

COUNCIL MEETING

TUESDAY – FEBRUARY 17, 2009

8:00 P.M.

Mayor:	Martin C. Konkus
Council President:	Susan Rogers
Council Member:	Shaun O'Rourke
Council Member:	John Kaklamanis (absent)
Council Member:	William Dikun
Council Member:	Chris Leitner
Council Member:	John McHugh
Borough Attorney:	Chris Connors

David A. Maffei, Municipal Clerk/Administrator is also in attendance.

THE PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY MAYOR KONKUS.

STATEMENT BY MAYOR KONKUS: Pursuant to the applicable portions of the New Jersey Open Public Meeting 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 and published in January 6, 2009 edition of The Ocean Star and communicated to the Asbury Park Press.

A. PROCLAMATION

1. Silver Star Banner Day in Point Pleasant Borough

SILVER STAR BANNER DAY

POINT PLEASANT PROCLAMATION 2009

WHEREAS, the Borough of Point Pleasant has always honored the sacrifice of the men and women in the Armed Forces; and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag; and

WHEREAS, to date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families; and

WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this Borough and Country with Silver Star Banners, Flags and care packages; and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember the sacrifice made for this Borough, State and Nation; and

WHEREAS, the people and Mayor of Point Pleasant wish that the sacrifice of so many in our Armed Forces never be forgotten.

NOW, THEREFORE, I, Martin C. Konkus, Mayor of the Borough of Point Pleasant do hereby proclaim my appreciation of The Silver Star Families of America and honor their

commitment to our wounded Armed Forces members. I hereby declare May 1st “SILVER STAR BANNER DAY” the permanent and official day to honor the wounded and ill Soldiers of the Borough of Point Pleasant.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Borough of Point Pleasant in the State of New Jersey this 17th day of February, 2009.

MARTIN C. KONKUS, MAYOR

2. Honoring Point Pleasant Borough Resident, Vincent Lucante, for his Rescue Efforts at the U.S. Airways Crash

PROCLAMATION

RECOGNIZING AND CONGRATULATING

VINCENT LUCANTE

WHEREAS, congratulations and citations are in order for Point Pleasant Borough resident Vincent Lucante for his life-saving efforts in the Hudson River for the passengers of U.S. Airways flight 1549 on January 15, 2009; and

WHEREAS, shortly after leaving LaGuardia Airport U.S. Airways encountered a flock of birds, and after losing two engines, was forced to crash land in the Hudson River; and

WHEREAS, Vincent Lucante and his friend Michael Starr of Jersey City are port captains serving as supervisors for the New York Waterway facility in Weehawkin; and

WHEREAS, Mr. Lucante and Mr. Starr pulled 24 freezing survivors out of the 36 degree water; and

WHEREAS, in all New York Waterways ferries were credited with pulling 142 of the 155 survivors from the frigid Hudson River; and

WHEREAS, a great loss of life was avoided, in part, because of the quick response and actions of Mr. Lucante and the other heroes of the day; and

WHEREAS, the courageous action, averted tragedy for many friends and families and was an act of heroism that deserves special recognition by the Governing Body of this Borough.

NOW, THEREFORE, I, Martin C. Konkus as Mayor of the Borough of Point Pleasant and on behalf of the entire Borough Council, do hereby present Mr. Vincent Lucante with the Proclamation Recognizing and Appreciating his heroic action.

Witness my hand and the Official Seal
Of the Borough of Point Pleasant this
17th Day of February, 2009.

Martin C. Konkus, Mayor

B. ORDINANCE – Introduction

1. Salary Ordinance – Clerical and Blue Collar Employees

ORDINANCE NO. 2009-

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING SALARIES FOR CERTAIN OFFICIALS AND EMPLOYEES FOR THE BOROUGH OF POINT PLEASANT FOR THE YEARS 2008 THROUGH 2011 INCLUSIVE

BE IT ORDAINED BY THE Mayor and Council of the borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

SECTION 1. For the years 2008 through 2011 inclusive, the salaries set forth in Schedule A, which is annexed hereto and made a part hereof, are hereby established for the officials and employees whose titles are set forth herein.

SECTION 2. The provisions of this Ordinance shall be effective for the calendar year 2008 and each year thereafter, except as may be amended or supplemented by subsequent ordinances of the Borough of Point Pleasant.

SECTION 3. All Ordinances or part of ordinances inconsistent herewith are hereby repealed.

SECTION 4. In any section, paragraph, subdivision, clause of provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST:

APPROVED:

David A. Maffei
Municipal Clerk/Administrator

Martin C. Konkus
Mayor

NOTICE

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced and passed on first reading at regular meeting of the Borough Council of the Borough of Point Pleasant, in the County of Ocean held on the 17th day of February, 2009, and will be considered for final passage at a regular meeting of the Governing Body to be held on March 3, 2009, at the Borough Hall Council Chambers, 2233 Bridge Avenue, Point Pleasant, New Jersey at this time and place any person desiring to be so heard upon the same will be given the opportunity to be so heard.

DAVID A. MAFFEI
Municipal Clerk/Administrator

FIRST READING: February 17, 2009

FINAL READING: March 3, 2009

SCHEDULE A

<u>TITLE OR POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Laborer	\$34,222 Per Annum	\$54,436 Per Annum
Public Works Repairer	\$38,881 Per Annum	\$61,904 Per Annum
Recreation Maintenance Worker	\$38,881 Per Annum	\$61,904 Per Annum
Mechanic's Helper	\$38,881 Per Annum	\$61,904 Per Annum
Sr. Public Works Repairer	\$44,122 Per Annum	\$70,312 Per Annum
Sr. Rec. Maintenance Worker	\$44,122 Per Annum	\$70,312 Per Annum
Water Plant Operator	\$47,609 Per Annum	\$75,930 Per Annum
Mechanic	\$49,349 Per Annum	\$78,733 Per Annum
Motor Broom Operator	\$47,609 Per Annum	\$75,930 Per Annum
Water Meter Repairer	\$47,609 Per Annum	\$75,930 Per Annum
Heavy Equipment Operator	\$49,349 Per Annum	\$78,733 Per Annum
Heavy Equipment Operator/ Meter Repairer	\$49,349 Per Annum	\$78,733 Per Annum
Sr. Water Plant Operator	\$52,845 Per Annum	\$84,349 Per Annum
Clerk Typist	\$25,072 Per Annum	\$37,731 Per Annum
Tax Clerk	\$25,072 Per Annum	\$37,731 Per Annum
Clerk	\$25,072 Per Annum	\$37,731 Per Annum
Sr. Clerk Typist	\$30,554 Per Annum	\$45,973 Per Annum
Sr. Tax Clerk	\$30,554 Per Annum	\$45,973 Per Annum
Deputy Registrar	\$33,333 Per Annum	\$50,152 Per Annum
Sr. Payroll Clerk	\$33,333 Per Annum	\$50,152 Per Annum
Sr. Assessing Clerk	\$33,333 Per Annum	\$50,152 Per Annum
Payroll Clerk	\$30,554 Per Annum	\$45,973 Per Annum
Violation Clerk	\$30,554 Per Annum	\$45,973 Per Annum
Assessing Clerk	\$30,554 Per Annum	\$45,973 Per Annum

Sr. Clerk Transcriber	\$33,333 Per Annum	\$50,152 Per Annum
Account Clerk	\$33,333 Per Annum	\$50,152 Per Annum
Computer Operator	\$36,114 Per Annum	\$54,331 Per Annum
Sr. Account Clerk	\$36,114 Per Annum	\$54,331 Per Annum
Principal Clerk Typist	\$36,114 Per Annum	\$54,331 Per Annum
Principal Account Clerk	\$38,889 Per Annum	\$58,515 Per Annum
Principal Assessing Clerk	\$38,889 Per Annum	\$58,515 Per Annum
Computer Operator Trainee	\$33,333 Per Annum	\$50,152 Per Annum
Sr. Computer Operator	\$38,889 Per Annum	\$58,515 Per Annum
Principal Clerk Transcriber	\$38,889 Per Annum	\$58,515 Per Annum
Administrative Secretary	\$38,889 Per Annum	\$58,515 Per Annum
Technical Assistant Office Of the Construction Official	\$38,889 Per Annum	\$58,515 Per Annum
Principal Payroll Clerk	\$36,114 Per Annum	\$54,331 Per Annum
Principal Tax Clerk	\$36,114 Per Annum	\$54,331 Per Annum
Deputy Municipal Court Adm.	\$33,333 Per Annum	\$50,152 Per Annum
Diesel Mechanic	\$52,845 Per Annum	\$84,349 Per Annum
Supervising Tax Clerk	\$38,889 Per Annum	\$58,515 Per Annum
Supervising Mechanic	\$78,735 Per Annum	\$88,567 Per Annum
Deputy Registrar of Vital Statistics/Principal Clerk Typist	\$33,333 Per Annum	\$50,152 Per Annum
Deputy Municipal Clerk	\$ 1,000 Per Annum	\$ 2,500 Per Annum
Technical Assistant Office of the Construction Official/Typing	\$40,833 Per Annum	\$61,441 Per Annum

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

C. OPEN PUBLIC SESSION (Resolutions and Authorizations Only)

OPEN PUBLIC SESSION (Resolutions and Authorizations Only)

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 Mr. Leitner

SECOND: Mr. O'Rourke

APPROVED: All in favor

Council President or Mayor then opened the meeting to the public.

MOTION TO CLOSE PUBLIC PORTION: _____

Mayor Konkus opened the meeting to the Public. Seeing no hands Mayor Konkus closed the public portion of the meeting.

D. RESOLUTIONS

1. (054-2009) Authorize Submission of 2009 Community Development Block Grant Application

MOTION: Approve Authorization to Submit CDBG Application 2009

BE IT RESOLVED, by the Mayor and Council of the Borough of Point Pleasant, that authorization is hereby given to the Borough Engineer, Robert D. Forsyth, to submit application for 2009 Community Development Block Grant to Ocean County for the following project:

1st Priority: Improvements to Harbor Drive, Handicapped Accessible Curbs and Sidewalks

BE IT FURTHER RESOLVED, that Certified Copies of this Resolution be forwarded to Ocean County Planning Department, Robert D. Forsyth, Borough Engineer, Municipal Clerk/Administrator and any other interested parties.

Motion: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

2. (055-2009) Accept Void Check Report

MOTION: Accept Void Check Report

WHEREAS, from time to time it becomes necessary for the Chief Financial Officer to void checks or stop payment on checks, and;

WHEREAS, the Mayor and Council is desirous of keeping track of these void checks by separate resolution; and

WHEREAS, the Chief Financial Officer has listed below checks, which have been voided and/or stopped payment, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey that the Chief Financial Officer has voided checks and/or stopped payment on checks listed below and reissued new checks, if necessary.

<u>CHECK #</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>VENDOR</u>	<u>REASON:</u>
12236	\$250.00	Current	A. Pagano	Stopped payment Bank returned in error (see bank explanation) Check reissued
12314	\$3,400.00	Current	Co. of Monmouth	Class cancelled
12406	\$977.08	Current	Suzanne Farrell	Collector Paid in error

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

3. (056-2009) Accept CFO Report – December, 2008

MOTION: Accept CFO Report – December, 2008

WHEREAS, the Chief Financial Officer has prepared a Cash Management Report for the month of December, 2008; and

WHEREAS, said report has been received by the Borough Clerk; and

WHEREAS, the Borough Clerk has submitted same to Mayor and Council for their perusal and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT;

1. The cash management plan submitted by the Chief Financial Officer for the month of December, 2008 attached hereto is hereby approved.
2. Copies of this resolution be sent to the following:
 1. Municipal Administrator
 2. Auditor
 3. Chief Financial Officer
 4. All other interested parties

REVENUE REPORT
CURRENT FUND

<u>Account</u>	<u>Budget</u>	<u>YTD Budget</u>	<u>YTD Actual</u>
Local Property Taxes	\$11,298,115.00	\$11,298,115.00	\$*10,930,902.98
Interest and Costs	\$ 225,000.00	225,000.00	312,789.00
Non-Categorical Grants	\$ 1,646,741.00	1,646,741.00	1,652,718.00
Grants with appropriation 95,157.43	\$ 222,291.00	222,291.00	
Interest on Investments	\$ 450,000.00	450,000.00	218,341.75
Other	\$ 447,000.00	447,000.00	1,203,944.07

TOTALS	\$14,289,147.00	\$14,289,147.00	\$14,413,853.23

Receipt Deliq. Taxes **1,400,000.00**
Anticipated Surplus **1,400,000.00**
TOTAL BUDGET **\$17,089,147.00**

12 Months School Tax Levy and 12 months Debt Service – 4/4 County taxes and added and omitted taxes are deducted from total tax receipts (see below)

WATER/SEWER FUND

Rents	\$4,783,029.00	\$4,783,029.00	\$4,902,794.90
Interest on Rents	-----	-----	30,549.26
Interest	\$ 20,000.00	20,000.00	72,659.15
Other	\$ 175,000.00	175,000.00	80,574.59

TOTALS	\$4,978,029.00	\$4,978,029.00	\$5,086,577.90

Anticipated Surplus **\$ 600,000.00**
Total Budget **\$5,578,029.00**

\$50,097,603.79 Actual Collection Taxes to Date
(27,486,993.98) Minus School Taxes
(11,679,706.83) Minus County taxes
*\$10,930,902.98 Toward Budget

BANK ACCOUNTS
ENDING BALANCE AS OF OCTOBER 31, 2008

INVESTMENTS:

Current Cash Management	\$131,096.67
Water/Sewer Cash Management	209,356.02
<u>Checking Account (COMMERCE)</u>	
Current	\$12,188,106.18
Current Capital	1,115,392.26
Water/Sewer	966,548.18
Water/Sewer Capital	2,424,473.93
Trust	130,068.31
Recreation Trust (in the General Trust Account)	49,028.04
Dog Trust	2,144.27
Payroll	114,816.10(Nov)
Public Defender	516.98
Escrow Trust	279,509.17
Special Law Enforcement	4,461.25
Open Space Trust	110,500.99
Recreation Trust (New)	77,773.25
COHA	61,296.12

MOTION: Adopt Resolution

MADE: Ms. Rogers SECOND: Mr. O'Rourke

Ms. Rogers: Yes	Mr. O'Rourke: Yes	Mr. Kaklamanis: Absent
Mr. Dikun: Yes	Mr. Leitner: Yes	Mr. McHugh: Yes

CARRIES: Yes

4. Transfer Resolution – 2008 Reserve Appropriations

MOTION: Adopt Transfer Resolution 2008 Reserve Appropriations

WHEREAS, The date of this resolution is within the last two months of calendar year 2008 and the first three months of the year 2009; and

WHEREAS, N.J.S.A., 40:40-58 and 59 provides for making transfers between budget appropriation accounts during the five month period starting November 1, 2008;

\NOW, THEREFORE, BE IT RESOLVED, (not less than two thirds of the members of the

Governing Body confirming) that the following transfers be approved and the same are hereby made between the appropriation accounts in the 2008 budget:

CURRENT: (FROM):

Animal Control OE	\$3,000.00
General Administration OE	\$3,000.00
Municipal Court OE	\$2,000.00
Insurance OE	\$31,000.00
<u>TOTAL</u>	\$39,000.00

CURRENT:(TO)

Zoning Board OE	\$3,000.00
Street Lighting OE	\$6,000.00
Additional Salaries S&W	\$30,000.00
<u>TOTAL</u>	\$39,000.00

MOTION: Adopt Resolution

MADE: Mr. Leitner

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

5. (058-2009) Appoint Part-Time Laborer – Recycling Program

MOTION: Appoint Part-Time Laborer – Recycling Program

WHEREAS, the need exists within the Public Works Department for a Laborer, Part-Time to perform the assigned duties with regard to the Recycling Operation; and

WHEREAS, Jude Walker, Recycling Coordinator, has recommended the appointment of Kenneth P. Hagel to fill said vacancy.

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. Kenneth P. Hagel, Point Pleasant, N.J. 08742 is hereby appointed Laborer Part-Time, in the Department of Public Works.
2. Said appointment, which is to be funded by the Recycling Grant, is retro-actively effective February 16, 2009 at an hourly rate of \$12.46.
3. Copies of this Resolution to Municipal Administrator, Public Works Superintendent, Chief Financial Officer, Recycling Coordinator, Appointee and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Leitner

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

6. (059-2009) Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accounts

MOTION: Authorize Adjustment and/or Refund on Certain Tax or Water/Sewer Accounts

WHEREAS, the Municipal Tax Collector, from time to time, submits a schedule of adjustments and/or refunds due for various reasons; and

WHEREAS, it is the desire of the Mayor and Council to approve these adjustments and/or refunds as recommended by the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean and State of New Jersey as follows:

1. Formal authorization is hereby given to adjust as necessary the accounts listed herein

<u>BLOCK & LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
256 – 26	Waterway Apts.	8056.40	'08 Taxes NJ Tax Court Appeal – Refund
256 – 26	Waterway Apts	4028.20	Adjust 1 st ½ '09 Tax NJ Tax Court Appeal
265 – 1.02	Moore	904.74	Trans. '09 Tax to '08 Tax from 265-1 Bank Error
265-1.02	Sun Trust Mtg.	72.34	Refund overpayment '09 Tax
384-5.01	Moore	2220.98	Trans '09 Tax to '08 Tax from 384-1 Bank Error
384-5.01	Sun Trust Mtg	143.74	Refund overpayment '09 Tax
275-24.01	White	901.32	Adjust sewer off bill broken pipes – per w/s committee
44-5	Zeimetz	111.00	“ “ “

2. Certified copies of this Resolution to Tax Collector, Treasurer, Administrator and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

7. (060-2009) Authorize Adjustment of Title of Richard Wells to Public Safety Telecommunications Operator from Trainee – Police Department

MOTION: Authorize Adjustment of Title of Richard Wells to Public Safety Telecommunications Operator from Trainee – Police Department

WHEREAS, Richard Wells has been serving as Public Safety Telecommunications Operator Trainee; and

WHEREAS, in accordance with the New Jersey Department of Personnel regulations, the New Jersey Department of Personnel did automatically record an advancement to Public Safety Telecommunications Operator after one year of service effective January 18, 2008;

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 Richard Wells is hereby designated as Public Safety Telecommunications Operator within the Police Department effective January 18, 2008, at an annual salary of \$26,622.00.**
- 2. Said adjustment is on a provisional basis pending New Jersey Department of Personnel procedures.**
- 3. Certified copies of this Resolution to Municipal Administrator, Police Chief, Chief Financial Officer, Appointee, Personnel File, and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. McHugh

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

Carries: Yes

8. (061-2009) Appoint Alternate Member to Zoning Board of Adjustment

MOTION: To table

MADE: Ms. Rogers

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

9. (062-2009) Amend 2009 Annual Salary Resolution

MOTION: Amend 2009 Annual Salary Resolution

WHEREAS, it is necessary for the Mayor and Council of the Borough of Point Pleasant to adopt resolution establishing the annual salaries of Borough Employees for the year 2009 in accordance with the current salary ordinance and negotiated contract;

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. The salaries according to attached "Schedule A" are hereby approved as the salaries to be paid respective employees listed thereon. Said salaries to be effective Jan.1, 2009.**
- 3. Certified copies of this resolution be sent to the Chief Financial Officer and all interested Parties**

CARRIES: Yes

11. (064-2009) Authorize Execution of Collective Bargaining Agreement with Teamster Local No. 469 – Clerical Workers

MOTION: Authorize Execution of Collective Bargaining Agreement with Teamsters Local No. 469 – Clerical Workers

WHEREAS, the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey (hereinafter referred to as the “Borough”), has been involved in negotiations with Teamsters Union Local No, 469, which is the collective bargaining unit for the Point Pleasant Borough Clerical Employees (the “Union”); and

WHEREAS, the prior Collective Bargaining Agreement between the Union and the Borough expired on December 31, 2007 and negotiations have been ongoing since that time; and

WHEREAS, the Borough through its professional staff has finalized a new four-year Collective Bargaining Agreement which the Borough believes is in the long term best interests of the Borough, the Union and the Borough’s citizens and Taxpayers.

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of February, 2009 by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

- 1. The Borough approves and accepts the Collective Bargaining Agreement negotiated by the Borough Solicitor and representatives of the Union, a true copy of which is on file at the Borough Clerk’s Office and can be reviewed during normal business hours.**
- 2. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.**
- 3. A certified copy of this Resolution shall be forwarded by the Borough Clerk to the following: Teamsters Local No. 469, J. Dasti, CFO and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. O’Rourke

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O’Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

12. (065-2009) Authorize Execution of Collective Bargaining Agreement with Teamsters Local 469 – Blue Collar Workers

MOTION: Authorize Execution of Collective Bargaining Agreement with Teamsters Local 469 – Blue Collar Workers

WHEREAS, the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey (hereinafter referred to as the “Borough”) has been involved in negotiations with Teamsters Union Local No. 469, which is the collective bargaining unit for the Point Pleasant Borough Blue Collar Employees (the “Union”); and

WHEREAS, the prior Collective Bargaining Agreement between the Union and the Borough expired on December 31, 2007, and negotiations have been ongoing since that time; and

WHEREAS, the Borough, through its professional staff has finalized a new four-year Collective Bargaining Agreement which the Borough believes is in the long term best interests of the Borough, the Union, and the Borough's citizens and taxpayers;

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of February, 2009, by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

- 1. The Borough approves and accepts the Collective Bargaining Agreement negotiated by the Borough Solicitor and representatives of the Union, a true copy of which is on file at the Borough Clerk's Office and can be reviewed during normal business hours.**
- 2. The Borough authorizes and directs the Mayor, Borough Clerk, and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.**
- 3. A certified copy of this Resolution shall be forwarded by the Borough Clerk to the following: Teamsters Local No. 469, Jerry Dasti, Chief Financial Officer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

13. Bills and Claims

MOTION: Adopt Resolution Bills and Claims

WHEREAS, The Mayor and Council of the Borough of Point Pleasant have received claims which must be paid from specified funds where and when appropriate as listed on the attached schedules; and

WHEREAS, The responsible Department Head has certified that such claims represent good and/or service which have been received by the Borough; and

WHEREAS, The Municipal Administrator has certified that said claims are appropriate under the Local Public Contracts Law 40A:11-1 et seq. And are authorized budgetary expenditures; and

WHEREAS, The Chief Financial Officer has certified that all payments listed on the attached schedules have received the signature of the Municipal Administrator signifying his review and approval; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available to pay said bills, and has certified that each item accurately reflects the vendor's name, corresponding check number and appropriate amount as actually appears on the respective check.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE
BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY,
THAT; attached bill list is hereby approved for payment.**

COMMERCE BANK

<u>ACCOUNT</u>	<u>2008</u>	<u>2009</u>
CURRENT	\$53,598.58	\$733,865.08
WATER/SEWER	24,926.23	135,314.67
CURRENT CAPITAL		9,398,444.20
WATER/SEWER CAPITAL		293.28
TRUST		20,824.39
RECREATION TRUST		-----
RECREATION TRUST (New Account)		8,928.34
DOG TRUST		19.80
ESCROW TRUST		17,353.52
PUBLIC DEFENDER		-----
PAYROLL		1,532.00
SPECIAL POLICE LAW ENF.		800.00
OPEN SPACE		99.36
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TOTALS	\$ 78,524.81	\$10,317,474.64

COMMERCE BANK

CURRENT:

Point Pleasant Board of Education	\$5,304,404.17
Treasurer State of N J Green Trust	9,482.93

Depository Trust BANS Principal	5,657,485.00
Depository Trust BANS Interest	138,687.22
Horizon Blue Cross Hosp. Jan.	136,729.91
Horizon Blue Cross Dental Jan.	8,146.81
Ocean County JIF (estimate)(due 1/15/09)	150,000.00
Total	\$11,404,936.04

WATER/SEWER:

Depository Trust BANS Principal	\$3,502,450.00
Depository Trust BANS Interest	88,038.94
Horizon Blue Cross Hosp. Jan.	27,638.95
Horizon Blue Cross Dental Jan.	1,618.06
Ocean County JIF (estimate)(due 1/15/09)	150,000.00
Total	\$3,769,745.95

RECREATION TRUST:

Horizon Blue Cross Hosp. Jan	\$ 2.297.89
Horizon Blue Cross Dental Jan.	136.66
Total	

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

14. (068-2009) Appoint Robyn Palughi as Tax Assessor

MOTION: Appoint Robyn Palughi as Tax Assessor

WHEREAS, with the recent retirement of Maryann Clear, there exists a vacancy in the position of Tax Assessor; and

WHEREAS, the unexpired term of office for the Tax Assessor ends on June 30, 2011; and

WHEREAS, in accordance with N.J.S.A. 40A9-148, Robyn Palughi will complete the unexpired term of the Tax Assessor until June 30, 2011, after which, if so desired by the Borough Council, Robyn Palughi will need to be appointed to her own four year term effective July 1, 2011.

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. The Borough Council confirms that it accepts the recommendation of the Administrator and the Administration and Finance Committee and appoints Robyn Palughi as full-time Tax Assessor for Point Pleasant Borough effective immediately at an annual salary of \$56,645.00 as provided in the most recent agreement with the Transport Workers Union of America, Local 225, Branch 4, AFL-CIO Contract.**
- 2. That said appointment is for the unexpired term of the previous Tax Assessor which ends June 30, 2011.**
- 3. That copies of this Resolution shall be sent to Robyn Palughi, the Ocean County Tax Board, N.J. Division of Taxation, Borough Attorney, Personnel File, Chief Financial Officer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

15. (069-2009) Emergency Temporary Budget Appropriations

MOTION: Approve Emergency Temporary Budget Appropriations

WHEREAS, N.J.S.A.40:A-20 authorizes Municipal Governing Bodies to make Emergency Temporary Appropriations in order to fund operations prior to introduction and adoption of the budget; and

WHEREAS, the establishment of Emergency Temporary Appropriations is necessary to provide the funds needed to pay the operating expenses of the Borough of Point Pleasant until the Municipality's budget is approved; and

WHEREAS, said Emergency Temporary Appropriations will be included as part of the annual budget upon adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Point Pleasant, the County of Ocean, State of New Jersey that the following Emergency Temporary Appropriations be and are hereby approved upon the adoption of this Resolution by a 2/3rds vote of the full membership and that a copy of this Resolution be filed with the Director of Local Government Services.

WATER/SEWER

OPERATING

Ocean County Utilities Authority

\$103,394.60

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

16. (070-2009) Authorize Application for Loan from N.J. Environmental Infrastructure Financing Program

MOTION: Authorize Application for Loan from N.J. Environmental Infrastructure Financing Program

WHEREAS, the Borough of Point Pleasant intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Construction of a new elevated water storage tower.

NOW, THEREFORE, BE IT RESOLVED, that Robert D. Forsyth, Borough Engineer be authorized to act as the Authorized Representative to represent the Borough of Point Pleasant in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Protection and the New Jersey Infrastructure Trust. The Authorized Representative may be contacted at Remington, Vernick, Vena Engineers, 9 Allen Street, Toms River, N.J. 08753.

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

17. (071-2009) Authorize Donation of Salary of Councilmember Susan Rogers

MOTION: Authorize Donation of Salary of Councilmember Susan Rogers

WHEREAS, Susan Rogers was duly elected and sworn in as a Council Member for the Borough of Point Pleasant; and

WHEREAS, the salary resolution adopted by the Borough Council calls for Council Members to receive an annual salary of \$3,200.00 for services rendered and;

WHEREAS, Susan Rogers has indicated that she intends to forego her respective salary as a Council Member for the Borough of Point Pleasant Borough, upon condition that the amount of her salary is to be donated directly to the following funds indicated:

- 1. Point Pleasant Borough Fire Co. #1 (\$350.00)**
- 2. Point Pleasant Borough Fire Co. #2 (\$350.00)**
- 3. Point Pleasant Borough First Aid Squad (\$350.00)**
- 4. Point Pleasant Borough Community Watch Program (\$2,150.00)**

WHEREAS, a Resolution is necessary in order to authorize the modification to the standard salary process.

NOW, THEREFORE, BE IT RESOLVED, this 17th day of February, 2009 by the

Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

- 1. The Borough Council hereby accepts the request of Council Member Susan Rogers to forego her respective 2009 salary and accept her request to donate same as listed above.**
- 2. The Borough Council hereby authorizes and directs the Municipal Clerk/Administrator and Chief Financial Officer to execute any and all necessary documents in order to implement the intent of this Resolution.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. O'Rourke

Ms. Rogers: Abstain

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

18. (072-2009) Bills and Claims

MOTION: Adopt Resolution Bills and Claims

WHEREAS, The Mayor and Council of the Borough of Point Pleasant have received claims which must be paid from specified funds where and when appropriate as listed on the attached schedules; and

WHEREAS, The responsible Department Head has certified that such claims represent good and/or service which have been received by the Borough; and

WHEREAS, The Municipal Administrator has certified that said claims are appropriate under the Local Public Contracts Law 40A:11-1 et seq. And are authorized budgetary expenditures; and

WHEREAS, The Chief Financial Officer has certified that all payments listed on the attached schedules have received the signature of the Municipal Administrator signifying his review and approval; and

WHEREAS, The Chief Financial Officer has certified that sufficient funds are available to pay said bills, and has certified that each item accurately reflects the vendor's name, corresponding check number and appropriate amount as actually appears on the respective check.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT; attached bill list is hereby approved for payment.

MOTION: Adopt Resolution

MADE: Mr. McHugh

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

19. (073-2009) Authorizing Mayor to Execute Settlement Documentation and Releases in Conjunction with Class Action Litigation

MOTION: Authorize Mayor to Execute Settlement Documentation and Releases in Conjunction with Class Action Litigation

WHEREAS, the Borough Council of the Borough of Point Pleasant (hereinafter referred to as the "Borough") has been involved as a plaintiff in a nationwide class action litigation involving many national and international oil companies which involve pollution of the Borough's water system; and

WHEREAS, the litigation of which the Borough is a party has resulted in substantial settlements being awarded to the Borough; and

WHEREAS, the Borough needs to execute additional releases and settlement documents in order to resolve settlement with additional defendants; and

WHEREAS, the Borough needs to execute additional releases and settlement documents in order to resolve settlement with additional defendants; and

WHEREAS, the Borough needs to formally designate the person on behalf of the Borough who is authorized to execute the settlement and release documents.

NOW, THEREFORE, BE IT RESOLVED, this 17th day of February, 2009 by the Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey, as follows:

1. The Borough hereby authorizes the Honorable Martin Konkus, Mayor, to execute any and all settlement and release documents on behalf of the Borough in conjunction with this litigation.
2. The Borough hereby formally accepts the settlement proposed by letter dated February 5, 2009.
3. That a copy of this Resolution be forwarded to Mayor Martin Konkus, David A. Maffei, Judith Block and Jerry Dasti.

MOTION: Adopt Resolution

MADE: Mr. Leitner

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. ORourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES; Yes

E. RESOLUTION (067-2009) Consent Agenda

MOTION: To approve consent items as summarized below

WHEREAS, general consent items have been submitted to the Borough Clerk that require Municipal approval from the Governing Body; and

WHEREAS, said consent items are hereby summarized as follows:

1. Application Raffle License, Point Pleasant Boro Rotary Foundation, off premise Gift Auction, to be held May 15, 2009.
2. Application Raffle License, Point Pleasant Boro Rotary Foundation, on premise 50/50 to be held May 15, 2009.
3. Application Raffle License, Point Pleasant Boro Rotary Foundation, on premise gift auction, to be held May 15, 2009.
4. Application Raffle License, Woman's Club of Brielle, Inc., off premise 50.50 to be held October 15, 2009.
5. Application Raffle License, Woman's Club of Brielle, Inc., on premise gift auction, to be held October 15, 2009.
6. Approve Council Meeting Minutes of December 16, 2008.
7. Application Raffle License, Ocean of Love, on premise 50/50 to be held February 28, 2009.
8. Approve Council Meeting Minutes of January 4, 2009.
9. Application Raffle License, Ocean Road School PTO, on premise 50/50 to be held March 5, 2009.
10. Application Raffle License, Ocean Road School PTO, on premise 50/50 to be held April 4, 2009.
11. Application Raffle License, Ocean Road School PTO on premise gift auction to be held April 4, 2009.

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 above general consent items as summarized hereto be and the same are hereby approved.
2. That a certified copy of this resolution be filed with the Borough Clerk and copies forwarded to any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

F. AUTHORIZATIONS

1. Manual Checks

MOTION: Authorize Manual Checks

MADE: Mr. O'Rourke

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

2. Request to conduct Annual Fund Drive by Point Boro First Aid Squad – May and June, 2009 and to Conduct “Coin Toss” on Saturday July 11, 2009 between 9 a.m. and 2 p.m. at intersection of Bridge and River Avenues.

MOTION: Approve request of Point Boro First Aid Squad

MADE: Mr. Dikun

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

3. Request to play games on Sunday mornings from 10 a.m. to Noon at Point Pleasant Community Park – Point Pleasant Soccer Club

MOTION: Approve request to play games on Sunday mornings from 10 a.m. to Noon at Point Pleasant Community Park – Point Pleasant Soccer Club – if raining on field and field is wet games are to be cancelled.

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

4. Request to Conduct Annual Fund Drive of Point Pleasant Fire Co. No. 1 during March and July, 2009

MOTION: Authorize Request to Conduct annual Fund Drive of Point Pleasant Fire Co. No. 1 during March and July, 2009

MADE: Mr. Leitner

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

Ms. Rogers: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Mr. Leitner: Yes

Mr. Kaklamanis: Absent
Mr. McHugh: No

CARRIES: Yes

10. Request to Conduct Coin Toss on Saturday, September 5, 2009 (Raindate September 12, 2009) at Intersection of Bridge Avenue and Beaver Dam Road – Fire Co. #2

MOTION: Request to Conduct Coin Toss on Saturday, September 5, 2009 (Raindate September 12, 2009) at Intersection of Bridge Avenue and Beaver Dam Road – Fire Co. #2

MADE: Ms. Rogers

SECOND: Mr. Mr. Dikun

Ms. Rogers: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Mr. Leitner: Yes

Mr. Kaklamanis: Absent
Mr. McHugh: Yes

CARRIES: Yes

11. Request to conduct annual fund Drive For Fire Co. #2 during the months of August, September, October and November, 2009

MOTION: Request to conduct annual fund drive for Fire Co. #2 during the months of August, September, October and November, 2009

MADE: Mr. Dikun

SECOND: Mr. Leitner

Ms. Rogers: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Mr. Leitner: Yes

Mr. Kaklamanis: Absent
Mr. McHugh: Yes

CARRIES: Yes

12. Request for Three (3) Permits for Social Affairs by Bay Head Shoes Property Owners Association on May 23, 2009 (Raindate Mayr 24, 2009) July 4, 2009 (Rain date July 5, 2009 and September 5, 2009 (Rain Date September 6, 2009)

MOTION: Approve Request

MADE: Mr. Dikun

SECOND: Mr. Leitner

Ms. Rogers: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Mr. Leitner: Yes

Mr. Kaklamanis: Absent
Mr. McHugh: Yes

CARRIES: Yes

13. Request for Extension of Licensed Premises – Magee's Westside Tavern LLC – March 17, 2009

MOTION: To table request for extension of licensed premises – Magees Westside Tavern LLC – March 17, 2009

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes
Mr. Dikun: Yes

Mr. O'Rourke: Yes
Mr. Leitner: Yes

Mr. Kaklamanis: Absent
Mr. McHugh: Yes

CARRIES: Yes

14. Approve 2009/10 Preschool Program Budget and Fees

MOTION: To table approval of 2009/10 Preschool Program Budget and Fees

MADE: Ms. Rogers

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Absent

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

G. DISCUSSION

1. Upgrade of Payroll System (ADP)

Ms. Rogers: I provided Council a little information sheet. As Council knows I have been working in the CFO's office with the payroll clerk in training processes and it has given me the opportunity to get a feeling of the payroll system and where things are. What I found is that it is substantially antiquated and very time consuming and very cumbersome. What I would like to do is address what the current system has and what the proposed options and solutions are to be. We had a presentation with the ADA payroll system which is the company that we currently use, we use a software called PC payroll and Councilman McHugh and the Borough Administrator and the CFO all participated in a session last week. What the current system provides is that everything is entered in manually. There are hand written data sheets that come from the department heads and there are some departments that use the old fashion time clocks to clock in their hours and there are those that just write their information on a sheet and give it to the department head. There are some that don't account for time at all. What then generally happens is the numbers are sent over to the CFO and lumped together and they have to be multiplied out and those working the 32 hour work week and those working the 40 hour work are doubled and then it is then broken down by any vacation time they took or sick time or personal and so forth. The system is so antiquated that it lacks salary have to be calculated. You have to retrieve many files in order, you have to go through each payroll report in order to get that. If you needed to know how many weeks someone worked and what their gross salary was you would have to pull all these files out. What happens after the payroll is keyed all in to the processing center and you send it out to ADP and they send you back reports. They have to then take those reports and take all of that information and put it into an XL spread sheet and that is given to the CFO to do wire transfers, to make pension payable benefits, pay the health insurance and so forth. It is very cumbersome and then from there she has to take time and do a journal entry into her State system. What I was able to do was to talk with our current vendor, look at some of the other solutions that they have which is what I would like to suggest which is an easy management system, it is a single source solution that ties in an automated time and attendance factor and it is able to import into the current pc payroll system that we have. It takes out all of the manual work. Easy labor is a web base program so they have very high levels of security for the program. It exceeds the Department of Labor compliance requirements and also personnel accountability with substantially reducing the time to process the payroll. We will be able to reduce the processing hours. Check view which is an updating system for the reporting factors provides accruals for vacation time, sick and salary. We never have to repost everything at the beginning of every year. What it also does it is gives you different reporting factors for disability and unemployment for those who are in the break process. Like the Crossing Guards. It also has departmental costing which can downloaded into XL files right from the system. That will allow the department heads and the managers to go their budget preparations. You will know budget vs. actual, the salary and your overtime evaluations. You will have real time whether it be the hour or the minute, the day or the week. Department heads will have access to this and be able to monitor their personnel accordingly. The enhanced program allows for multi tears. We have multi people who have multi salaries and pay scales. We have outside stipend and pension distributions which are manually keyed in. They would not have to be anymore. There are other variables for the collective bargaining

agreements per bargaining unit. It has the ability to key different factors for different groups and different people all in one shot. Easy labor and the check view can be customized to whatever we want it to report on. We can add data, subtract out data and we can download these and distribute them to department heads, to Mayor and Council and it is very good for the budget process. The system actually has a multitude of things. What the time and attendance would have are hands censored stations, there would be four different stations. One at main Borough Hall, one for the Police Department, one for the Recreation Center and one for DPW. It is a five prong system that is sensitive to your hand. You would register in with your hand and clock out with your hand. It has real time data and then goes to a system that the department heads can manage and at the cut off time when payroll needs to be done it will push over to the PC payroll side for the CFO or whoever is doing the payroll system at that point. Basically, outside of that is that these upgrades and bringing everything into the 21st Century have zero costs to the Borough. Not one penny would be expended for the Borough to upgrade the operations. It is a really good new product line that can be implemented very quickly for an April 1st conversation so we could recapture the entire first quarter which would give us one full year of history that could be maintained. It will take about four to five weeks to do the conversion. It is something we could start on right away and I think Councilman McHugh can tell you how he felt about it when he saw it.

Mr. McHugh: It was an impressive program and looking into some of the ways things have been done up until now there seems to be a lot of duplication of effort. Entering data in multiple ways always increases the possibility of mistakes. It looked like it streamlined a lot of functions and the CFO seemed to feel the same way. It seemed to make the job more efficient. As far as the time tracking goes, looking at how many different ways time is tracked across different departments, some punch a clock, some submit time sheets, there should be a unified system where everybody clocks in and out the same way. That is fair and more accurate and avoids mistakes and some of the things we are hearing is that a lot of time mistakes are caught and some are not. This minimizes mistakes and it eliminates a lot of the manual written data entry. I found it impressive and certainly because it is of no cost to the Borough is a nice thing.

Mr. O'Rourke: You have both said no costs. Someone has to pay for this.

Ms. Rogers: Currently, the bank as part of the agreement with the rate that we get on the interest and the t bill also picks up the costs of all of our payroll expenses.

Mr. O'Rourke: Are we going to have a cut in our interest?

Ms. Rogers: Absolutely not. Ocean First will continue to pick up the ADP payroll costs. The time tracking and attendance system will cost an additional \$400 per month for the hand sensors. The maintenance is paid and they would be replaced for free.

Mr. O'Rourke: The \$400 a month, is that for all of the hand sensors

Ms. Rogers: We have different personnel that travel from place to place, we can specifically designate for those personnel to clock in at any of the four time areas. If we have a person who travels from place to place they will have the ability to clock in and out.

Mr. O'Rourke: It could be used as an employee locator.

Ms. Rogers: There are a couple of things. Part of the upgrade is the safety upgrade because we will have real time information at the press of a button if we are in an emergency situation. If there is an evacuation process, you can press a button and know who is at Borough Hall, who is at DPW and who is at whatever spot and you can notify them. Right now, we have no idea, we would have to get a hold of the department head, find out who is on duty that day, who is working, who is on vacation, now you will have a real time system that will tell you who is on premise.

Mr. O'Rourke: Where are these four sites where these would be placed?

Ms. Rogers: Borough Hall, Police Department, Recreation Center and DPW.

Mr. O'Rourke: What about the recycling center?

Ms. Rogers: We could evaluate that. Nothing should be manual, everything should be on one system. They could go and clock in at DPW.

Mr. McHugh: There are going to be a few exceptions because there can be supervisors overrides of the system.

Ms. Rogers: We also have a situation with Crossing Guards. They don't come to the Police Department to clock in. The Supervisors would overlook. Another interesting factor of this is we were looking into security systems. As for the Governing Body, we come to Borough Hall and if we are here after hours we would use the time tracking system, not for our payroll, but to keep track of when we come in and come out and get our packages. It is a security feature.

Mr. O'Rourke: Would that be voluntary or do you have to key in to get into the building.

Ms. Rogers: You would have to use your key to get into the building but then you clock in that you are picking up your package, you clock out when you are leaving. If we add it on to the Policy and Procedures it would not be voluntary.

Mr. O'Rourke: They are picking up the \$400 a month?

Ms. Rogers: Yes.

Mr. O'Rourke: There is not even a monthly cost. There is a zero cost?

Ms. Rogers: The month cost is the hand sensors.

Mr. O'Rourke: The hand sensors are \$400 for all of them so for \$4800 a year we are covered.

Ms. Rogers: Then the upgrades for the reporting and check review will be helpful with the job costing. There will not be the spread sheets.

Mr. O'Rourke: The last time we switched to ADP at all we had some savings in the payroll system. This might help.

Mayor Konkus: When we first went with ADP they really were not geared towards municipal work. It sounds like they have done some fine tuning. The only question I have is that I don't know that even without exceptions I don't know that it is practical across the board for all people such as our police department and our public works department where they are working all over town and if someone wants to brown bag their lunch and stay on the job site I just don't know whether it is practical to have them punch out for lunch.

Ms. Rogers: This system also features a call in with a pin. Part of this process is DOL compliant. There is a trail and they can call in with a pin number if they are out at the landfill and going right to lunch. We need to be in the 21st century. We will not pay a dollar. The \$4800 will be paid by Ocean First Bank. They are currently paying ADP. It is zero dollars. What I would like to do is move a motion that we implement and go to the easy labor management system and move forward with this because of the urgency for this to capture the first quarter.

Mr. McHugh: We just need some written agreement from Ocean First that they are absorbing the cost.

Ms. Rogers: It is part of the agreement we just signed with them. They are picking up all the ADP costs. I make a motion that if Ocean First gives us a letter in writing for the implementation so we don't have to wait for the next Council Meeting because there is

time sensitivity here. We want to move forward immediately.

Mr. O'Rourke: Second.

Ms. Rogers: Yes
Mr. Leitner: Yes

Mr. O'Rourke: Yes
Mr. McHugh: Yes

Mr. Dikun: Yes
Mr. Kaklamanis: Absent

CARRIES: Yes

COMMITTEE REPORTS

Mr. O'Rourke: We had a Zoning and Code Enforcement meeting last night with the Planning Committee and it was mainly about COAH and they talked about other things too. On going, the Planning Board is continuing its ideas and coming up with new ideas and how to improve the municipality. The COAH discussion came out because one of our active projects is in limbo and we had to talk about that. I don't want to go into that specifically it is like a legal thing. Our COAH attorney explained to us again and he gave an excellent 15 minute presentation on how COAH works and what COAH is. COAH is affordable housing. Apparently, the rules are going to get tweaked again. They got tweaked three times last year and the Borough had to spend money that it shouldn't have had to spend. It sounds like it is going to get tweaked again because there are a couple of dozen challenges of the rules they made. One of the reasons this Borough stayed away from COAH as long as it did was because they kept changing the rules on people. Money and more money.

Mr. Leitner: Our COAH attorney gave us some very good advice on how we can navigate these uncertain points. We are working very hard to keep the burden of affordable housing to a minimum. It is very complicated.

Mr. O'Rourke: We have a lot of affordable housing in Point Pleasant is just doesn't have the label Affordable Housing. There are a lot of places in town that meet the so called standards that COAH requires except for the fact that you have to set aside a 30 year window where you have to say your property is dedicated to that. Nobody wants to do that. We are not ignoring affordable housing. There are lots of affordable housing in the Borough now. The other discussion that came up were some comments from the people in the Construction and we agreed with some of the stuff and not some of the stuff. We agreed that Construction decisions should be made by the Administrator. We can give advice but he should make decisions when it comes to personnel. Spring is coming and we hope that winter is over.

Mr. McHugh: Public Works, following up on a citizen who alerted us at the last meeting about the repaving of Beaver Dam Road on the south end to the Bridge. That citizen is here tonight and he is going to make a presentation. I have looked into it twice and it seems to me the paving job they have done may have exacerbated some existing problems that existed there and probably have created more. We have discussed it with the Superintendent of Public Works and we have added it to the Mayor's list of items we will address at a meeting with the DOT. We will try to get these things addressed. It will rain again tomorrow night and I will go over and take another look. It is causing a situation where when it freezes after it rains the DPW has to put an excessive amount of salt. This will accelerate how rapidly it deteriorates the road surface. We are looking into that. The Chamber of Commerce had requested of the Mayor the possibility of putting a business district directional sign east bound on Route 88 at Bridge Avenue. I have talked to the Superintendent also on that and they can handle the installation of the sign if it is produced by the Chamber of Commerce. We are having a meeting tomorrow morning and they will work on some kind of a design. Point Pleasant Beach has one. Just something coming down the road that there are some stores down Bridge Avenue. Anything we can do to help our business community I think would be really helpful at times like these. Shop local and try to support our local stores.

Mr. Leitner: Mr. Mayor, you had alerted me to a citizen question about safety in crossing Bridge Avenue down by the Stop and Shop. We know there are other areas that have questions such as the Bridge Avenue Bridge and also there has been a fatality across from the Westside Tavern. I have been made aware from our Engineer that there is now State funding and possibly Federal

funding available for Traffic Safety projects. Our Engineer is going to look to see if any of those locations qualify for the Traffic Safety Fund projects. We also had a report from Lt. Colwell about street lights. He was able to go around town and find multiple street lights that were out. He has notified the Power Company that they should be replaced.

Mr. O'Rourke: If you see street lights out let us know.

Mr. Leitner: You may have noticed that we table the discussion on the pre-school budget. The only reason we are tabling that is because we want to make sure that we get the numbers right. Get the best program for the town at the best price. We should hopefully get that passed by Finance and I expect we can get that approved at the next Council meeting. End of report.

Mr. Dikun: Although I could not hear the noise from the Hardenburgh Well in Clearwater, Florida I sure heard about it down there. I think you for working in my absence. I also want to thank Dave Kinsley and Dennis Sears for tolerating my phone calls from Florida. Apparently, it has calmed down a little bit. We still hoping the other part will help. Last month Mr. Leitner, Mr. McHugh and I went to a Sustainable Energy Conference down in Island Heights. It was very educational. Great hospitality by our friends in Island Heights. The majority of the folks there were from Point Pleasant. Mr. Constantino from the Environmental Commission and Lois Jacobson we had half of the room filled with Point Pleasant people. We picked up some good tidbits about Sustainable Energy so it was very nice. Thank you to Island Heights. End of report.

Ms. Rogers: I want to express sympathy to the Brandt family. Many of you may know that Matthew passed away last Monday. It was a very, very sad event. He was a very brave young man, very positive and I want to extend my heart and prayers to their family. On an upbeat note, the Environmental Commission, we are waiting on two grant opportunities. I should have response by mid March to support this years educational program that we will be doing for the fourth and fifth graders in Ocean Road and Nellie Bennett. Our theme will be recycling. It is more than just bottles and cans. We will be doing an interactive program of breaking the kids up into four groups and talking to them about waste source reduction and implying the 3 r's for recycling, reusing and reducing. It will be a contest on how to dispose of products and the winning team will get a special prize. We will feature the Stacy family, Nick Stacy was very active last year in a recycling program and he will be on the cover of the brochure. Earth Day is going to be April 18th. They are currently taking applications for booths. Also, for sponsorships. Also, the applications are on the Environmental Commission website. The Community Watch program will be holding its meeting on the 25th. We changed our times. We will be on the 4th Wednesday of every month here at Borough Hall at 7:30 p.m. This month program we are going to be having working sub-committee meetings at which will happen at this meeting in February and the following month we will have our general public meetings. One of the things we will be doing is breaking into three to four sub-committee groups to work on our crime watch goals for 2009. First of which will be getting out our new letter. Our goal is to plan to get two newsletters out to the entire community in June and in the Fall. That Committee will be put together and start working on that. The second big event and we are hoping it will be an annual thing, it will be our first annual national night out Point Pleasant 2009. The goal is the power of neighbors. The way that is going to work it will be a series of two months of programs throughout the entire month with one big celebration at Community Park. We will be having through July, August and September which is goal to set up block parties, neighborhood watch walks, porch sittings and garden events and they we will tie that into a poster contest to be awarded at the big annual event at the Community Park. The theme for the poster contest is going to be texted for peace and text tip to crime. We will get that out to the schools. We will be putting out a salute to our neighborhoods so the District Captains should motivate their districts and we will be giving awards for the best district for the crime watch program. We have a lot at hand and we are very excited about it. I think the national night out is also tied into the National Sheriff's Association. I want to thank very much, Chief Hilling, Captain Williams, Detective Michelle Hill, they have been outstanding in supporting this program. We are growing everyday. We have a large amount of families on board and we are working to get 23 more streets vested in the program so there is someone on every street in this community participating in this program. It is very, very exciting. Another part of the crime watch goals is the Safe Zone component, we will try to revitalize the McGrath portion to include children, seniors and basically all of the resident and the other sub-committee is going to be working on graffiti cleanup day where we can work with DPW on some of the problems here in town. That is the goal list. The last time I was here, two meetings ago, we did a presentation on the new Borough Web site. We have now transferred

everything from the old web site to the new format. We have been working with the ladies on training in Dave's office and we are downloading the Council packages and they will upload all the information to the new web site. We are purchasing the software package and it was part of tonight's bill list and I believe it was \$199 and that is the investment we are making. We can take this all in house and Nick will be over to train with the women early next week. We want to make the conversion on March 1st so we don't lose any information that we can work both sites at the same time but do a full conversion for March 1st. I need everyone biography. We will be updating the Mayor and Council, not only with our pictures but with information about us. Residents can check us out. Please get it to Mr. Maffei. Shaun, I really think we need to update your picture from the goofy hat you were wearing to a more appropriate picture. On a down note, we are into budget sessions. Administration and Finance are meeting weekly. We are delving into information and we had our first budget session last week. I would encourage you all to attend. There is a lot on the plate. Some of the things that are coming up is we had over \$196,000 in state aid cut from the Borough last year. We expect it to be equal to that, if not more, this year. Although, the stimulus package was signed today and there will be some money coming to the State. I don't know how eager they are to trickle that down to local government. We are expecting it to be a very difficult year. We are starting to meet with the department heads and this is the first round. After everyone makes their budget presentations we get to the difficult part where we have to start cutting things. One of the other significant things that our Administrator brought up when he was studying the budget was the Governor is giving an option of deferring our pension payment. Our pension payment this year is \$470,534.00 and that is supposed to give us some relief or help as we go through this process. I think you should all know that this is very deceiving. It really doesn't help. We are just deferring a payment that we are not going to accrue interest on and add to our debt factor. Only to have to pay that payment next year or the year after on top of the current payment of that year. I think what is happening is government has to get serious and live within its means. It has to start now. We escaped any major layoffs last year. We did have some part time people we reduced. We are expecting for it to get much more difficult this year. Please come and participate, we need your input. We are going to and we will not know on any state aid cuts, we have to wait.

Mr. Connors: Wait is the word. We will all unfortunately have to wait.

Ms. Rogers: Another thing the Borough has done is we signed the agreements with official payments and we now will be offering credit card payments for taxes, water and sewer, the court system, vital statistics and we will incorporate it for recreational programs. We have a meeting with the bank this Thursday to set up the kiosk for the initial, you will be able to do this on line from anywhere. It will be up and running in the next two weeks or so. Shaun, you brought up zoning and I don't know if you had an opportunity to speak with the Chairman but I was at the last zoning meeting and they have been getting multiple applications on mother/daughters. The ordinance we have right now is not clearly defined. Kevin Burke is hoping Mayor and Council will update the ordinance to better define it. It spares applicants \$5000 to \$7000 in application fees when the answer could be no.

Mr. O'Rourke: One thing came up to the Zoning Board, not the Planning Board, the Board of Adjustment and they were approving porches, small additions to the front of houses. They were basically approving every single one and it just didn't make any sense for the people to go to the Zoning Board of Adjustment for that. We came up with a way for them to avoid that and simply get a building permit. The Planning Board also has a simplified way of doing things.

Ms. Rogers: Maybe Mr. Maffei could get us a copy of the ordinance for Mother/Daughter. We would like to have the reval company come here and have an open session with them so residents can answer questions.

Mr. O'Rourke: Judy went through this. If you have cooking facilities it is a mother/daughter.

Mayor Konkus: As Councilman Dikun indicated we did have a situation at the hardenburg well this weekend where the bearings on the motor went and the noise grew in volume and in area. It was taken out of service on Sunday. I did ride by on Saturday and it was a very constant noise and I did visit with the neighbors and they did research and there is funding available from the DEP. We are going through a process and I would like to have the committee sit with the engineers and the DPW personnel and representatives from the County Board of Health and see if there are alternative technologies that are available and find the funding that are available

through grants.

Mr. Dikun: I spoke to Mr. Forsyth and we will see what we can do.

Ms. Rogers: I also wanted to let you know that Dennis Sears advised that the part is due to arrive on the 27th of February.

OPEN PUBLIC SESSION – 5 Minute Limit Per Person

Ms. Rogers read the following ordinance.

Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and deliberation. 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 Mr. Dikun

SECOND: Mr. McHigh

APPROVED: All in favor

Bob Nicola, 526 Hardenburgh Avenue: I am going to do a little demonstration.

Mr. Nicola demonstrated what the noise sounded like for five months 24/7. The noise is 60 decibels during the day. This is not necessary.

Mrs. Mary Nicola, 526 Hardenburgh Avenue explained she cannot even sit on her porch. She thanked Mr. Dikun for his efforts and the visit. She requested the stripper on the well be turned off between 8 p.m. and 8 a.m. She would like a State of the art control system put on the well. The residents want to be consulted regularly with any future additions, modification and changes to the Well. We would like to be involved in any discussion.

Margaret Altieri, 2311 Bennett Avenue: I have a question regarding the ADP system that we are going to upgrade to. I understand that we have seven unions that we need to negotiate with. My question is “is it a turn key system”. Is it just something that you put in. The unions have different rules.

Ms. Rogers: Part of what is going to happen in this implementation process is that we will customize the requirements for each of the collective bargaining agreements so it is multi tiered. There is initial customization. We will be able to continue to customize featured reports as we go forward.

Ms. Altieri: Will there be a cost to that?

Ms. Rogers: No additional cost. Part of the implementation process of what we will be working on is being a long time customer of ADP they are going to add on these enhancements for and help work with us and put in the features that we need to handle the multi bargaining units.

Ms. Altieri: They will continue to do that?

Ms. Rogers: Yes

Ms. Altieri: Thank you.

John Mogel, 1600 Center Street, gave a presentation in regard to the Beaver Dam Road project. He presented a slide show of the paving project. It is only a month old and it is

starting to break up. He feels this is a public safety hazard and it is poor workmanship. This work was done by the County.

Mayor Konkus explained that every year Council has a meeting with the County Engineers and that will occur next week. Mayor Konkus asked if we could borrow the slides for the County meeting.

Laura Beedon, 2406 Spruce Street: Were these the same people that did the work on Arnold and Bay Avenues?

Mr. Maffei: It is a County road program.

Ms. Beedon: Has anyone checked to make sure they are doing that work corrected.

Mr. Maffei: Bay Avenue is finished. Arnold Avenue, the County has not started their project there. The work that has been done on Arnold Avenue is the gas company. The County will be coming in and we will find out the exact date next week.

Ms. Beedon: There are going to work like they did on Beaver Dam?

Mr. Maffei: Hopefully not.

Ms. Beedon: I know how many years you have gone to these County meetings and we don't really get that much from them. They usually just pay lip service. Now with the stimulus package they are talking about bringing work into the State and the County. If that is the kind of work we will be getting maybe we don't need it. You really need to do something. Talk about black ice, when someone hits that on Beaver Dam if that freezes that will be a real hazard. Is it the Engineer or is it the workers. Don't they have someone inspecting that and why haven't they inspected it? Did they inspect it and pass it and say it is fine?

Mr. McHugh: The height of the payment and the way the work was done around the catch basins it is a workmanship issue.

Ms. Beedon: It is the Engineer at fault just as much as the workers.

Mayor Konkus: We will ask those questions at the meeting.

Jude Walker, 1108 Beaver Dam Road: Road Department Supervisor and Recycling coordinator: I just have two things. One under the ADP system that you talked about before, after listening to you do your presentation the one thing I would ask that you at least consider is putting one of those hand analyzers at our recycling center. The problem being the recycling center is manned seven days a week, 10 months a year on Saturday and Sunday as well as the holidays the center is open where all of the other Borough employees are not it will be impossible for those employees to punch in. Currently, as you know it is a substantial distance from Public Works and the Center and the employees that do work there punch in on the old style time card system. All the Community Service people that work there currently use that system which would remain in place but if there is no cost to it I would ask to put one down there for the employees we do have. On another note, talking about Beaver Dam Road, it is a shame. We were notified by the County about a day and a half to two days before they came into town late in the Fall. I had no idea they were coming, Dennis had no idea they were coming. They said they were using up the rest of their hot patch budget for the year. They just knew they were going to start at the base of the Bridge and go towards Bridge Avenue. It was a nightmare and it looks like a nightmare. I would hope that some progress is made because I can tell you right now just from looking at the job since it has been done the work we have to try to make the repairs where it transitions into every side road from Hollywood Road all the way up to almost West End Drive is going to be substantial and we are going to have to use a lot of asphalt to transition into all of those roads.

Mr. O'Rourke: Why should be we paying Borough funds for that when they are ones that screwed this up.

Mr. Walker: I agree, it was a County Road job and they made the road worse than it was before.

Ms. Rogers: Will Dennis be going to this meeting with you?

Mr. Maffei: Yes, Dennis goes.

Mayor Konkus: Thank you Jude.

Seeing no further hands Ms. Rogers entertained a motion to close the public portion of the meeting.

MADE: Mr. O'Rourke SECOND: Mr. McHugh

ALL IN FAVOR.

Mayor Konkus: We do not have anything to discuss in Executive Session this evening.

MOTION: To Adjourn

MADE: Mr. O'Rourke SECOND: Mr. Dikun

ALL IN FAVOR.

