

COUNCIL MEETING

TUESDAY – APRIL 7, 2009

8:00 P.M.

Mayor:	Martin C. Konkus
Council President:	Susan Rogers
Council Member:	Shaun O'Rourke
Council Member:	John Kaklamanis
Council Member:	William Dikun
Council Member:	Chris Leitner
Council Member:	John McHugh Jr.
Borough Attorney:	Jerry J. Dasti

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 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 January 16, 2009 edition of the Ocean Star and Communicated to the Asbury Park Press.

- A. ORDINANCE – FINAL READING, PUBLIC HEARING
- 1. Amending Chapter VII "Traffic" – Community Park Parking Lots

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT BOROUGH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER VII OF THE CODIFIED ORDINANCES OF THE BOROUGH OF POINT PLEASANT ENTITLED "TRAFFIC"

NOW THEREFORE, BE IT ORDAINED BY the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, that Chapter VII of the Borough Code entitled "Traffic" is hereby amended and supplemented to include new Section 7-19 entitled "Parking Permitted in Conjunction with Use of Point Pleasant Community Park", as follows:

SECTION 1. Section 7-19. Parking Permitted in Conjunction with Use of Point Pleasant Community Park.

Only persons using and enjoying the Point Pleasant Community Park on Bridge Avenue, Point Pleasant, New Jersey, and/or conducting business in the municipal building located on Bridge Avenue, Point Pleasant, New Jersey, shall be permitted to park vehicles in the parking lot located in and adjoining the Point Pleasant Community Park.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of the Borough of Point Pleasant on first reading at meeting held on the **17th** day of **March, 2009**. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the **7th** day of **April, 2009**, at **8:00 p.m.**, or as soon thereafter as the matter may be reached, at the Municipal Building located at 2233 Bridge Avenue, Point Pleasant, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

DAVID A. MAFFEI, Clerk/Administrator

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

MOTION: Adopt Ordinance

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

B. ORDINANCE – INTRODUCTION

1. Amending chapter II of the Borough Code “Board of Recreation Commissioners” to Create Alternate Position

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT BOROUGH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER II OF THE CODIFIED ORDINANCES, IN PARTICULAR SECTION 2-12 ENTITLED “BOARD OF RECREATION COMMISSIONERS”

NOW THEREFORE, BE IT ORDAINED BY the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey (the “Borough”), as follows:

SECTION 1. Pursuant to the terms and conditions of N.J.S.A. 40:12-1.1, Chapter 2-12 of the codified ordinances of the Borough of Point Pleasant Borough entitled “Board of Recreation Commissioners”, is hereby amended and supplemented to include a provision for the appointment by the Mayor of two (2) alternate members to serve as Board of Recreation Commissioners. The alternate members shall be designated at the time of appointment as “Alternate No. 1” and “Alternate No. 2”. The length of terms of the alternate members shall be the same as the length of terms of the regular members of the Board of Recreation Commissioners, five (5) years. At the time of the first appointment of the two (2) alternate members however the terms shall be staggered by the appointment of one of the alternates for an initial term of four (4) years. The other alternate member shall be appointed for a term of five (5) years. A vacancy occurring otherwise than by expiration of terms shall be filled by the Mayor for the unexpired term only.

SECTION 2. No alternate member or regular member of the Board of Recreation Commissioners shall be permitted to act on any matter in which he/she either directly or indirectly has any personal or financial interest. An alternate member or regular member may, after public hearing if he/she requests one, be removed by the Governing Body for cause.

SECTION 3. Alternate members may participate in discussions of the proceedings but not vote except in the absence or disqualification of a regular member of the Board of Recreation Commissioners. A vote shall not be

delayed in order that a regular member may vote instead of an alternate member. In the event that a choice need be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Borough Council of the Borough of Point Pleasant on first reading at meeting held on the **7th** day of **April, 2009**. The Ordinance will be considered for second and final reading at a meeting of the Borough Council which is scheduled for the **5th** day of **May, 2009**, at **8:00 p.m.**, or as soon thereafter as the matter may be reached, at the Municipal Building located at 2233 Bridge Avenue, Point Pleasant, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

DAVID A. MAFFEI, Clerk/Administrator

MOTION: Adopt Ordinance

MADE: Mr. Dikun

SECOND: Ms. Rogers

Ms. Rogers: I just want to clarify that all of Council have received the modified Ordinance. We are asking that the Rec Commission will discuss the issue with complying with their by laws.

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

C. DISUCSSION

1. Budget Process and Status for Discussion and Public Comment

Ms. Rogers: Mr. Mayor, I asked to have this item put on the agenda and I can see by the attendance this evening that this might be the appropriate time for such. As many of you know we have been in the budget process since early February and there has been a lot of dialog and we have been provided a lot of information from our Administrator. On top of that there has been outside round tables and discussions with the same documentation that has been provided to us up here. I do believe this will be a fighting year for us with regards to the rate of what we will be charging for property taxes and what the increase could potentially be. With all of you sitting here this evening we are currently my understanding is that Mr. Maffei has provided us that we know we were at least \$93,000 over cap from our last budget discussion and then my last afternoon discussion with him we are at about \$107,000. There has also been substantial changes from last years status with our surplus and we are down approximately \$360,000 and we also need to increase our uncollected tax reserves. We had in 2007 a collection rate of 97.8% and we are now at 96.3%, somewhere in that range. What does that means? That means we need to add to our reserves \$331,000. We lost an additional state aid this year of \$39,500 from the \$196,000 we lost the year before coming out of Trenton. We will not be receiving Homeland Security to the tune of \$70,000 this year and we had an increase in our pension payments of \$73,000. For those of you who are sitting in the audience and I know the majority of you here tonight are Borough personnel, if you are not familiar with what the ratio is one penny to the increase equals \$138,920 in expenses. As far as meeting the 4% cap, we are going to have to cut the \$107,000 and we will start that process very soon scheduling new dates. Last year there was discussion and this year I believe there is going to be even more discussions. What I want to propose and what I have been trying to do as Chairman of Administration and Finance is to reach out and try to get the Department Heads in to participate with the Administrator, Mr. Maffei and Councilman Kaklamanis, myself, Mr. Dikun, Mr. McHugh, depending on who can be in attendance and actively participate and work with all department heads to find a way to reduce costs. You might all be sitting here for those department heads that are here tonight going don't know how much more we can cut or how much more we can reduce. The overall \$11 million dollar budget plus our water and sewer of \$5 million and change our overall costs, personnel costs are just short of \$7 million dollars. Your health benefits that are charged to the Borough are \$2,200,000. Add them together on top of payroll and other costs. We have outside contractual services of \$4,900,000. That is garbage collection and buying water and so forth. Those are the big chunks of money. You can look within your departments and get guidance from you and see where you can help reduce things or give us suggestions and ideas. If you are looking at the State level picture you are seeing rate freezes, mandatory furloughs. What it is about right now and what we have to seriously look at is the sense of community and surviving this horrible economic mess that we are in. It is a matter of survival. The private sector is dealing with major layoffs. Ocean County has the highest rate of unemployment in the State. People cannot find jobs. People are dealing with reduced work hours to 30 hours with partial contribution from unemployment. Let along any increases. We want to come to you and work with you and go through options and look for your suggestions. But, this year we want more participation and Administration and Finance wants to actively participate and get the dialog going. I have sent e-mails out to some of you and I have not heard responses. Whatever transpired last year, and I have heard from some that you kind of look at us up here as we come and go and you all are here for long periods of time and you are. You hear this story year after year that we have to cut the budget and this is like the boy that cried wolf. I am here to tell you that we are not crying wolf. Hopefully we will come up with options to handle capital purchases, to maybe postpone them or trickle them in for a longer future plan. I don't think that will be the overall number that drops the rate. The majority of you are residents here as well. Looking at 8 cents and 3 ½ cents and ½ cent and the County rate to go to a 12 cent number and what that will mean and still have not provided for the revaluation and tax appeals going into 2010. This is a serious year for the Borough. It is a serious year for all of us. I hope that we will have open mind. I hope we will have a commodity. I hope we will do what we can to protect every Borough employee to the best we can. I wanted to bring this up because I know you were all coming this evening. Whatever you are reading in the paper to whatever is being said the reality is we all need to work together and we all need to come up with a solution. That is why I wanted

to present this and as we develop our next set of dates hopefully you will all come because I can tell you there are the same three people that are here and many of you are not finding out. This is the forum to tell us what you are thinking.

Mr. Kaklamanis: I would like to say basically last year there was talk about furloughs and lay-offs. This year with the Governor not having a budget set yet and not giving us any answers as to what the State is going to do we have to do our homework. We are waiting on him and it is a real reality and we have to decide what is best for the taxpayers, the residents, the schools. They have their own budget which comes out of the same pocket. I talked with Sue Byington tonight and the Board of Ed increase is 2.6 cents. Add that on to ours and it comes out to a reality for example my taxes would be \$600 or \$700 more a year in taxes. Basically, what we have to do is have different avenues and input from the Unions. I sent an e-mail to all of the department heads tonight to come up with a reality check of how much more they could cut. Let them do the process and we review it and instead of us doing all the cuts they know where the money has to be cut and they know where the savings could be in their department budgets. The avenues is to all work together. There are many avenues that we could talk about on saving money. The one discussion was furloughs. The benefits for the employees to jump in a little more to offset the costs of the benefits. We have to put it out to all the Unions and hopefully they will all respond. Have brain storms, round table discussions of how to save. For example, with the medical benefits that we pay for the employees is approximately \$28,000 a year that we pay for a family that works for the town for medical benefits. Of course, in the real working world these day a good percentage of the employees have to pay for their own benefits. To work together with the Unions and to get feedback and try to come up with a solution is very important. Ultimately, the last thing of course is the old dreaded word of layoffs which by no means we want to entertain that thought at all until we go through all of the avenues of trying to save money for the tax payers and residents who and most of you work and live in the town and we want to save money from your pocket. It is a harsh reality. It is nice to get the benefits but it is also nice to consider how you could help all of the residents and the tax payers of this town. Try to save to them also. Thank you.

Ms. Rogers: For those of you last year that thought there were no layoffs or no furloughs we did have part timers that did not stay on. Mr. Maffei talked to people about leaving early. There were a lot of discussion and action was taken and maybe it didn't directly affect you. If did affect some part time workers here in the Borough. It is not the boy crying wolf it is the harsh reality of where we are at as Councilman Kaklamanis said where we are at. Hopefully we will get active participation to find the right solutions that benefit everyone. Thank you.

Mr. Leinter: I am glad Ms. Rogers brought up the fact that there have been layoffs. I am very pleased to hear we are going to work together. This particular discussion session was place on the agenda sometime today and what I asked about what the thought process was going to be discussed I did not hear anything back. I will assume that is something that is in the past and that we are going to all work together to move forward as a Council so we can all be on the same page. As far as lay-offs and furloughs, I will tell you right out in the middle of a bad economy and the middle of a recession putting people out of work and making people lose their homes is the very last thing we should be considering when all else fails.

Mr. O'Rourke: You have heard the song and dance for the past ten years we have no money. The last couple of years the State imposed some caps on us that we can't break. Before the caps we were raising taxes 9 or 10 cents in a given year and we cannot do that anymore. We do need to find a way to live within the clip we are left at. We can't go any higher then we can. We are \$107,000 short right now and we have to find a place to take that away. Thinking caps are real important right now. This is not crying wolf, this is real. It is going to go on for the next couple of years. We are going to have real serious problems we are trying to keep the budget. We are dead in the water. \$107,000 is almost a penny on the tax rate. Think about how it would affect your part of the Borough. It has to be spread around. Please don't when you hear rumors don't listen to them. Talk to the people directly. It is so easy for things to get blown out of proportion. One of us can slip and say something that we really

didn't mean to say or get taken the wrong way and everyone get crazy. What we need is a good effort to make sure the budget works for us and the taxpayers. The taxpayers are protected by those caps. They are not very high. Work together.

Mayor Konkus: Did anyone hear that Tally's Dodge is closing their doors this Thursday after 55 years. They are an institution in town that I want to point out is what we are all reading about and seeing on the evening news happening elsewhere the grenades are starting to hit in our own fox hole. Please be aware of that. At this time I will turn the meeting over to Council President Rogers.

D. 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 Mr. Leitner

SECOND: Mr. McHugh

APPROVED: All in favor

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

MOTION TO CLOSE PUBLIC PORTION: _____

Ms. Rogers: With such a large crowd here tonight we would like to hold to the 5 minute time rules.

Al Feraldi, 1740 Bay Isle Drive: Living in Point Pleasant since 1954. I care about this place very much. The budget is a concern and in order to keep my five minutes I will go briefly through what I just gave Council. These are just brief ideas. I have been to Susan Rogers round tables and my eyes were opened up. I have never come to a Council Meeting. I never cared about the budget. Just show me how much money I have to bleed and I will give you the check and that is the end of it. Now it is a concern. Not only for me but for my neighbors. My friends are hurting all over. A couple of ideas. Hold off all new requests from all departments. Freeze it. Set a fine line budget for each department. Whatever the budget you have to come up with you give to the department and they have to live with it. We have very bright people in Point Pleasant and I think they can do that. View maintenance schedules to extend all of the equipment and vehicles. Use the money from the ladder truck to offset the budget. I understand there is a ladder truck that is supposed to be bought for the Borough for \$1.1 million dollars. Show me why we need it. We have a ladder truck. It is older but it doesn't have to go that far. It is in excellent shape. Use that money to offset the budget. I live on Bay Isle Drive. Stop the project on Bay Isle Drive. Flooding will happen on Bay Isle Drive as long as it is next to the Barnegat Bay. We will get puddles when it rains we can live with that for a year to two until the economy comes back again. Some things have been done on the street but stop it and help everyone in the town. Negotiate with outside professionals. The Engineers, Surveyors, Lawyers for a better rate. I know these guys want to do the work in the towns and I think they will help out. Remington and Vernick are the Engineers in this town and they are a nice bunch of guys and maybe they will help out. The employee benefits, lets get in line with the public. I heard this, my co-pay is \$30 and \$40. Not \$10 and \$20 which the town has. Bring that up. Bring the employee pensions up. I have a goal and that is to not raise the taxes from last year. I know we are looking at a 4% cap and there are a lot of mandates in here but let us shot for the stars and not have to raise taxes. Long term start the budget process in January, not now. Meet with other towns and try to address some of the problems we have with the state. Unfunded mandates, paying for the abet districts, negotiations with all of the Unions, the health plans, the pension plans, garbage collections and if we work on it now maybe in two or three years it can work out. Just to think we can't do it I don't like. I

think we can do it. General questions we will do at another time. We need to work together. We have tough decisions to be made by the Point Pleasant residents and the Point Pleasant employees. I don't know who is a Democrat or a Republican up here and I really don't care. What I see are friends and neighbors up here working together to get this town taken care of.

Robert M. Varela, 1314 Sleepy Hollow Road: People are talking about the budget up here. Last year over \$100,000 was wasted on the circus with the Dairy Queen. You guys control the money and all that was was an exercise of circulating the ego of a minor politician. If there hadn't been a member of the Board living behind that Dairy Queen that would have been settled for a heck of a lot less. Apparently, last year a female employee of this town was fired so that somebody's daughter could be hired. She appealed to the Civil Service Commission and the Civil Service Commission ruled that she was improperly fired. Now she is suing. You are not looking at a \$10,000 lawsuit, you are looking at a couple of hundred thousand dollars and you will give her job back because the Judge is going to go along with the Civil Service Commission. They always do. You will give her whatever punitive damages and all her back salary and everything else that she would have made. Put her back on the payroll, give her job back, get rid of the person. There is a right way and a wrong way to fire public employees. You don't just fire them. Civil Service lays down laws and rules that you are to go by which include Counseling if the person's performance is poor, retraining, and after that you fire them. It is a ladder process. You have a hearing and the evidence is laid out then you can legally do it. Obviously, this was not done in this case which is why she won her Civil Service Complaint. This is going to cost a lot of taxpayer money. You are the Administrator, do you even live in this town?

Mr. Maffei: Yes, I do.

Mr. Varela: Then it is going to cost you a little money too.

Mr. Dasti: I am the Borough Attorney Sir. I don't live in this town anymore. I can tell you we have not lost a case by a disgruntled employee like you are saying and as I know no person is suing us for unfair termination. There has been no ruling that some woman was terminated improperly. To the contrary is she was terminated properly and that woman is appealing that ruling to Civil Service. Your facts are just wrong.

Mr. Varela: The story I am getting is that

Mr. Dasti: Who gave you that story?

Mr. Varela: A person that knows her. I see her walking her dogs up and down the street but I don't know her.

Mr. Dasti: Those facts are wrong. The Borough has not lost the case on wrongful termination. That is absolutely incorrect. So far she was correctly terminated and should be terminated. She is appealing that and that is where the case is.

Mr. Varela: The Dairy Queen is not over yet and he has not done anything to that place. You can save some money there and put a stop to it.

Mr. Dasti: The Borough has won everything motion and every single matter before Judge Grasso for the last two years. The Dairy Queen has been ordered by Judge Grasso to do things which he has not done which required the Borough to go back to Court to do it again. At this point I am not aware of anything that the Judge has said that the Borough or the Planning Board has done improperly. My recollection of the case is that Judge Grasso has ordered that property owner to do things correctly and go back to the Planning Board. Yes, the Borough has expended a lot of money for the Planning Board Attorney and the Borough Attorney but on every occasion as I recall Judge Grasso has told the property owner to get it done right. I am sure the Dairy Queen owner may have a different view of that.

Mr. Leitner: I think what your overall point is that we look close and hard at the issues and choose our battles wisely so that we don't spend good money after bad.

Mr. Varela: If that person that lives behind was not a member of the Planning Board it probably would not have gone as far as it did. It would have been settled a long time ago and not have cost the town nowhere near the amount of money.

Courtland Coleman, 1233 Woodsend Road: I come before you tonight briefly on the subject of shared services. I am not sure if you are aware of this or not but last Thursday, April 2nd at an assembly budget committee in Trenton the Mayor of Point Beach, Mayor Barrella was in attendance and testifying about several issues and shared services came up and he was questioned and one of his statements was we are trying to do shared services with Point Borough but Point Borough recently cancelled the meeting that we were supposed to have. He spoke of it in a way that we are doing all we can but the Borough won't attend a meeting. I thought it was a regretful comment just by the tone of the comment. If it is factual I hope we get that meeting rescheduled. If it is not factual I hope you would correct the record.

Ms. Rogers: I would like to correct the record. I was with Mayor Barrella as well as Mayor Konkus last Friday and we do have a meeting scheduled later this week. Not only has shared services been discussed with Councilman Dikun and Councilman Mercan (Beach) with regards to consolidation of our Construction Department with discussion of consolidation of our Court System. On top of that I have had specific conversations with Mayor Acropolis and Council President Ruth Ann Scartoro with doing consolidated services with Brick Township as well. We are digging into this full heartedly and with diligence. This is long overdo.

Mr. Coleman: I hope Trenton is made aware of this.

Mayor Konkus: I would like to add that I got a call from our Administrator one day last week stating that Mayor Barrella would like to have a meeting the following day. I got a call up at my day job in Linden, New Jersey asking if I was going to be available the following day. I was given one day notice knowing full well that I was going to have time off later in the month to schedule that meeting. I was given one day notice which I could not do. If he wanted to refer to my unavailability the following day in terms that were strong enough to seem as we were doing something wrong then we will deal with it. We are planning to get together.

Mr. Coleman: I appreciate that Mr. Mayor. I think it is an important issue and I think the scheduling issue was represented as I represented it this evening which was unfortunate. I don't come up here in an accusatory tone in anyway. Just to get the facts and set the record straight. I am happy to hear about the meetings and if there are two better candidates than Point Pleasant and the Beach I don't know where they are.

Ms. Rogers: They are also with the Board of Education in our Town. I am working with Steve Corso on that as well. It is closer than you think.

Mr. Dikun: I met with Councilman Mercam and Councilman Hennessy six weeks ago and the ball is left in their court to contact us once they put the information out to their people. They got way laid by the parking issue down there.

Mr. Coleman: The hearing is there on the archive on the State Legislatures site for those that care to listen to all seven half hours of it. I wanted to bring that before Mayor and Council and I appreciate the time.

Margaret Altieri: 2311 Bennet Avenue: I was here for the budget workshop meetings back in February and there was talk about a possible pension deferral of approximately \$400,000. I guess the reason for this deferral was it provided a little bit of wiggle room to get you under the tax levy cap. My question is when we talked about this \$107,000 shortfall was that with or without this pension deferral?

Mr. O'Rourke: The whole idea of deferring the pension costs us more money in the long run and does not help us in the short run. It might give us the impression it helps us but it does not. They have been taking from pension funds from the State of New Jersey since Tom Kean. Every Governor has taken money out of those pension plans and not put it back. It is another gimmick. We need serious real things to happen.

Ms. Altieri: The thing that came up during the budget discussion, it was just laid out there, this is not something the Council is planning to go forward with. This \$107,000 does not have anything to do with the possible pension deferral to make some wiggle room.

Ms. Rogers: I can tell you the pension deferral is on the agenda tonight to move to pay it in total which is a million one or a million two. I think what the Governor failed to let everyone know as he gave municipalities an option to defer this payment is that he didn't want to tell everyone he is charging interest on it as well. It is a credit card thing. Take your credit card out and charge \$470,000 at a rate of 8 ¼% which was the rate that was floated.

Ms. Altieri: I just wanted to know if this idea was still being circulated. My second question is uncollected tax revenues. I guess my question is does this have anything to do with foreclosures. Is that why you don't collect taxes?

Ms. Rogers: Sure. That is one reason.

Ms. Altieri: Do we have any idea what the foreclosure rate is currently in the Borough compared to last year or the year before?

Ms. Rogers: We do have our Tax Collector here tonight. I don't know if she would feel comfortable to address that. The collection rate from 2007 was 98% and we are down to 96%. The Auditor has given us some direction. We need to increase our reserves \$331,000. A penny equals \$138,920. \$331,000 in reserve is still not addressing the fact that we have the revaluation happening and that there is a suggestion

Ms. Altieri: It is almost three cents just to make up this reserve and then there is the reval which is currently happening. I guess we are doing this by recycling districts.

Mr. Maffei: It is up to the company, they broke the town into their own districts.

Ms. Rogers: The reval company will come in at the next meeting and the public can ask questions. We are going to also bring out Borough Auditor in and you can ask pointed directed questions of him. Although he is doing the audit process for us and he is giving direction to Mr. Maffei and they have done this for quite some time but we get an opportunity to ask very pointed questions.

Ms. Altieri: The reval that they are doing now of Borough property whatever tax rate you determine for this year will that apply to the reval or will that hit next year?

Mr. Maffei: Next year.

Frances Geroni, 1204 River Avenue and my Mother owns the property on Herbertsville Road which backs to the Barber Shop on the old Route 88/Lakewood Road. I am here in concern for the issue of the Westside Tavern and their parties. Specifically the tent parties. The last tent party was on St. Patrick's Day and I was working and I came home from work and I was going to have dinner with my Mom. She was upset because there were some cars in the parking lot. There were two cars in a five car parking lot which took me two hours to get out of the lot. First I went and got the license plate numbers and I approached the security people at the West Side and they said they would address it. I waited about a half hour and came back and the cars were still there and now we have three cars. I made a phone call and another phone call threatening to call the police. We are not complainers and we are not police calling people. My Mother is quite upset with this. I have a packet that I would like to give to you. On the first part of the packet is a petition. My Mother has become quite an activist as far as taking care of her rights. She went around in reference to the debris, the noise levels, the parking, the dangerous situation was signed by two sheets of people. The second part of this packet has some concerns that my mother would like to address. There is a copy of the police report and also some photographs. I would like to give these to you.

Mr. Kaklamanis: Was the police department made aware of this.

Ms. Geroni: Yes, the Police were called finally and within the police taking care of it it took two hours to get rid of three cars. The report is in there. They were very cooperative. When we went around with the petition it was interesting. I have a copy of a letter from a woman and her husband who were out of town. She had written this to the Chief of Police for the same issue in 2005, June 1st. I also have the original petition that was signed. The pictures that you have show a couple of things. An over abundance of parking on this street. On the island of Route 88 has really created a nuisance. The Barber Shop was

2. (102-2009) Authorize Advertisement and Receipt of Bids for Police Uniforms

MOTION: Authorize Advertisement and Receipt of Bids for Police Uniforms

WHEREAS, the Chief of Police has requested that the Borough advertise bids for the purchase of Uniforms and Accessories for Police Officers and Crossing Guards; and

WHEREAS, the Chief of Police has prepared and reviewed bid specifications for said equipment and uniforms; and

WHEREAS, funds will be made available in the 2009 and 2010 budgets for this purpose; and

WHEREAS, the Mayor and Council have approved said specifications and have determined that they will advertise for sealed bids for Uniforms and Accessories for Police Officers and Crossing Guards

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. Specifications, including drawings, plans, forms, etc., are hereby approved and incorporated herein by reference.
2. The Municipal Clerk/Administrator is hereby authorized to advertise for sealed bids for: Uniforms and Accessories for Police Officers and Crossing Guards.
3. The Municipal Clerk/Administrator shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above named purchase or project.
4. Each bid shall be submitted as a written proposal in the manner designated in the specifications, and shall be signed by the bidder. The bid shall be enclosed in a sealed envelope bearing the name and address of the bidder on the outside and addressed to DAVIDA.MAFFEI MUNICIPAL/CLERK/ADMINISTRATOR, P.P. BOX 25, 2233 BRIDGE AVENUE, POINT PLEASANT, NEW JERSEY 08742. Said envelope shall be clearly labeled that it contains a bid for Uniforms and Accessories for Police Officers and Crossing Guards.
5. Specifications and form of bids may be inspected or obtained upon proper notice by prospective bidders during regular business hours, 8:30 a.m., to 4:00 p.m., Monday, Tuesday, Wednesday, Thursday, Friday, 9:00 a.m. to 4 p.m., from the Municipal Clerk/Administrator, P.O. Box 25, 2233 Bridge Avenue, Point Pleasant, N.J. 08742.
6. Sealed bids shall be called for and shall be received, opened and read in public in the Council Chambers of Borough Hall, 2233 Bridge Avenue, Point Pleasant, New Jersey 08742, on Tuesday, May 7, 2009 at 10:00 a.m., prevailing time or as soon thereafter as possible.
7. Bidders are required to comply with the requirements of P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list, either prior to the time for the receipt of bids or with the sealed bid, will be grounds for the rejection of the bid.
8. It is the sole responsibility of each bidder to see that bids are submitted on date and time specified, and **IN NO EVENT SHALL ANY BID BE CONSIDERED OR ACCEPTED AFTER THE DATE AND TIME SO SPECIFIED FOR RECEIPT OF BIDS.** In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss and misplacement of sealed bid by Municipal Officials or any other risk related to the failure of the bidder to personally deliver the bid.

9. The bid quote shall be net to the Borough of Point Pleasant and shall be exclusive of any State or Federal taxes. Each and every deviation from the Specifications shall be clearly listed by bidder. Failure to comply with these requirements shall be grounds for rejection of the bid.
10. Each bid must be accompanied by a bid bond, certified check, or cashiers check payable to the Borough of Point Pleasant for not less that ten percent (10%) of the amount of the bid, but not in excess of \$20,000.00, and shall be delivered at the place and time specified above. This requirement will not be waived.
11. A contract will be awarded to the lowest responsible bidder. The Borough reserves the right to reject any and all bids. the Borough Council reserves the right to waive insubstantial irregularities in any bid.
12. A non-collusive affidavit in the usual form will be supplied with the specifications and shall be executed by the person or corporate officer submitting the bid. Said affidavit must be properly notarized. These requirements will not be waived.
13. Corporate and partnership bidders shall comply with P.L. 1977, Chapter 23, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%)(or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list either prior to the time for the receipt of bids or with the sealed bid will be grounds for the rejection of the bid.
14. Bidders are required to comply with the requirements of P.L. 1975, Chapter 127, (N.J.S.A. 10:5-31, et seq.). The usual form will be supplied with the specifications.
15. Performance date shall commence as stipulated in Agreement or as stated in Specifications.
16. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

Motion: Adopt Resolution

MADE: Mr. Leitner

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

3. (103-2009) Confirm Permanent Appointment of Cheryl Olsen to the Position of Registrar of Vital Statistics

MOTION: Confirm Permanent Appointment of Cheryl Olsen to the Position of Registrar of Vital Statistics

WHEREAS, Cheryl Olsen has been serving as the provisional appointment in the position of Deputy Registrar of Vital Statistics and is now placed on the Certification of Eligibles from the New Jersey Department of Personnel for said position; and

WHEREAS, it is the desire of the Mayor and Council to permanently appoint her to this position;

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. Cheryl Olsen is hereby appointed to the position of Deputy Registrar of Vital Statistics on a permanent basis.
2. Said appointment does not affect the current salary for said appointee as established by Resolution
3. Copies of this Resolution to Cheryl Olsen, Chief Financial Officer, Personnel File, Registrar of Vital Statistics, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

4. (104-2009) Authorize Advertisement and Receipt of Bids for Animal Control Services

MOTION: Authorize Advertisement and Receipt of Bids for Animal Control Services

WHEREAS, the Borough of Point Pleasant has prepared and reviewed bid specifications for Animal Control Services; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Mayor and Council has approved said specifications and has determined that they will advertise for sealed bids for Animal Control Services.

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. Specifications, including drawings, plans, forms, etc., are hereby approved and incorporated herein by reference.
2. The Municipal Clerk/Administrator shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above named purchase or project.
3. Each bid shall be submitted as a written proposal in the manner designated in the specifications, and shall be signed by the bidder. The bid shall be enclosed in a sealed envelope bearing the name and address of the bidder on the outside and addressed to **DAVID A. MAFFEI, MUNICIPAL CLERK/ADMINISTRATOR, P.O. BOX 25, 2233 BRIDGE AVENUE, POINT PLEASANT, NEW JERSEY 08742**. Said envelope shall be clearly labeled that it contains a bid for Animal Control Services.
4. Specifications and form of bids may be inspected or obtained upon Proper notice by prospective bidders during regular business hours, 8:30 a.m. to 4:00 p.m., Monday, Tuesday, Wednesday, Thursday, and Friday 9:00 a.m. to 4:00 p.m., from the Municipal Clerk/ Administrator, P.O. BOX 25, 2233 BRIDGE AVENUE, POINT PLEASANT, NEW JERSEY 08742.

5. **Sealed bids shall be called for and shall be received, opened and read in public in the Council Chamber of the Borough Hall, 2233 Bridge Avenue, Point Pleasant, New Jersey 08742, on Wednesday, April 29, 2009 at 10:00 a.m. prevailing time, or as soon thereafter as possible.**
6. **It is the sole responsibility of each bidder to see that bids are submitted on the date and time specified, an IN NO EVENT SHALL ANY BE CONSIDERED AND/OR ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR RECEIPT OF BIDS. In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss or misplacement of the sealed bid by Municipal Officials or any other risk related to the failure of the bidder to personally deliver the bid.**
7. **The bid quote shall be sent to the Borough of Point Pleasant and shall be exclusive of any State or Federal taxes. Each and every deviation from the Specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.**
8. **Each bid must be accompanied by a bid bond, certified check or Cashier's check payable to the Borough of Point Pleasant for not less than ten percent (10%) of the amount bid, but not in excess of \$20,000.00 and shall be delivered at the place and time specified above. This requirement will not be waived.**
9. **A contract will be awarded to the lowest responsible bidder. The Borough reserves the right to reject any and all bids. The Borough Council reserves the right to waive insubstantial irregularities in any bid.**
10. **A non-collusive affidavit in the usual form will be supplied with the Specifications and shall be executed by the person or corporate officer submitting the bid. Said affidavit must accompany each bid. These requirements will not be waived.**
11. **Bidders are required to comply with the requirements of P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list, either prior to the time for the receipt of bids or with the sealed bid, will be ground for the rejection of the bid.**
12. **Bidders are required to comply with the requirements of P.L. 1975, Chapter 127 (N.J.S.A. 10:5-31, et seq).**
13. **Performance date shall commence as stipulated in agreement or as stated in specifications.**
14. **The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.**

MOTION: Adopt Resolution

Made: Mr. Dikun

SECOND: Mr. McHugh

Mr. Leitner: I had the opportunity and it was late today but I had the opportunity to discuss this issue with Mr. Neary, better known as Muskrat Jack. He had some concerns about the bid specifications and also maybe some other ideas that may improve service without spending more money. Some of these things I believe we should discuss in executive session. They deal with potential employment and contractual negotiation issues. My suggestion would be if Council and

Mr. Maffei could advise us if it is acceptable to table this until the next meeting when we have the opportunity to discuss this amongst ourselves. I would suggest tabling this.

Ms. Rogers: Mr. Maffei, based on a month ago or two I spoke to you about putting this on for budget discussion and that we were going to do this for the budget workshop. I had requested this a couple of months ago.

Mr. Dasti: If Mr. Maffei thinks you have time to hold this off that is fine. I would suggest that discussing the issue of whether the change the way you can have the Animal Control person paid that is a budget issue and that is something that should be discussed at a budget session.

Ms. Rogers: That is why I had suggested it for the budget session.

Mr. Maffei: I would ask though that since there is not a regular Council Meeting until May that the authorization be given but the action will be withheld until further direction from Council and future budget meetings. I need the authorization in the event there is not a change in the system. We have to go out before that contract expires and have bids received. If the authorization is given we won't advertise until the time is appropriate.

Ms. Rogers; Would that be changing the bid specifications or reduplicating last year because I don't think the specifications provided met the work that Mr. Neary did for the Borough which was so outside the scope. He gave above and beyond from what I have seen.

Mr. Maffei: That is why I am saying this. This is only authorization to advertise. The bid specs can be adjusted by the Council at your workshop meeting.

Mr. Leitner: I would move to do it as you have suggested Mr. Maffei.

Mr. Maffei: Thank you.

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: No

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

5. (105-2009) Authorize Change Order No. 2 Improvements to Rosewood, Briarcliff Avenues and Ridgefield Drive, Net Increase of \$185.00 – Earle Asphalt Co.

MOTION: Authorize Change Order No. 2 Improvements to Rosewood, Briarcliff Avenues and Ridgefield Drive, Net Increase of \$185.00 – Earle Asphalt Co.

WHEREAS, the Borough of Point Pleasant previously awarded a contract to Earle Asphalt Co., P.O. Box 556, Farmingdale, N.J. 07727 for Improvements to Rosewood, Briarcliff and Ridgefield Avenues; and

WHEREAS, the Borough Engineer has recommended that a Change Order, known as Change Order #2, in the amount of a net increase of \$185.00, which defines adjustments to contract quantities and amount for such projects be authorized; and

WHEREAS, the total amount of the Change Order authorized by this Resolution is within permitted limits.

NOW, THEREFORE, BE IT RESOLVED, this 7th day of April, 2009 by the Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. **Change Order #2 in the amount of a net increase of \$185.00 with Earle Asphalt Co., P.O. Box 556, Farmingdale, N.J. 07727 is hereby authorized.**
2. **That the Mayor is hereby authorized to execute same.**

3.. Copies of this Resolution to: Earle Asphalt Co., Inc., Chief Financial Officer, Contract File, and any other interested parties.

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

6. (106-2009) Appoint Alternate Member to the Zoning Board of Adjustment – Nicholas Scarpello

MOTION: Appoint Alternate Member to the Zoning Board of Adjustment – Nicholas Scarpello

WHEREAS, the Council is authorized to appoint members to the Zoning Board of Adjustment pursuant to Chapter 19-22.1 of the Code of the Borough of Point Pleasant; and

WHEREAS, there currently exists various vacancies on said Zoning Board of Adjustment.

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

The following persons are hereby appointed to the Point Pleasant Zoning Board of Adjustment:

Nicholas Scarpello – Alternate Member

WHEREAS, the Council is authorized to appoint members to the Zoning Board of Adjustment pursuant to Chapter 19-22.1 of the Code of the Borough of Point Pleasant; and

WHEREAS, there currently exists various vacancies on said Zoning Board of Adjustment.

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

The following persons are hereby appointed to the Point Pleasant Zoning Board of Adjustment:

Nicholas Scarpello – Alternate Member

Certified copies of this resolution to the zoning Board of Adjustment, Appointee and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: No

Mr. McHugh: Yes

CARRIES: Yes

7. (107-2009) Confirm Appointment of Part-Time Laborer, Recycling Program – Merritt B. Lane, Jr.

MOTION: Confirm appointment of part-time Laborer, Recycling Program – Merritt B. Lane

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 Merritt B. Lane Jr. 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. Merritt B. Lane Jr., 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 April 5, 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. Dikun

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

8. **(108-2009) Authorize Refund of Demolition Bond, Block 340, Lot 25 – H & D Rosetto**

MOTION: Authorize Refund of Demolition Bond, Block 340, Lot 25 – H & D Rosetto

WHEREAS, H&D Rosetto, 211 North Ocean Avenue, Seaside Park, N.J. 08752 did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1,000 to guarantee satisfactory demolition of a single family home at 1525 Northstream Parkway, Point Pleasant, New Jersey, 08742.

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. **That the proper Borough Officials are authorized and directed to return to H&D Rosetto, a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family home at 1525 Northstream Parkway, Point Pleasant, N.J.**
2. **Copies of this Resolution to: Construction Official, H&D Rosetto, Chief Financial Officer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kakalamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

9. (109-2009 Authorize Tax Reimbursement Certification)

MOTION: Authorize Tax Reimbursement Certification

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

10. (110-2009) Accept Void Check Report

MOTION: Accept Void Check Report

MOTION: Adopt Resolution

MADE: Ms Rogers

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

11. (111-2009) Bills and Claim

MOTION: 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: Ms. Rogers

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

12. (113-2009) Authorize Reduction of Performance Guarantee, Block 279, Lot 10 – Quartier

MOTION: Authorize Reduction of Performance Guarantee, Block 279, Lot 10 – Quartier

WHEREAS, the Borough of Point Pleasant has required the posting of a Performance Guarantee for certain site improvements in regard to Block 279, Lot 10; and

WHEREAS, a substantial portion of the site improvements have been completed and are in substantial accordance with the major subdivision plans as approved by the Planning Board; and

WHEREAS, the applicant has requested a reduction of the posted Performance Bond; and,

WHEREAS, THE Borough Engineer is recommending the reduction of the Performance Guarantee to \$9,216.00;

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 proper Borough Officials are hereby authorized to reduce the aforementioned Performance Bond for site work at Block 279, Lot 10.**
- 2. Said reduction is conditioned upon the provision of a replacement Guarantee and the resolution of any outstanding balances attached to the project escrow account.**
- 3. That a manual check is hereby authorized to provide the applicant with the related reduction amount.**
- 4. That a certified copy of this Resolution be sent to: the applicant, Construction Official, Chief Financial Officer, Borough Engineer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

F. RESOLUTION (112-2009) 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. Approve Council Meeting Minutes of March 3, 2009.
2. Application Raffle License, Point Pleasant Hockey Association, off premise 50/50 to be held June 7, 2009. (RAIN DATE June 14, 2009)
3. Application Raffle License, Alcoholism and Drug Abuse, on premise 50/50 to be held June 9, 2009.
4. Application Raffle License, A Time For Me, off premise 50/50, to be held June 24, 2009.
5. Application Raffle License, A Time For Me, on premise gift auction, to be held June 24, 2009.

MOTION: Adopt Resolution

MADE: Mr. Dikun

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

G. AUTHORIZATIONS

1. Manual Checks

MOTION: Approve Manual Checks

MADE: Ms. Rogers

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

2. Request by Point Pleasant Moose Riders Club for First Charity Poker Run to Close Chestnut Street between River Avenue and Barton Avenue, April 26, 2009 for Approximately Two Hours Beginning 3:00-4:00 p.m (Rain Date May 3, 2009)

Mr. O'Rourke: Do we have the approval from the Chief on this?

Mr. Maffei: It was sent to him.

Mr. Leitner: I believe the Chief is on vacation this week.

Mr. O'Rourke: Where is this.

Mr. Maffei: Along the rec center.

Mr. O'Rourke: I am not comfortable voting on this without a police review.

Mr. Leitner: I understand it will be a bunch of motorcycles for a couple of hours. I would like to notify the neighbors and see what they say.

Mr. McHugh: Could we ask a member of the club to come to the budget meeting. We need more input.

Mr. Leitner: I would like more information.

MOTION: To table until budget meeting and request a member of the organization be here And we get police participation on their ideas

MADE: Mr. O'Rourke

SECOND: Mr. Leitner

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

3. Schedule Budget Workshop Dates

MOTION: To schedule Budget Workshop Dates to be held April 11th at 9:30 a.m. and April 14th at 7 p.m.

MADE: Mr. Dikun

SECOND: Ms. Rogers

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

4. Request for Memorial Day Parade

MOTION: Request to hold Memorial Day Parade

MADE: Mr. Leitner

SECOND: Mr. Dikun

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

Council thanked Mr. Dikun for Chairing this.

CARRIES: Yes

5. Request to conduct Block Party – Jaehnel Parkway, May 24, 2009 Noon – 11 p.m.
Rain Date 5/25/09) Between Herbertsville Road and River Avenue

MOTION: Approve request for block party – Jaehnel Parkway, May 24, 2009 ending at 10 p.m

MADE: Mr. Dikun SECOND: Mr. Kaklamanis

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

CARRIES: Yes

6. Nellie F. Bennett PTO Family Fun Run/Walk, October 10, 2009

MOTION: Approve Nellie F. Bennet PTO Family Fun Run/Walk October 10, 2009

MADE: Mr. Dikun SECOND: Ms. Rogers

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

CARRIES: Yes

7. Website Committee

Ms. Rogers: The approval is to have the web site go live at this point. I spoke with Councilman McHugh today and address some of the point he had that we can make changes to. This is definitely a project that is work in progress and the sooner that it goes live the sooner the residents can use it and make comments as we continue to update it and make it better. At this point David's staff has been trained and everything has been brought in house and it is reducing costs. I would suggest we keep it a work in progress but have it go live at the end of the week. That is my motion.

No second.

Motion fails.

Mr. O'Rourke: The web site is very close. As Sue said maybe at one of the budget meetings we will be able to say go for it. We are going to need feedback. You have to tell us what you like and what you don't like. We want to make the site work for everybody.

Mr. Leitner: I wonder if there is a way we can bring this site up and have it run side by side with the old site just to allow some more participation. The concerns I have are in the initial roll out of this will be the most visited. If some of the things are not done people will not get the full value of it. I think we are talking about a couple of more weeks.

Ms. Rogers: I don't know if we can run it side by side.

Mr. McHugh: I think it is important that it look as good as it can. Some modifications have to be done.

Mr. Leitner: I would like to ask that we really, really need a web site committee. Members of the public that would like to be on please let us know. We need members from Borough Hall and Council. I am asking for a committee.

8. Authorize Request to Extend N.J. Civil Service Police Promotional Lists

MOTION: Authorize Request to Extend N. J. Civil Service Police Promotional Lists

MADE: Ms. Rogers

SECOND: Mr. Dikun

Mr. Leitner: The Public Safety Committee has met. That is Ms. Rogers, Mr. McHugh and myself. I believe we are in favor of extending the list. What I want to make sure everyone understands is the final decision is not up to Council. Civil Service may require us to show cause and cause may be more than financial cause and hardship on the town as to why we are extending it. I believe we are unanimously in favor of it we may not have the last say as to whether it actually happens.

Ms. Rogers: There is urgency requirements to get this letter should this pass tonight immediately tomorrow to whomever it has to go to to give it the best opportunity for approve. I would ask if this motion passes that that be done first thing tomorrow.

Ms. Rogers: Yes
Mr. Dikun: Yes

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

Mr. Kaklamanis: Yes
Mr. McHugh: Yes

CARRIES:

9. Authorize 2009 pension payments

MOTION: Authorize 2009 pension payments

MADE: Ms. Rogers

SECOND: Mr. McHugh

Ms. Rogers: Yes
Mr. Dikun: Yes

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

Mr. Kaklamanis: Yes
Mr. McHugh: Yes

CARRIES: Yes

H. COMMITTEE REPORT.

Mr. Kaklamanis: I have some items here I would like to discuss. This is in regards to the rec center. I talked with the Karen Haycook, Superintendent, in regards to the white picket fence which is in front of the rec center. The white pickets are disappearing little by little. In consulting with Bill Knecht they are under the opinion that it be removed and at a later time we can put another fence and shrubbery. It would be up to us. I would like a motion that we remove the fence.

MOTION: For the white picket fence at the rec center to be removed at this time.

MADE: Mr. Kaklamanis

SECOND: Mr. O'Rourke

Ms. Rogers: Yes
Mr. Dikun: Yes

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

Mr. Kaklamanis: Yes
Mr. McHugh: Yes

CARRIES: Yes

Mr. Kaklamanis: I spoke with the Tax Assessor and we had some discussion that on the May 5th Council meeting that we bring the Certified Valuations Company that is doing the reval and have them come to the meeting for questions and answers that the taxpayer could go back and forth and see what to expect and what not to expect. Have an open discussion.

Mr. Maffei: That was voted on at the last meeting when you were away and they will be present at the May 5th meeting.

Mr. Kaklamanis: Thank you. I have been in touch with the Blake Family and they will get back to me but we would like to dedicate the rec gymnasium to Mr. Blake at the May 5th meeting. I took care of the plaque and the picture and resolution to dedicate it that night to the Blake family.

MOTION: To dedicate the rec gym to Mr. Blake at the May 5th meeting.

MADE: Mr. Kaklamanis

SECOND: Mr. Dikun

Ms. Rogers: Yes
Mr. Dikun: Yes

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

Mr. Kaklamanis: Yes
Mr. McHugh: Yes

CARRIES: Yes

Mr. Kaklamanis: I would like to welcome the new Tax Assessor to our town and from what I see she is doing a fine job and she is keeping up with the reval. The whole town will be reevaluated and that was another discussion we were having about the appeals and if you have read the paper about Toms River and Ortleigh Beach and I did talk to a Councilman down there and they put aside a million dollars and at this time to his knowledge it was not enough. That will somewhere come into play with Tax Assessor to see what we have to reserve and that comes out of the taxpayers dollars. The Riverfront Park is moving along and if you have been by there at night is it lite up and it is near completion and there is just a brief discussion we are having with the Engineering Firm about the sod and underneath the sod and the ground in inches so the water penetrates in roots. Mr. Forsyth who works For Remington and Vernick says it is within site of Eagle Construction turning the park over to us and the log cabin that is in the process of moving forward with Mr. Morris and his volunteers. Just briefly about the budget I sent a e-mails out tonight that they should be aware of sharpening pencils. Happy Easter and say safe. Please attend the budget and regular council meetings.

Ms. Rogers: The park is lite up until 2 a.m. It is very bright.

Mr. O'Rourke: There is a small tank trap on Partridge Run that needs to be marked. It is about 8" deep. It is bad. If you have a hole in your streets please call because Public Works cannot be everywhere at once. The best thing to do if there is a street light out or a pot hole call up. They may not get to it right away but it will be on the list. We have a letter from a woman complaining about a light shining into her property. This is a small town and we don't want to make a law saying to keep the lights off your neighbors property, keep the cats off your neighbors property. Please be neighbors. Shield your lights so they don't shine in the next persons window. It is common sense. If you have a problem with a neighbor please go and ask them to take care of it. 99 times out of 100 they will cooperate.

Mayor Konkus: In this particular case the neighbor is unresponsive.

Mr. O'Rourke: Then it goes to the Code Enforcement Officer. We have enough laws. I was digging in my piles of paper and I came up with the 1989 budget for Point Pleasant. 1989 the whole budget was about \$4 million dollars. Lenny Arms was Mayor, Charlie Wills was Council President, Ken Drennan, Don Fream, Pete Marone, John McGeehan, John Zingis were on the Council. Some of them are deceased. They did a wonderful job. There is a contest going on in Springlake and it is fishing contest for the kids. It is an Anglers Association from Shark River funds it. It is Saturday at 8 a.m. They have a tremendous amount of prizes. I promote that activity. End of report.

Mr. McHugh: I have a couple of thing regarding the Chamber of Commerce. The Chamber of Commerce has asked permission for the Borough to Plant a tree for Earth Day on April 18th. I have contacted the Environmental Commission and Mr. Sears. It was agreed that they will plant the tree on the west end of Community Park. I thank Mr. Clericuzio from the Environmental Commission for sharing his expertise. This is the second year the Chamber wanted to do this and they want to make it a regular thing.

MOTION: To allow the chamber to plant a tree on April 18th subject to DPW making out the exact location with final approval of the species from the Enviromental Commission.

MADE: Mr. McHugh

SECOND: Ms. Rogers

Ms. Rogers: Yes
Mr. Dikun: Yes

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

Mr. Kaklamanis: Yes
Mr. McHugh: Yes

CARRIES: Yes

Mr. McHugh: Thank you to the Chamber of Commerce.

Mr. McHugh: Thank you Mr. Mayor for bringing up Tally's Dodge. Each holiday season the Chamber runs a make it a point shopping campaign to get people to shop locally. This

one is called "Hop around town". It has never been more important than it is now. To think about what you are doing with your shopping dollars. We need to keep the money as closely held as we can in our town. Our businesses are struggling. I have brought a basket of Easter Eggs and in each of these eggs is a coupon that is good at a local business. Anyone can have an egg and keep in mind the intent to shop in town. Public Works, a quick update on the Beaver Dam Road paving that we have talked about at the last four council meetings. The south end of Beaver Dam Road was paved by the County recently and there were some concerns raised with the job that was done and we have been called by the County Road Foreman and they will be back in the next couple of weeks to install a catch basin at Middle Avenue and Beaver Dam Road to eliminate some of the ponding water there and they are going to pave back some of the intersections where they have caused a problem by elevating Beaver Dam Road. They have caused a ponding problem at these intersections. They will pave back to allow the gutter flow. That will be a big relief to the residents that brought these concerns to us. Last thing, public works is hard at work with their spring leaf collection. They are done with sections one and two as of today. Superintendent of Public Works reported a really minimal amount of leaves. If you missed a collection you can always utilize the drop off center at the recycling center.

Mr. Leitner: In terms of public safety if you haven't noticed the great big trucks and cranes outside and the roped off side of the driveway, the renovations to headquarter and Borough Hall are underway. The survey work is done and work will be going full force shortly. The Police Department has received a grant for Drunk Driving Enforcement of \$7500. That will be used to put out additional patrols for drunk drivers. Our Police Department has been doing other good work that I can't disclose today but they are working hard and catching the bad guys. From the Climate Action Committee, I believe they may be doing this with the Chamber of Commerce. They are starting a campaign when you shop locally to ask you do you really need a bag because the plastic bags cause tremendous waste problems in our town and in our landfill and all over the place. Did you remember your canvas bags or your recycling bags. You will see those signs going up all over town and I would like to ask all of you to ask yourself when you buy that sandwich or that quart of milk do you really need a bag. I have been working on, I should say we, and energy audit. How much energy we use and how much we waste and what savings we can get from that. In some of the research I was doing on that on the NJ Clean Energy site and it is NJcleanenergy.com I happened upon a program called Home Performance with Energy Star. It is a terrible name but a great program. For \$125.00 they will send someone out to do a mini energy audit. It will take a couple of hours and they will walk through your house and look at all of your appliances, look at your heating and cooling and your insulation and they will go up in your attic and take the light sockets out and check your walls. They will run all of that information and determine where you can save energy and upgrades. If you get it done you automatically get 10% rebate from the State for any work that you do. If you save up 25% which it is not hard to do you get 50% back. They give you \$1000 for weather proofing. It is a great program. Go to njcleanenergy.com. Mr. Mayor, I am very excited about Easter Sunday to be one of the Judge's with you for the Easter Parade in Point Beach on the Boardwalk. I hope we will see many of you there. End of Report.

Mr. Dikun: I will be brief. On the water and sewer front, I apologize, I received a letter from Bob McCulla from Hardenburgh Avenue in reference to the recent renovation of the Hardenburgh Well and the noise. Apparently he feels the noise level is moderately acceptable. I will meet with him. We will be having a Memorial Day Parade on May 24th about noon. Please put that in the paper for us. End of report.

Ms. Rogers: I had an opportunity to talk with all of you about the budget process and some of the things that are happening. With the new budget meetings hopefully we will have the same turnout that we have tonight. On the exciting note, the 18th is Earth Day at Community Park and it is one of the prime events. Thank you to DPW for all that you do on that day. We hope everyone will come out. We do have some parking issues for that day. We have talked with Ocean First and Bank of America. The Sabosik's have offered some parking in their area. We hope everyone will come out and car pool. On the Community Watch Program we had another session meeting a week ago and we are in the process of working on the newsletter. Resident Cathy Aiello is the editor and Chief and is putting it all together with her committee. We are expecting to finalize it at the end of April or the beginning of May. Go to print and see the first edition in the early part of June. That will be hand walked to every resident in the Borough. Also, National Night out is scheduled for August 4th. We are working on that. Right now, we have Brick Township participating, we expect the Beach, Seaside, the County will bring in their drug programs

along with the Gang Awareness Programs. Also photographing for ID purposes for the children. We have some of the food vendors set up. We expect this to be a really big event for our first annual national night out with the power of good neighbors. We are still growing as far as adding new residents on. We are just over 760 families at this point and we are working to get 100% participation by the end of the summer. We have another sub committee that is working on graffiti clean up. The Chair Person for that is Jack Burke. Marty Murdock is also part of that. They will be working with the Chief to schedule graffiti cleanup. Beaver Dam Hardware and House of Paints have offered supplies. On the Police Department front we are on our third or fourth attempt to get the bid specs out for the new CAD equipment. I hope by the next Council meeting we will have something to move forward. Another thing that is substantial is Captain Williams and I have been working on a grant that is out of Washington that helps support Officers salaries. How that can help. Hopefully, by the 14th I can have more information. I wish everyone a Happy Easter and I look forward to the Easter Parade and being with Mayor Konkus and Mr. Leitner.

Mayor Konkus: I have correspondence from the Ocean County Engineers office and there were residents from Osborn Avenue who contacted the County and requested the speed limit on Osborn Avenue be reduced. The Engineers Office is pleased to advise that as a result it was determined that a reduction from 35 mph to 30 mph is justified. Upon an adoption of a resolution from the County the speed limit will be reduced on Arnold Avenue. We received e-mail from a resident on Dorsett Dock Road requesting the same thing, reduce the speed limit from 30 mph to 25 mph. I agree with the resident. I think it qualifies. I will send a letter off to the County requesting a survey of Dorsett Dock Road for reduction in speed as well. The resident also had a concern with a crosswalk in the Hollywood Road area across Beaver Dam to the Community Park. There was some effort made for a crosswalk there when the park was first constructed but it never quite worked out. I will also sent a letter to the County for this. We have a letter from the Post Office stating they have been impacted by the economy and as a result there has been a significant drop in customer usage. They have adjusted their retail hours. Beginning April 18th 2009 the retail service hours at the Point Boro Post Office will be 10 a.m. to 5 p.m., Monday thru Friday and 9 a.m. to 4:30 p.m. on Saturday. They are suggesting people use alternate locations and there is a comprehensive listing of alternate locations and hours at locateapostoffice.usps.com. Stamps can be bought on line. We have additional correspondence from the County Engineer. I am going to ask Council if they want to take action on this. I don't think we need to do it tonight. "As you know the County is in the process of re-building Arnold Avenue from Ocean Avenue to Lincoln Avenue. There are many intersections that are not handicap accessible. If the Borough wishes to have this done by our contractor there is still time to coordinate it. However, it must be approved quickly. Attached is a copy of the speed sheet showing locations, quantities and prices. Should the Borough want this done please sent a letter of intent to enter into an Interlocal Agreement for the amount of \$10,926.84. We will then draft a formal agreement. Let's think about this and give Dave a call. Can we wait for a budget meeting on this, Dave?

Mr. Maffei: I will check tomorrow morning.

I. 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 Mr. Leitner

SECOND: Mr. Kaklamanis

APPROVED: All in favor

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

MOTION TO CLOSE PUBLIC PORTION: _____

Anita Waterson, 408 Claridge Court: I am going to support the position that was recently taken on the WestSide Tavern and the horrendous parking situation over there. I am a title examiner and I have been in title insurance business for 30 years. I have heard a lot of strange titles and strange configurations of land. I have given expert testimony on road vacation and access problems. I have to say this is the most odd arrangement that I have ever went across. I am in the process of doing a title search on it. I want a little more input on what went wrong here. I will try to keep this simple. This fence (over here) is the end of the property line at the barber shop. When the road was changed in 1981 with the Bridge construction they were allowed access by virtue of the old highway. Now in theory when a highway or road is vacated the land owner gets to the center line of the vacated road. The owner on the property of the other side gets to the center line. There is no more public access at the point. The vacated roadway becomes the property of the adjoining land owners not allowing public access. In theory, the access would end over here which means there would be no public allowed to come down to the end of the old Route 88. The only people using that would be people going into the barber shop for the place of business. That is not what is happening here. What is happening here is the old highway is being used by the general public and in addition to being used by the general public they are parking on the grassy section on the other side. That is probably State property. I am going to guess. I have to look at the some of the highway maps. There is no parking there. That is not a parking lot. The land is not owned by the West Side Tavern. There used to be a sign there that said "Frank's Barber Shop". That was an arrangement that was done 20 years ago. It blew down during a storm or whatever and was not put back up and then zoning said can't have the sign there anymore. The sign that was there for many years had to be taken down because it was State owned property. If it is State owned property and it is grass what on earth are all of these cars doing parking there? It is not only an inconvenience for the business owner or the property owner but it is a danger to the good citizens of Point Pleasant to have all of these cars parked on grass that is not only not their property but if it is State property they should not be there either. There should be no parking signs erected there so if anyone does park there can be ticketed by the Police Department or be towed away. I am going to further investigate this and if the property line does end at the entrance to the barber shop then this is no longer public access. This is a vacated roadway which becomes the property of the adjoining land owner. I am supporting the position that there is a horrendous parking problem and a safety problem over there in addition to the tent parties which creates noise and fighting and all kinds of inappropriate behavior. We have an ongoing issue not only at the tent party but all the time for everyone who walks and drives their vehicles along Route 88. I really wish the council would consider maybe having no parking signs put up there and I will come back to another meeting after I have my title search and tell you exactly what the records say.

Mr. Kaklamanis: Friday and Saturday nights is it also this bad with the parking.

Ms. Waterson: It is pretty bad. I walk. I don't live right there. I do a lot of walking and my route is always along Route 88 and I notice this all of the time. It is bad.

Mr. Kaklamanis: They said they were going to have eight security guards out there. This was for St. Patricks day. Is that correct.

Ms. Waterson: I did not go to St. Patricks Day there.

Mr. Kaklamanis: Is this the day in question?

Ms. Waterson: Yes but this parking is any Friday or Saturday night. They have all of these rock banks there and it get a lot of out of town traffic. They park all over like it is a parking lot and it is not a parking lot it is grass.

Mr. Kaklamanis: When they come before us for these tent parties which they have come but we will make sure it is rectified.

Ms. Waterson: I will get back to you on exactly where the property lines are and who owns what. The records will reflect the correct ownership.

Council thanked Ms. Waterson.

Christopher Leonhart, PO Box 946, Point Pleasant: Good evening. Tonight I am here representing Point Pleasant Borough PBA 158. Recently our police union has come into a

significant amount of negative light after Council Member Rogers reported to the Asbury Park Press that in 2008 the Borough's six other Unions rescinded tentative furlough agreements after the police refused to take furloughs themselves. As PBA President, I feel the need not only to address the Governing Body but the public as well and go on record and say that this statement is completely false. The PBA takes great pride in maintaining a strong relationship with our community and I don't think Ms. Rogers has any idea how much damage her comments to the paper have done to our reputation as a Police Department not to mention how it will affect any support we will be looking for from the citizens of our community. I have taken the liberty to invite Mr. McGrath who authored the Asbury Park article to tonight's meeting should you feel compelled to offer a statement of retraction or public apology. Thank you for your time.

Ms. Rogers: Did I not provide you with a copy of the items I sent to Mr. McGrath. Did I not ask to sit and meet with you and that we had a meeting scheduled and you cancelled that meeting and that Captain Williams had made attempts with Councilman Dikun e-mailing you that we had no response from the PBA to sit down with regards to Administration and Finance and further discuss budgetary items.

Mr. Leonhart: There was no attempt to contact me personally. No.

Ms. Roger: No e-mail to you?

Mr. Dikun: Last week I sent an e-mail requesting whether we were meeting or not.

Mr. Leonhart: The only e-mail I received was correspondence back and forth to Mr. Maffei.

Ms. Rogers: Did you receive e-mails from me?

Mr. Leonhart: Yes, I did.

Ms. Rogers: Did we not have a meeting scheduled that got cancelled?

Mr. Leonhart: Captain

Ms. Rogers: Something that you were short on shift and

Mr. Leonhart: Yes, but there was no attempt to have any contact with the PBA. Captain Williams is not a representative

Ms. Roger: I sent copies with the

Mr. Leitner: The Officer is coming here in good faith saying that the PBA wants to work with Council hand in hand. Is that a fair statement?

Mr. Leonhart: Yes. Our position here tonight is to advise the public that the statement that was in the Asbury Park Press was completely false.

Ms. Rogers: Do you have a PBA meeting coming up in the next week or so. When is your next meeting.

Mr. Leonhart: It has not been set yet.

Ms. Rogers: Is it possible that the Administration and Finance Committee could physically come to your PBA meeting and address your entire membership?

Mr. Leonhart: That would be a decision for the membership. I can't answer that on my own.

Ms. Rogers: Would you make that proposal to them that we would like to come to all of your membership and speak with them.

Mr. Leonhart: I will address. Would you be willing to make a statement retraction or a public apology tonight?

Ms. Rogers: I make no apology for any of the information that I provided to the Asbury Park Press for which I have documentation of. I do also have the e-mails that I sent to you. I do have officers that I have spoken with. Without getting into last years comments and where we are this year, in part of my e-mails I also addressed a multitude of items relative to the PBA's ability to donate their time to our parades that you failed to respond to me on. A series of other things that I hope the dialog going forward, the dialog going forward as to the seriousness of the nature of this budget that the PBA will engage us and speak openly and frankly and talk with honesty and sincerity to fix the problems and meet the needs of the overall residents in this budget crisis.

Mr. Leonhard: Ms. Rogers, you do understand that the PBA is governed by Borough ordinance and we go by that.

Ms. Rogers: Would you be able to say to me that the PBA's position is that they would allow the officers to donate their time to our parades.

Mr. Dasti: STOP, EVERYBODY STOP. Do no talk about Union negotiations.

Ms. Rogers: We look forward to meeting with you.

Mrs. Altieri, 2311 Bennett Avenue: Regarding the web site for the Borough, I had an opportunity maybe three weeks ago to look at the new web site. I would like to take Mr. McHugh's suggestion that we go through and restore the connection to the old web site with a link to the work in progress. If there is a call for a web site committee I would be happy to volunteer.

Ms. Rogers: The new web site has never been presented. The only demonstration was never live. The one you are looking at was the old one.

Mrs. Altieri: The one I saw has nothing but meetings, links for agenda.

Ms. Rogers: That is the current one.

Mrs. Altieri: Okay, thank you.

Ms. Rogers: I look forward to your comments on the new one.

Cortland Coleman: 1233 Woods End Road: I will make this very brief. I have come before in response to the energy audit. I think it is a great thing. It is the first step in finding an energy plan for the Borough and hopefully cutting some energy costs. I applaud those efforts and I just want confirm that the Borough is going that in conjunction with BPU because they are offering heavily subsidized audits to municipalities.

Mr. Leitner: We are investigating going out to bid with the BPU as well as a volunteer basis. We have the Climate Action Committee who has some great volunteers. We are trying the best way to go.

Mr. Coleman: If I could offer a suggestion. I know that the BPU has been very aggressively promoting their program for municipal energy audits and I think it is something that this council should consider taking advantage of. I think they will subsidize up to 85%. In recent decisions they are urging towns to get aboard this train. To take advantage of this.

Mr. Leitner: The Climate Action Committee is getting volunteers and the Council has already authorized requests for bids. We are hoping to make Mr. Maffei's life a little easier.

Mayor Konkus: That is already underway and thank you.

Michele Henry, 1301 Bay Avenue: I would love to volunteer for the Climate Action Committee because I perform the same type of services for Ocean County Department of Buildings and Grounds. There is a state contract which does provide for the fee for energy audits and there implementation. It is not too well known.

Mayor Konkus: When I signed onto the Cool Cities I did so with the intent that we would implement would tailor itself to Point Pleasant Borough. At that time I told Lois Jacobson

that she could run that committee and select who she wanted. You can contact her and we would be very happy to have you on board.

Chris Constantino, 2415 Maple Street, Vice Chair of Environmental Commission, member of Climate Action Committee: I just want to thank Mayor and Council and all of the residents over by Bay Head marshes. We put up the osprey tower, I have before and after pictures. There are two birds in the nest and they were building. Thank you and everything went well. A great bunch of kids helped. We looked at the Kennel property on Mount Place and Kevin Burke came down with us. I was sadly underestimating 60 tires and the mosquito commission came and they removed 200 tires and there are at least another 200 there. We also found a lot of other things. I will give a report as Kevin did. I have a group looking for cleanup projects but his is too involved for them. Maybe a clean up at Slade Dale. Maybe the empty lot on Dorsett Dock that the Borough owns. Earth Day is looking good. Thank you.

Laura Beedon, Spruce Street: Councilman Leitner please talk louder. The last Council meeting I mentioned the parking on Beaver Dam by the school. The next morning there was an accident. It is a really bad situation. When you come out of Panther Path you cannot see to come out on Beaver Dam. The cars are parked too close. Maybe signs. They are students. It is really bad.

Ms. Rogers: Have you talked with Lt. Colwell?

Ms. Beedon: No. I have not called about the cars.

Mr. Leitner: I did see the article in the Asbury Park Press and I did forward it to the Chief and he is on vacation this week. I think that is an area we have to make safer.

Ms. Beedon: You cannot see over an SUV. I have made everybody aware.

Robert Verela, 1314 Sleepy Hollow Road: I am here to complain about the water. The brown water we have. Several years ago they would flush those fire hydrants out at night. Now they do it during the day when people are up trying to do laundry, trying to cook. When they were doing it at night the water would settle down by the next morning and there would not be the problems that there are now. I know it would settle down. When I was working I used to get up at 4 a.m. and I would have clear water even if the flushed the hydrant out in front of my house. I want to know why you can't back to flushing those things at night. You don't have to pay them overtime. You can re-schedule them to work the hours necessary. I spoke to one of the people in the water department and he said they used to flush them up to midnight but if they really wanted to rush the job they would work till 3 a.m. and flush more. Why can't they be brought in from 8 p.m to 4 a.m. and get it over and done with and then by the next morning they have clear water again. Last week my water was brown until 5 p.m. in the afternoon. It is still tan.

Ms. Rogers: Are you have any discoloration with your clothing or washing?

Mr. Verela: I don't do laundry, my wife does it.

Ms. Rogers: Good for her.

Mayor Konkus: Jack, would you check with Dennis on this and see if there is a possibility for flex hours on this.

Mr. McHugh: I will look into that for you.

Mr. Verela: I realize it is too late to do it this year but it could be arranged for next year.

Seeing no hands I entertain a motion to close the open public session.

MADE: Mr. Leitner

SECOND: Mr. McHugh

ALL IN FAVOR.

J. EXECUTIVE SESSION

MOTION: Adopt Resolution authorizing Mayor and Council to retire into Executive Session

WHEREAS, Mayor and Council are desirous of retiring into Executive Session to discuss applicable exceptions to the N.J. Open Public Meetings Act; and

WHEREAS, those matters relate to the following:

1. Personnel Matters – Various Employees

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

1. That the Mayor and Council shall retire into Executive Session to discuss the Aforesaid matters; and
2. That minutes shall be taken; and
3. That the matters to be discussed will be in all likelihood be known to the Public when and if the necessity for confidentiality no longer exists; and
4. That at the conclusion thereof, the meeting shall again be opened to the public.

MADE: Mr. Leitner

SECOND: Mr. McHugh

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

Mayor and Council returned to open session.

Mr. Dasti: We need authorization to allow Ms. Rogers to assist in the CFO's office to get the payroll taken care of until we hire someone.

MADE: Mr. Dikun

SECOND: Mr. O'Rourke

Ms. Rogers: Abstain

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

MOTION: To appoint Jackie Iannizzotto as Chairperson to Municipal Alliance

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Ms. Rogers: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Mr. Leitner: Yes

Mr. McHugh: Yes

CARRIES: Yes

MOTION: To Adjourn

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

ALL IN FAVOR.