we have not gotten response back from Trenton regarding this matter.

Next up, I would like to thank the Police Chief. He has started the community policing program. His officers did a great job explaining all the new and improved programs that we have.”

C. MINUTES

1. Approve Council Meeting Minutes of February 7, 2023

MOTION: Approve Minutes

MADE: Ms. Archer

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

D. ORDINANCE

1. Final Reading/Public Hearing

Ordinance No. 2023-01 Accepting as a Borough Street the Right-of-Way Referenced Herein to be Known as “Howe Street”

PUBLIC COMMENT: NONE

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

2. Introduction

Ordinance No. 2023-02 Amending and Supplementing Chapter IV, Section 4.7 of the Borough Code Concerning Fees Permitted for Licensed Towing Companies

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

3. Introduction

Ordinance No. 2023-03 Modifying and Amending Chapter 8 of the Borough Code Entitled, “Building and Housing”, Section 8-5.1 Entitled, “Property Maintenance Code”

MOTION: Adopt Ordinance

MADE: Ms. Coulson

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

4. Introduction

Ordinance No. 2023-04 Modifying and Amending Chapter 8 of the Borough Code Entitled, “Building and Housing” To Include Section 8-5.5 Entitled, “Lead Based Paint Inspection”

MOTION: Adopt Ordinance

MADE: Ms. DePaola

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

5. Introduction

Ordinance No. 2023-05 Amending and Supplementing Chapter 19 of the Borough Code Entitled, “Land Use”

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

6. Introduction

Ordinance No. 2023-06 To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

MOTION: Adopt Ordinance

MADE: Ms. Archer

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

**E. 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 Coulson opened the meeting to the public.

Resident: Foster Road – Asked about Consent Agenda Item #13

Robert Forsyth: “We are just memorializing an agreement we had from the past calendar year. Nothing is changing.”

Mr. Pannucci: “It basically allows us to pull more when necessary during periods of peak demand like in the summer months.”

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

F. 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. (072-2023) Bills and Claims
2. (073-2023) Authorize Transfer of 2023 Budget Appropriations
3. (074-2023) Approve Temporary Budget Adjustment
4. (075-2023) Authorize Municipal Budget to be Read by Title Only at Public Hearing
5. (076-2023) Introduction of Municipal Budget – Fiscal Year 2023
6. (077-2023) Authorize Self-Examination of Budget – 2023

The bills totaling the amount of \$9,659,726.38 are to be paid as presented. The bills and claims list is 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. DePaola

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: Yes

CARRIES:

G. 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. (078-2023) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accounts.
2. (079-2023) Authorize Refund of Lien Redemption and Premium Paid at Tax Sale
3. (080-2023) Authorize Recreation Department Refund
4. (081-2023) Authorize Recreation Department to Rehire Part-Time Seasonals
5. (082-2023) Authorize Refund Demolition Bond – Block 306, Lot 131, 1656 East Drive
6. (083-2023) Authorize Refund Demolition Bond – Block 25, Lot 14, 313 Maxson Avenue
7. (084-2023) Authorize Refund Demolition Bond – Block 43, Lot 4, 2504 Herbertsville Rd.
8. (085-2023) Authorizing the Release of Performance Bond Submitted by TFM Builders, LLC for Block 265, Lot 8.03 aka 1413 Jackson Street
9. (086-2023) Authorize Release of Performance Guarantee, Acceptance of a Maintenance Guarantee and Change Order No. 1 for the Crestview Terrace Roadway Reconstruction Project
10. (087-2023) Authorizing the Road Opening for 1626 Center Street
11. (088-2023) Authorizing the Road Opening for 1336 Sleepy Hollow Road
12. (089-2023) Authorizing Execution of a Schedule “C” Agreement with the County of Ocean for 2023
13. (090-2023) Authorize Execution of a Contract Modification with the NJDEP Bureau of Water Allocation and Well Permitting

14. (091-2023) Appointment of Special Law Enforcement Officer II (SLEO II)
– Evan Feldman effective March 13, 2023.
15. (092-2023) Approving the Following Application:
 - Esophageal Cancer Awareness Walk, Sunday, June 4, 2023, from 8:30 AM – 4:30 PM at Riverfront Park.
 - Ocean Road School PTO Annual Sunday Runday Event on Sunday, May 21, 2023. The 1 Mile Run will commence at 8:30 AM and the 5K Run at 9:00 AM.
16. (093-2023) Confirming the Following Personnel Appointments:
 - John Jude Loebis is hereby appointed to the position of temporary, part-time Plumbing Inspector/Subcode on an as needed basis, effective March 13, 2023, at an hourly rate of \$50.00 up to 18 hours per week.
 - Stephen T. Spera, Point Pleasant Boro Fire Department Station 75, Volunteer Firefighter, effective March 13, 2023.
17. (094-2023) Expressing Support for a Moratorium on All Offshore Wind Energy Projects
18. (095-2023) Appointing Kendra Lelie of Kyle & McManus Associates as a Professional Planner to Assist the Zoning Board of Adjustment

MOTION: Adopt Resolutions

MADE: Mr. Furmato

SECOND: Mr. Wisniewski

Ms. Coulson: Yes

Ms. Archer: Yes

Mr. Furmato: Yes

Mr. Wisniewski: Yes

Ms. DePaola: Yes

Mr. Borowsky: 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: Mr. Furmato

SECOND: Mr. Wisniewski

APPROVED: All in Favor

Mayor Sabosik opened the meeting to the public.

Resident: 319 Morris Avenue – “At the foot of Richards Road, there is a beach there. It has been there since I was a child. A few years back, a young man that was an Eagle Scout had built a little boardwalk there and put in a few plants. The plants that they put in have now grown way out of proportion. There is also an invasive species of grass that they had planted there. It has now taken over 50% of that beach. I have photos on my phone to show you and I can have them printed out.”

Mr. Forsyth stated that they had told him that they were going to have his guys go out in the Spring to have everything cut back and cleaned up.

Resident: Stated that it has been a year since he brought this up and nothing has been done.

Mr. Forsyth reiterated that he will have the DPW go in there to mow and cut back most of what is there.

The Resident asked if the DPW can go in there with a Bobcat and scoop out all the invasive and overgrown grass.

Mr. Pannucci asked if Mr. Forsyth could meet with the Resident to see the pictures and discuss when the DPW can get there to clean up.

Mr. Forsyth stated that he will set up a meeting with Buildings and Grounds and the Road Department along with the Resident.

Resident: Foster Road – Asked about the agreement with Wenke’s Cabins. Wanted to know if there were going to be any affordable housing.

Mayor Sabosik: “I went to court with Councilman Joe Furmato and Councilwoman Toni DePaola and we went in front of Judge Troncone along with our Legal Counsel. Basically, we upheld what the Zoning Board recommended which was 16 units, four of which will be affordable housing. It is a prototypical plan that is beneficial to the neighborhood. All parking is on site. No more backing into the road or going into the side road. Everything is contained. The overall plan was changed to accommodate the parking and the reduction of units. This Council and this Mayor thought it was important enough to make a stand against overdevelopment. We did not want to see it in this town and we fought for it and Judge Troncone came to a conclusion that our numbers were right.”

Resident: Asked about the recycling center being repaved and why there are trailers parked all along side of the recycling center.

Mayor Sabosik: Responded that the road is controlled by the owner of Stop and Shop and that the trailers have to do with the \$5,000,000.00 renovation that the store is going through.

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

Mayor Sabosik stated that there will be no Executive Session this evening.

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**