

COUNCIL MEETING

TUESDAY – MARCH 4, 2008

8:00 P.M.

Mayor:	Martin C. Konkus
Council President:	Roger Pyrtko
Council Member:	Brian McAlindin
Council Member:	Shaun O'Rourke
Council Member:	John Kaklamanis
Council Member:	William Dikun
Council Member:	Susan Rogers
Borough Attorney	Jerry J. Dasti

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

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

STATEMENT BY MAYOR KONKUS: Pursuant to the applicable portions of the New Jersey Open Public Meeting Act, adequate notice of this meeting has been given. Notice of this meeting of the Governing Body has been posted in the corridor of the Municipal Building, published January, 2008 editions of the Ocean Star and communicated to the Asbury Park Press.

A. ORDINANCES – FINAL READING, PUBLIC HEARING

1. Ordinance Supplementing Chapter IV “General Licensing “ – Massage Parlors

**AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER IV OF THE CODIFIED ORDINANCES OF THE BOROUGH OF POINT PLEASANT ENTITLED “GENERAL LICENSING, IN PARTICULAR SECTION 4-3, “MASSAGE PARLORS”**

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

**SECTION 1.** Chapter IV of the Borough Code of the Borough of Point Pleasant entitled “General Licensing” in particular Section 4-3, “Massage Parlors” is hereby amended and supplemented as follows:

Subsections 4-3.1 through 4-3.7 are hereby amended and supplemented in their entirety to insert the following in their place and stead:

**Subsection 4-3.1.** Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**MASSAGE** – Systems of activity of structured touch which include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual technique and use of visual, kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage, bodywork or somatic principles. Such application may include, but

is not limited to, the use of therapies such as heliotherapy or hydrotherapy, the use of moist hot and cold external applications, external application of herbal or topical preparations not classified as prescription drugs, explaining and describing myofascial movement, self-care and stress management as it relates to massage, bodywork, and somatic therapies.

**MASSAGE ESTABLISHMENT** – Any massage establishment or place of business wherein massage as to all or any one or more of the above-described subjects and methods of treatments, as defined under “massage therapist,” are administered or used.

**MASSAGE THERAPIST** – Any person who practices or administers as to all or any of the following-named subject matters and who has made a study of the underlying principles of anatomy and physiology as generally included in a regular course of study by a recognized and approved school of massage: the art of body massage, either by hands or with a mechanical or vibratory apparatus for the purpose of body massaging, reducing or contouring; the use of oil rubs, heat lamps, salt glows, hot and cold packs and tub, shower or cabinet baths. Variations of the following procedures are employed: touch, kneading, vibration, percussion and medical gymnastics. Massage therapists shall not diagnose or treat classified diseases or practice spinal or other joint manipulations or prescribe medicines or drugs.

**Subsection 4-3.2. License requirements.**

It shall be unlawful for any person or persons to engage in the practice of or attempt to practice massage, whether for a fee or gratuitously, or to conduct massage without a license issued pursuant to the provisions of this chapter.

**Subsection 4-3.3. Application for license.**

An applicant for a license shall submit the following information:

- a. The applicant’s full name and address.
- b. The applicant’s height, weight, and color of eyes and hair.
- c. A current photograph.
- d. The massage or similar business license history, if any, of the applicant, including whether such person, in the previous operation, in this or another area, has had his or her license revoked or suspended, the reason therefor and any business activity or occupation subsequent to the action of suspension or revocation.
- e. All criminal convictions and the grounds therefor.
- f. A certificate from a medical doctor designating that the applicant has, within 30 days immediately prior thereto, been examined and found to be free of any contagious or communicable diseases.
- g. A current certificate as a massage therapist from the State of New Jersey pursuant to the Massage, Bodywork, and Somatic Therapist Certification Act, N.J.S.A. 45:11-53 et seq.

**Subsection 4-3.4. Application procedure; fee.**

- A. Any person desiring to obtain a license to operate a massage establishment or to perform massage services shall make application to the Borough Clerk, who shall refer all such applications to the Chief of Police for an appropriate investigation.
- B. Each application shall be accompanied by a license fee of \$500.00.
- C. Any employee desiring to be licensed as a massage therapist pursuant to Section 4-3.9 of this chapter shall pay a fee of \$200.00 and otherwise

comply with the application requirements of this chapter, where applicable.

**Subsection 4-3.5. Approval by Borough Council Required.**

Each application for a license that is in compliance with the requirements of Subsection 4-3.4, or the renewal of a license thereof, either to operate a massage establishment or premises or to engage in the business of or to be employed as a masseur or masseuse, which is submitted to the Borough Clerk, shall be approved by the Borough Council before any license is issued. The Borough Council shall not approve such application if, on the basis of the past criminal record of the applicant, or of the principals thereof, or on the basis of other evidence of bad character or morals, it shall determine that the granting or renewal of such license would tend to encourage or permit criminal or immoral activities within the Borough.

**Subsection 4-3.6. Issuance or denial of license; appeals; nontransferability; duration.**

- A. Upon payment of the application fee, submission of all information required by the application and upon proper inspection, a license shall be granted immediately if all requirements described herein are met and unless it appears that any such applicant has deliberately falsified the application or the record of such applicant reveals a conviction of a felony or a crime of moral turpitude or a vice, drug or gambling crime or offense.
- B. Any person denied a license pursuant to these provisions may appeal to the Borough Council, in writing, stating reasons why the license should be granted. The Council may grant or deny the license. The Council may also review any determination of the Chief of Police granting or denying a license on its own motion.
- C. All licenses hereunder are nontransferable; provided, however, that a change of location of a massage establishment may be permitted pursuant to the provisions thereof.
- D. All licenses pursuant to this chapter shall be for a term commencing on January 1 of each year and terminating on December 31 of each year. The license fees provided for in Section 4-3.4 of this chapter shall not be prorated in the event that an application for a license is made at any time after January 1 of any year.

**Subsection 4-3.7. Display of license.**

Every person to whom a license shall have been granted shall display said license in a conspicuous place at his or her place of business.

**Subsection 4-3.8. Signs; lighting.**

No license to conduct a massage establishment shall be issued unless an inspection discloses that the establishment complies with each of the following minimum requirements:

- A. A readable sign shall be posted at the main entrance identifying the establishment as a massage establishment; provided, also, that all such signs shall otherwise comply with the general sign requirements of the Borough of Point Pleasant.
- B. Minimum lighting shall be provided in accordance with the applicable ordinances of the Borough of Point Pleasant; and, additionally, at least one

artificial light of not less than 15 watts shall be provided in each enclosed room or booth where massage services are being rendered.

**Subsection 4-3.9. Change of location.**

A change of location of the massage premises shall be approved by the Chief of Police, provided that all applicable ordinances are complied with and the change of location fee of \$100 is first paid.

**Subsection 4-3.10. Licensing of employees.**

It shall be the responsibility of the holder of the license for a massage establishment to ensure that each person employed as a massage therapist shall first have obtained a valid license pursuant to this chapter.

**Subsection 4-3.11. Inspections.**

At least four times each year, an inspection of each massage establishment may be made for the purpose of determining that the provisions of this chapter are met.

**Subsection 4-3.12. Procedure for revocation of license.**

- A. No license shall be revoked until after due notice and a hearing shall have been held before the Borough Council to determine just cause for such revocation.
- B. Notice of such hearing shall be given in writing and served at least ten (10) days prior to the date of the hearing thereon. The notice shall state the grounds of the complaint against the holder of such license and shall designate the time and place where such hearing will be held.
- C. The notice shall be served upon the license holder by delivering the same personally or by leaving such notice at the place of business or residence of the license holder in the custody of a person of suitable age and discretion. In the event that the license holder cannot be found and the service of such notice cannot be otherwise made in the manner herein provided, a copy of such notice shall be served by certified mail, return receipt requested and by regular mail, addressed to the licensed holder at his or her place of business or residence at least ten (10) days prior to the date of such hearing.

**Subsection 4-3.13. Grounds for revocation of license.**

The license of a massage therapist and/or massage establishment may be revoked upon one or more of the following grounds:

- A. The licensee is guilty of fraud in the practice of massage or fraud or deceit in his being licensed to the practice of massage.
- B. The licensee has been convicted in a court of competent jurisdiction of a felony. The conviction of a felony shall be the conviction of any offense which, if committed within this state, would constitute a felony under the laws thereof.
- C. The licensee is engaged in the practice of massage under a false or assumed name or is impersonating another practitioner of a like or different name.
- D. The licensee is addicted to the habitual use of intoxicating liquors, narcotics or stimulants to such an extent as to incapacitate such person for the performance of his or her professional duties.
- E. The licensee is guilty of fraudulent, false, misleading or deceptive advertising or that he or she prescribes medicines or drugs or practices any other licensed profession without legal authority therefor.

- F. The licensee is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unregistered person to perform massage in his or her establishment.
- G. The licensee has violated any of the provisions of this chapter, including allowing an unlicensed person to perform massage.
- H. The licensee knew of or allowed acts of prostitution upon the licensed premises.

**Subsection 4-3.14. Exceptions and restrictions.**

The requirements of this chapter shall have no application and no effect upon and shall not be construed as applying to physicians, surgeons, chiropractors, osteopaths or any nurse working under the supervision of a physician.

**Subsection 4-3.15. Violations and penalties.**

Any person who shall violate any of the provisions of this Chapter shall, upon conviction, be subject to the penalties as provided in Chapter 1, Section 1-5 entitled "General Penalty."

**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.

ATTESTED TO BY:

APPROVED:

\_\_\_\_\_  
DAVID A. MAFFEI, Clerk/Administrator

\_\_\_\_\_  
MARTIN KONKUS, Mayor

MOTION: Adopt Ordinance

MADE: Mr. McAlindin

SECOND: Mr. Pyrtko

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

2. Salary Ordinance

MOTION:

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING SALARIES FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF POINT PLEASANT FOR THE YEARS 2006, 2007, 2008 AND 2009.

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

SECTION 1. For the year 2006 and for each year thereafter, the salaries set forth in Schedule A, which is annexed hereto and made a part hereof, are hereby established for the officials and employees whose titles are set for the herein.

SECTION 2. The provisions of this Ordinance shall be effective for the calendar year 2006 and for each year thereafter, except as may be amended or supplemented by subsequent ordinances of the Borough of Point Pleasant.

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

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

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

\_\_\_\_\_  
David A. Maffei  
Municipal Clerk/Administrator

\_\_\_\_\_  
Martin C. Konkus  
Mayor

SCHEDULE A

<u>TITLE OF POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Police Lieutenant	\$102,826.00 Per Annum	\$122,116.00 Per Annum
Police Captain	\$117,222.00 Per Annum	\$139,212.00 Per Annum

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of Point Pleasant, in the

County of Ocean held on the 19<sup>th</sup> day of February, 2008 and will be considered for final passage at a regular meeting of said Governing Body to be held on March 4, 2008 at the Borough Hall Council Chambers, 2233 Bridge Avenue, Point Pleasant, New Jersey at 8:00 p.m., at which time and place any person desiring to be so heard upon the same will be given the opportunity to be so heard.

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DAVID A. MAFFEI  
MUNICIPAL CLERK/ADMINISTRATOR

First Reading: February 19, 2008

Final Reading: March 4, 2008

Mayor Konkus opened the meeting to the public for comment.

Dennis Vitkauskis, Foster Road, I thought the Council was to represent the citizens of the town. At looking at the resolution out in the lobby when you look at what is here it is just a range put when you see the long list of all the Officers and the pay a 4% raise doesn't sound like a lot but everybody is making over \$100,000 a year. That is over a \$4000 raise. Who gets \$4000 raises? Apparently our police officers do. I am not saying anything is wrong with the Police Officers but that is outrageous. In these economic times it is obscene. I wish you would more represent the people of the town and give raises of a dollar amount. 4% might be nice for someone working in the Clerical Department. Give raises of a dollar amount. I am disgusted with you.

Mayor Konkus: Dennis, when we are dealing with Police negotiations we are subject to arbitration and if they are dissatisfied with how negotiations are going they appeal and the arbitrators all seem to be former police officers. We have a balancing act.

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

MOTION: Adopt Ordinance

MADE: Mr. Pyrtko

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: No

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

**B. ORDINANCE – INTRODUCTION**

1. Municipal Budget CAP Ordinance to Increase the Appropriations CAP from 2.5% to 3.5%

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and**

**WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the**

3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Point Pleasant in the County of Ocean find it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Borough Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$119,186.42 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and

WHEREAS, the Mayor and Borough Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Point Pleasant, in the County of Ocean, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Borough of Point Pleasant shall, in accordance with this ordinance and N.J.S.A. 40A:4-14, be increased by 3.5%, amounting to \$417,152.45, and that the CY 2008 municipal budget for the Borough of Point Pleasant be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

foregoing ordinance is hereby approved.

Date: March 20, 2008

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Martin C. Konkus, Mayor

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David A. Maffei

Municipal Clerk/Administrator

MOTION: Adopt Ordinance

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Mr. Pyrtko: Yes  
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes  
Mr. Dikun: Yes

Mr. O'Rourke: Yes  
Ms. Rogers: Yes

CARRIES: Yes

**2. Ordinance Authorizing and Emergency Appropriation for the Preparation and Execution of a Complete Real Property Revaluation Program**

AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT

BOROUGH, COUNTY OF OCEAN, STATE OF NEW JERSEY,

AUTHORIZING AN EMERGENCY APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-53 FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE USE OF THE LOCAL TAX ASSESSOR

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

SECTION 1. Pursuant to N.J.S.A. 40A-53 (Ch. 48, P.L. 1969) the sum of \$468,900.00 is hereby appropriated for the preparation and execution of a complete program of revaluation of real property for the use of the local Tax Assessor and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

SECTION 2. The authorization to finance the aforementioned appropriation shall be provided for in succeeding annual budgets by inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

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

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5. This ordinance shall take effect immediately upon publication in accordance with the law.

ATTEST:

APPROVED:

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\_\_\_\_\_

David A. Maffei

Martin C. Konkus

Municipal Clerk/Administrator

Mayor

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 a meeting held on the 4th day of March, 2008. The Ordinance will be considered for second reading and final reading at a meeting of the Borough Council which is scheduled for the 18<sup>th</sup> day of March, 2008, 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.

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David A. Maffei

Municipal Clerk/Administrator

FIRST READING: March 4, 2008

FINAL READING: March 18, 2008

MOTION: Adopt Ordinance

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrkto: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: No

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

C. OPEN PUBLIC SESSION – 5 Minute Limit Per Person

OPEN PUBLIC SESSION (Resolutions and Authorizations Only)

5 Minute Limit Per Person

Ordinance No. 530. An Ordinance to establish by-laws to govern the organization and procedures of the Borough Council for meetings and deliberations. Section 5. Public Participation. Each member of the public shall keep his or her remarks brief, pertinent to the issues being discussed and shall not exceed a time period of five (5) minutes in order to adequately provide all members of the public with the opportunity to address the Governing Body consistent with good order and efficiency.

MOTION: Open the meeting to the public Ms. Rogers

SECOND: Mr. McAlindin

APPROVED: All in favor---

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

MOTION TO CLOSE PUBLIC PORTION: \_\_\_\_\_

Dennis Vitkauskis, Foster Road, The salary resolution for Police Superior Officers. You mean to tell me there is a law that says you have to give a percentage increase and you cannot give a dollar amount increase.

Mr. Dasti: The law concerning Police Officer negotiations they have a special statute for police negotiations in New Jersey and if we cannot resolve things at this level with the police department that have the right to petition PERC which is arbitration and they have superior bargaining position. If they go to interest arbitration a lot of thing are taken into

consideration by the PERC mediator. What other Police Unions are getting throughout the State, what the PERC people think this town can afford to do and

Mr. Vitkauskis: By law do that have to get a percent increase

Mr. Dasti: No.

Mr. Vitkauskis: 13 Officers are making well in excess of \$100,000 and 19 Officer are making \$89,000 up to \$100,000 and four officer are making under \$45,000. All the holiday pay and I just think we should think about the citizens more and look at the poor people. Thank you.

Seeing no hands Mr. Pyrtko entertained a motion to close the public portion of the meeting.

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

ALL IN FAVOR.

**D. RESOLUTIONS**

1. (059-2008) Authorize Donation of the Amount of the Salary of Councilmember William Dikun

MOTION: Authorize Donation of the Amount of the Salary of Councilmember William Dikun

**WHEREAS, William Dikun was duly elected and sworn in as a Council Member for the Borough of Point Pleasant; and**

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

**WHEREAS, William Dikun has indicated that he intends to forego his respective salary as a Council Member for the Borough of Point Pleasant Borough, upon condition that the amount of his salary is to be donated directly to the following Funds indicated:**

**1. Point Pleasant Borough Fire Company #2**

**PO Box 624**

**Point Pleasant, New Jersey 08742**

**(\$1200.00)**

**2. Jack Watson Scholarship Fund**

**c/o Diane Miani**

**Point Pleasant Borough High School**

**Laura Herbert Drive**

**Point Pleasant, New Jersey 08742**

**(\$1000.00)**

**3. Golden Elks Pop Warner**

**PO Box 881**

**Point Pleasant, New Jersey 08742**

**(\$1000.00)**

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

**NOW, THEREFORE, BE IT RESOLVED, this 4<sup>th</sup> day of March, 2008 by the Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:**

- 1. The Borough Council hereby accepts the request of Council Member William Dikun to forego his respective salary and accept his request to donate same to the Point Pleasant Borough Fire Company #2 in the amount of \$1200.00, Jack Watson Scholarship Fund in the amount of \$1000.00, and the Golden Elks Pop Warner in the amount of \$1000.00.**
- 2. The Borough Council hereby authorizes and directs the Municipal Clerk/ Administrator and Chief Financial Officer to execute any and all necessary documents in order to implement the intent of this Resolution.**

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Ms. Rogers**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Abstain**

**Ms. Rogers: Yes**

**CARRIES: Yes**

- 3. (060-2008 Authorize Refund of Demolition Bond, Block 37, Lot 11 – Zarrilli Homes**

**MOTION: Refund Demolition Bond, Block 37, Lot 11 – Zarrilli Homes**

**WHEREAS, Zarrilli Homes Inc., 186 Mantoloking Road, Brick, N.J. did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1000 to guarantee satisfactory demolition of a single family dwelling at 204 Osborn Avenue, Point Pleasant, N.J. 08742.**

**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 authorized directed to return to Zarrilli Homes Inc., a demolition bond in the amount of \$1000.00 deposited as security for the satisfactory demolition of a single family dwelling at 204 Osborn Avenue, Point Pleasant, N.J. 08742.**
- 2. Copies of this Resolution to: Construction Official, Zarrilli Homes, Chief Financial Officer and any other interested parties.**

**MOTION: Adopt Resolution**

**MADE: Ms. Rogers**

**SECOND: Ms. O'Rourke**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**3. Authorize Adjustments and/or Refunds on Certain Tax or Water/Sewer Accounts**

**MOTION: Authorize Adjustments and/or Refunds on Certain Tax or Water/Sewer Accounts**

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

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

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

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

<u>BLOCK &amp; LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
279-55	Topar	1138.86	Per committee adjust '07 Sewer only – broken pipes
340-25	Capuzzi	3351.75	Per committee adjust '07 Sewer only – broken pipes

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

**MOTION: Adopt Resolution**

**MADE: Mr. Pyrtko**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**3. (062-2008) Salary Resolution – Police Superior Officers**

**MOTION: Salary Resolution (Amended 2006, 2007 and 2008)**

WHEREAS, it is necessary for the Mayor and Council of the Borough of Point Pleasant to adopt a resolution establishing the annual salaries of Borough Employees for the years 2006, 2007, 2008 in accordance with the current salary ordinance and negotiated contract:

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

1. The salaries according to attached "Schedule A" are hereby approved as the salaries to be paid respective employees listed thereon. Said salaries to be effective January 1, 2006, 2007 and 2008.
2. Certified copies of this resolution be sent to the Chief Financial Officer and all interested parties.

**SCHEDULE "A"**

**AMENDED SALARIES 2006:**

NAME	TITLE	BASE SALARY	LONGEVITY
Colwell, Michael	Sgt.	\$85,529.00	8%
	Lt.	\$108,561.00 – 1/17/06	8%
Jenson, James	Lt.	\$108,561.00	8%
Larsen, Richard	Lt.	\$108,561.00	8%
Whittles, Michael	Lt.	\$108,561.00	10%
Williams, Lawrence	Capt.	\$123,759.00	10%

**AMENDED SALARIES 2007:**

Colwell, Michael	Lt.	\$112,903.00	8% 9% July
Jensen, James	Lt.	\$112,903.00	8% 9% May
Larsen, Richard	Lt.	\$112,903.00	8% 9% August
Whittles, Michael	Lt.	\$112,903.00	10%
Williams, Lawrence	Capt.	\$128,564.00	10%

**AMENDED SALARIES 2008:**

Colwell, Michael	Lt.	\$117,418.00	9%
Jensen, James	Lt.	\$117,418.00	9%
Larsen, Richard	Lt.	\$117,418.00	9%
Whittles, Michael	Lt.	\$117,418.00	10%
Williams, Lawrence	Capt.	\$133,858.00	10%

**MOTION: Adopt Resolution**

**MADE: Mr. Pyrtko**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: No**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**4. (063-2008) Authorize Refund of Demolition Bond, Block 113, Lot 9 – MGM Homes, LLC**

**MOTION: Authorize Refund of Demolition Bond, Block 113, Lot 9 – MGM Homes, LLC**

**WHEREAS, MGM Homes, LLC, P.O. Box 211, Manasquan, N.J. did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1000 to guarantee satisfactory demolition of a single family dwelling at 860 Arnold Avenue, Point Pleasant, N.J. 08742.**

**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 authorized directed to return to MGM Homes, LLC, a demolition bond in the amount of \$1000.00 deposited as security for the satisfactory demolition of a single family dwelling at 860 Arnold Avenue, Point Pleasant, N.J. 08742.
2. Copies of this Resolution to: Construction Official, MGM Homes, Chief Financial Officer and any other interested parties.

**MOTION: Adopt Resolution**

**MADE: Mr. O'Rourke**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

5. (064-2008) Authorize Refund of Demolition Bond, Block 113, Lot 1 – MGM Homes, LLC

**MOTION: Refund Demolition Bond, Block 113, Lot 1 – MGM Homes, LLC**

WHEREAS, MGM Homes, LLC, P.O. Box 211, Manasquan, N.J. did deposit with the Borough of Point Pleasant a Demolition Bond in the amount of \$1000 to guarantee satisfactory demolition of a single family dwelling at 860 Arnold Avenue, Point Pleasant, N.J. 08742.

**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 authorized directed to return to MGM Homes, LLC, a demolition bond in the amount of \$1000.00 deposited as security for the satisfactory demolition of a single family dwelling at 860 Arnold Avenue, Point Pleasant, N.J. 08742.
2. Copies of this Resolution to: Construction Official, MGM Homes, Chief Financial Officer and any other interested parties.

**MOTION: Adopt Resolution**

**MADE: Mr. O'Rourke**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

6. (065-2008) Accept CFO Report – January, 2008

**MOTION: Accept CFO Report – January, 2008**

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

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

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

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

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

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Mr. O'Rourke**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**7. (066-2008) Emergency Temporary Budget Appropriations – 2008**

**MOTION: Emergency Temporary Budget – 2008**

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

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

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

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

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

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**8. (067-2008) Authorize Creation and Advertisement for Sale of New Plenary Retail Consumption Liquor License.**

**MOTION: Authorizing the Receipt of Bids for the Sale of One New Plenary Retail Consumption License for the Sale of Alcoholic Beverages**

**WHEREAS, there exists in the Borough of Point Pleasant Borough (hereinafter referred to as the "Borough") the authority to issue one plenary retail consumption license for the sale of alcoholic beverages; and**

**WHEREAS, the Governing Body has determined to sell one plenary retail consumption license at public sale; and**

**WHEREAS, pursuant to N.J.S.A. 33:1-19.3, it is the desire of the Borough to accept bids for the aforesaid new license as provided by law:**

**NOW, THEREFORE, BE IT RESOLVED, this 4<sup>th</sup> day of March, 2008, by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:**

**1. The Borough hereby determines that it will sell at public sale one plenary retail consumption license for the sale of alcoholic beverages in accordance with the procedures set forth in N.J.S.A. 33:1-19-3., et seq.**

**2. The Borough Administrator/Clerk shall publish a notice of the proposed issuance of the aforesaid alcoholic beverage license indicating that applications therefore will be accepted by the Borough Council at the time, date, and place specified in the notice, after which no further applications will be accepted.**

**3. Said notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart, the second of which shall be at least 30 days prior to the date of sale.**

**4. That the minimum bid price for this new alcoholic beverage license shall be \$350,000.00. The public notice shall be published in an official newspaper of the Borough. All bidders shall submit in cash or certified check ten percent (10%) of the amount of the bid, submit to the Borough cash or certified check for the balance of the bid which shall be paid into the general fund of the Borough, subject to refund if the license cannot be issued to the bidder.**

**5. The plenary consumption license shall not be located less than 1,000 feet from any retail liquor store. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where retail liquor is sold to the nearest portion of the proposed location of the new license.**

**6. The Governing Body reserves the right to reject any and all bids where the highest bid is not accepted.**

**7. A certified copy of this Resolution shall be forwarded by the Borough Administrator/Clerk to the following: Director, A.B.C., Borough Attorney, Borough Auditor, and any other interested parties.**

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Mr. O'Rourke**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**9. (068-2008) Bills and Claims**

**MOTION: Authorize 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 by signature on each page of the attached schedules that each item accurately reflects the vendor's name, corresponding check number and appropriate amount as actually appears on the respective check; and

**WHEREAS,** As means of internal control a designated Borough Employee has cross checked each schedule and has certified by signature on each page that each item accurately reflects the appropriate vendor's name, corresponding check number and appropriate amount as actually appears on the respective check; and

**WHEREAS,** The Chief Financial Officer shall list on said schedule all void checks created as a result of the computer bill list run and that any other variations are appropriately noted in said schedules.

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

10. (070-2008) Accept Void Check Report

MOTION: Accept Void Check Report

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

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

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

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

<u>CHECK #</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>VENDOR</u>	<u>REASON</u>
STOPPED PAYMENTS:				
7033	\$800.00	Current	R&M Nielsen	Lost
7508	\$250.00	Current	Lillian Ortley	Lost
9114	\$ 3.00	Current	PBA	Lost
9824	\$154.55	Current	D. Maffei	Lost (reissue)
10411	\$250.00	Current	J. Stanford	Lost (reissue)
8432	\$182.40	Water/Sewer	Public Storage	Lost
8777	\$ 54.00	Water/Sewer	State of New Jersey	Lost
9048	\$ 97.20	Water/Sewer	West Publishing	Lost (reissue)
4782	\$ 32.25	Water/Sewer	R&H Spring & Truck	Lost
8585	\$ 5.00	Rec Trust	L.Pulitano	Lost (reissue)
VOID CHECK:				
8700	\$545.76	Trust	Dept. of Corr.	Per Police

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

11. (071-2008) Appoint the Fire of O'Donnell Stanton and Associates Inc. as Engineer of Conflict and Special Matters

MOTION: Appoint O'Donnell Stanton and Associates as Engineer in Conflict Matters and Special Projects

**WHEREAS, the Borough of Point Pleasant (the "Borough") is in need of retaining the services of an Engineer to represent its interests in matters of conflict of interest or special projects; and**

**WHEREAS, O'Donnell Stanton and Associates are duly qualified to serve as Conflict Borough Engineer and have agreed to act as such for the Borough; and**

**WHEREAS, these appointments are professional appointments and therefore exempt from the bidding requirements set forth in the New Jersey Local Public Contracts Law,**

**N.J.S.A. 40A:11-1 et seq.; and**

**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. O'Donnell Stanton and Associates are hereby appointed as Engineers in matters in conflict and special projects under the "Pay to Play Amount"**
- 2. This Resolution shall take effect immediately and shall authorize the execution of agreements for Professional Services which will expire on December 31, 2008.**
- 3. The appointments of O'Donnell Stanton and Associates as Engineer for matters of conflict and special projects for the Borough are professional appointments and therefore exempt from the bidding requirements as set forth in the New Jersey Local Contracts Law, N.J.S.A. 40A:11-1 et seq.**

**MOTION: Adopt Resolution**

**MADE: Mr. Pyrtko**

**SECOND: Mr. O'Rourke**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

- 12. (072-2008) Opposing the Failure of the governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax Relief as our Priority**

**MOTION: Opposing the failure of the Governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax Relief as our Priority**

**WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and**

**WHEREAS, the proposal, which represents what the Governor called “many unpleasant choices,” calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and**

**WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizen’s Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and**

**WHEREAS, local officials have done so much with so little for so long, that the State Budget-makers now believe some can do everything with absolutely nothing; and**

**WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and**

**WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that “requires” annual inflationary adjustments of this (and CMPTRA) funding; and**

**WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and**

**WHEREAS, last year’s \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and**

**WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State’s General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and**

**WHEREAS, Borough property taxpayers will be forced to pay increased property taxes because of the loss of state aid revenue while at the same time suffer the loss of services as the Borough is forced to implement service cutbacks and layoffs including reduced Police protection, garbage collection, roadway repairs, and other services due to the arbitrary Budget CAP laws previously imposed by the State under the pretense of property tax relief.**

**NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Point Pleasant calls on its elected representatives in Trenton, Senator Andrew Ciesla and Assembly members James Holzapfel and David Wolfe, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statues and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and be it further;**

**RESOLVED, that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator Ciesla and Assembly members Holzapfel and Wolfe and to the New Jersey State League of Municipalities.**

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Mr. Pyrtko**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**E. RESOLUTION (069-2008) Consent Agenda**

**MOTION: To approve consent items as summarized below**

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

WHEREAS, said consent items are hereby summarized as follows:

1. Application Raffle License, Silver Bay Elementary PTO, On premise gift auction, to be held April 10, 2008.
2. Application Raffle License, Silver Bay Elementary PTO, On Premise 50/50 to be held April 10, 2008.
3. Application to Amend Raffle License, Alcoholism and Drug Abuse Council of Ocean, Inc., to be held June 10, 2008.

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

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

**MOTION: Adopt Resolution**

**MADE: Mr. McAlindin**

**SECOND: Mr. Dikun**

**Mr. Pyrtko: Yes**

**Mr. McAlindin: Yes**

**Mr. O'Rourke: Yes**

**Mr. Kaklamanis: Yes**

**Mr. Dikun: Yes**

**Ms. Rogers: Yes**

**CARRIES: Yes**

**F. AUTHORIZATIONS**

1. Manual Checks

**MOTION: Approve manual checks**

MADE: Mr. O'Rourke

SECOND: Mr. Pyrtko

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

2. Request by Point Boro First Aid Squad to Conduct Annual Fund Raising During Month of May and June, 2008 and to Conduct "Coin Toss" on July 12, 2008 from 8:00 a.m. to 4 p.m. at Intersection of Bridge Avenue and River Avenue

MOTION: To approve above requests

MADE: Mr. Dikun

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

3. Ocean County Road Reconstruction on Arnold Avenue

MOTION: To approve Ocean County Road Reconstruction on Arnold Avenue during the day

MADE: M. Pyrtko

SECOND: Mr. McAlindin

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

4. Budget Workshop Date Changes

Mr. Maffei: Ms. Rogers and Mr. McAlindin have a problem with the meeting scheduled for March 13<sup>th</sup>.

It was agreed to reschedule for March 26<sup>th</sup> at 8 p.m.

MOTION: To schedule a meeting for March 26<sup>th</sup> at 8 p.m.

MADE: Mr. McAlindin

SECOND: Ms. Rogers

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

## G. COMMITTEE REPORTS

Mr. Kaklamanis: The Riverfront Park is now closed up. The construction firm will start the transformation from the old parking lot to the Riverfront Park. With that I would like to make a few motions tonight. The first one is we had obtained a bus for

the town through the rec for senior citizens pick up. Mr. McAlindin and myself had it serviced and brought up to the proper maintenance. The mechanical portion of it is working. We had Tony's Auto Body donate the time and the material. I reached to Broadway Signs, Mr. Maloni, to have it painted. I am making a motion to put a logo on the bus.

MOTION: To have Mr. Maloni, Broadway Signs put the logo on the bus "Borough of Point Pleasant"

MADE: Mr. Kaklamanis                      SECOND: Mr. McAlindin

Mr. Pyrtko: Yes	Mr. McAlindin: Yes	Mr. O'Rourke: Yes
Mr. Kaklamanis: Yes	Mr. Dikun: Yes	Ms. Rogers: Yes

CARRIES: Yes

Mr. Kaklamanis: The groundbreaking is taking place at the Riverfront Park and I think it is appropriate that everybody be recognized for their hard work and diligence, the Construction Company, the Rec Department, New Jersey State Department of Green Acres, Department of Public Works. I would like to make a motion that we have a nice little ceremony of ground breaking affair to show we are putting this into motion. The date is March 15<sup>th</sup> at 10 a.m.

MADE: Mr. Kaklamanis                      SECOND: Mr. Pyrtko

Mr. Pyrtko: Yes	Mr. McAlindin: Yes	Mr. O'Rourke: Yes
Mr. Kaklamanis: Yes	Mr. Dikun: Yes	Ms. Rogers: Yes

CARRIES: Yes

Mr. Kaklamanis: To make a motion, we had somebody from JCP&L volunteer his time and he has permission from JCP&L to take the telephone poles that are now standing and tagged by JCP&L with the lights on them that they donate two or three to the Borough for our usage if we need them at the Rec Center or where we need them. The time and labor would be free.

SECOND: Mr. Pyrtko

Mr. Pyrtko: Yes	Mr. McAlindin: Yes	Mr. O'Rourke: Yes
Mr. Kaklamanis: Yes	Mr. Dikun: Yes	Ms. Rogers: Yes

CARRIES: Yes

Ms. Rogers: Don Remig is the person donating his time and he suggested if they were ready to go in they would immediately install them. The rec department may need them for the security cameras at the Rec Center. If they are ready to go somewhere else they will immediately install them.

Mr. O'Rourke: We were going to have a Land Use committee meeting to talk about the Tree Ordinance. John has been working with Mr. Dasti and the Environmental Commission. They want us to update our ordinance on trees. Mr. Dasti put together an ordinance. The Planning Board will also review it. I got a copy of a summary report from last year on how much money we made in the construction department

and that is one of the departments we can charge a fee and offset the costs. We have been raising the costs of construction for the last two or three years. We are trying to catch up. The department is still costing us more than it has to. I think we will be looking to raise the fees in that department again this year. It is about 1/3 below what the actual costs are. I received a note that is a request from a Borough resident that is doing a project on Route 88 and River Avenue and involves a semi public street and that will have to go to the Land Use Committee.

Mayor Konkus: Concerning the tree ordinance it talks about measuring the diameter of the trunk. It refers to it as DBH. This is diameter breast high. I think this needs to be defined.

Mr. O'Rourke: We will tweek it a little more at committee.

Mr. Dikun: On February 20<sup>th</sup> Councilman Kaklamanis and I attended a meeting at that Hardenburgh Well to discuss the finer preparations of getting that well back on line. We are extremely optimistic that the well will be on line by April 1<sup>st</sup>. We have some minor corrections that have to be taken care of but things are looking good. Well #10 on Memorial Drive, the site has been mobilized and construction has started. Reports from the neighbors say that things are going well and not to much noise. I want to take a moment to congratulate Jackie Carbonoski on her bronze metal performance in the world games in wheel chair curling. She is a long time resident and she did a tremendous job.

Ms. Rogers: I have some very good news to report. Last Friday I received a phone call from the Barnegat Bay National Estuary Program in which we wrote a mini educational grant and the Borough has been awarded that grant. We will be using it for in classroom training and leave handouts on sample green products to our 4<sup>th</sup> and 5<sup>th</sup> graders at Ocean Road and Nellie Bennett Schools. The education program focuses on sustainable energy, non source water pollution, estuary and other environmental programs that will tie in with our Earth Day Program on April 19<sup>th</sup>. The theme of Earth Day is "Keep it green to keep it clean". I was very excited to receive that grant. It is one of five grants we have made application for. I would like to get Council's support because I will be filing a second grant with the Garden Club. We received it last year for \$5000.00. I would like Council's support for my application to be filed on Friday. This is a sister component to this educational program. The grant award will be notified on March 31<sup>st</sup> and it will provide additional funding for students to share with their families.

MOTION: Council support for Sue Rogers to apply for grant for students with Earth Day on Friday, March 7, 2008

MADE: Mr. Pyrtko

SECOND: Mr. Dikun

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Ms. Rogers: On the Open Space Advisory Committee met on the 25<sup>th</sup> and we had an earlier meeting because we had an open public session for open space plan. Mr. Bryant and Mr. Morris came and gave a report on the Osborn Cemetery project and how it is progressing. The County work crew and I thank Mr. Dikun for providing

and getting the workers down there in order to clean up the cemetery. They have provided a budget to the finance committee. Scott Conklin and myself are evaluating the numbers they have provided. They are looking for additional fencing. The survey is in the works to be completed. Basically, they have identified three of the four corners and we do believe there are substantial encroachments from property owners on the property. They are expecting the final survey to be done shortly and we will forward it to the Borough Attorney to notify the property owners. Right after that there was an open public session. This is the second and it was a very good turnout and there was a good exchange of information. They talked sporting requirements and a point system for future acquisitions. We are in the stage of a final plan that will be submitted to Mayor and Council for review. Once that is adopted having the Open Space program in place will allow us for additional funding with Green Acres and open us up for additional grant opportunities. We are expecting by late spring or early summer this will be realized. That funding on the Open Space program was derived from a grant. Also, TRC which was the consulting on the Canal Walk Project. They talked about the calming path or street conditions. They identified different areas with problems along the Canal. We discussed other grant opportunities that would almost pay for a large chunk of the project. The Open Space will get this report for review and we would make a suggestion if the project should go forward. On Public Safety aspect of things, I had a discussion with the Architect for the Police Department Expansion and Mr. Vise is putting together a final check list that is needed to go out to bid. We will be meeting with the Architect, Captain Williams and the Public Safety Committee to go over a time line and begin the project. I also attended the Juvenile Conference last week and got acquainted and met the County Staff and program members. Detective Miller explained the programs to me and he and I will take a ride to the County to observe their Project Pride Program which inmates come out and actually talk to the juveniles and explain their life experiences and how it has changed their way of life. The Borough has a very high success rate with their juveniles and they are rated number one with their achievements. I thought this was outstanding. I have been working with the Recreation Department and Karen Haycook and I have been spending a lot of time. We have installed a new accounting program that will drop costs and track systems for incoming expenses that meet trust requirements. The system will track individual programs and profitability collectively. It will have detailed reporting functions which will assist the recreation director and commissioners to make decisions on the programs. Capital and revitalizations costs and allocate surplus funding to meet zero budgetary requirements of the trust. The programs have been downloaded to the Administrators office for the Borough financial records. End of report.

Mr. McAlindin: I want to extend my congratulations to Skylar Engleton, George Beverly and Shaun Brand on qualifying for the New Jersey State High School Wrestling Tournament. It is the dream of every High School Wrestler to become a State Champion. It is the goal to make it to the Tournament. It will be held this Friday at the Boardwalk Hall in Atlantic City. It is Friday, Saturday and Sunday. I wish them well in their dreams. It would be nice if the Municipal Board would wish them luck. As far as Administration and Finance goes it is a tough year and sometimes I wonder if I was really living in New Jersey when people were running for Governor and talked about property tax relief and they were going to be the one that really brought you property tax relief finally. Not this year. We are going to get \$196,434 less in state aid that is intended to be property tax relief. Before we spend an additional dollar in 2008 we start with a 1.4 cent per \$100 of assessed value in a tax increase to make up for that. It is a difficult budget, not so much because of, the

difficult part is the new state spending cap limits us in significant ways to the point where we need to cut about \$250,000 out of our operating budget. I am not so sure how that is going to happen. My vote tonight on not approving a salary ordinance really is more symbolic than anything. We already agreed to the contract. It is tough. 4% of a lot of money is a good raise. When you throw in the fact that people get longevity raises as well. With that aside, what the cap does is it limits our ability to spend more than 4% so when salaries are going up 4% and everything else that you know you have to buy like fuel, health insurance is going up far more than 4%. Something has got to give. We are going to be very hard pressed as to figure out what services are eliminated to make up that \$250,000. It is hard to talk about raises when the real possibility is that some people might wind up without a job. That is the reality of what that cap does to a community like ours. I think it is good that the legislature has tried to take measures to bring in spending but this is going to be tough love for some of us and some of our employees. You sit up here are you charged with following the law. If you approve an ordinance that raises something 4% and it will push you beyond what we can do in terms of our operating expenditures and you say which law do I choose to follow. It is not an easy choice and it makes it difficult to serve sometimes when these decisions have to be made. I again invite people to attend these budget meetings. The next one is Thursday night, March 6<sup>th</sup> at 7 p.m. than March 12<sup>th</sup> at 7 p.m. and March 26<sup>th</sup> at 8 p.m. End of report.

Mr. Pyrtko: I did meet with the County and reviewed some road projects that will be going on for the upcoming year. I also had it brought to my attention and I need Council's approval. The Rec Soccer Club would like to use the Community Park for practices. They were limited the use of the Ocean County Park (Beaver Dam Park). Our Ordinance calls for 12 noon and they are looking for practice for 10 a.m. We would have to amend our ordinance or authorize it for the Spring Season. It is up to the Council.

MOTION: Authorize Soccer Club to use Community Park for practices as available at 10 a.m. for the Spring season

Nancy Paziensa: Pulaski Drive, I am the Vice President of the soccer club. We are the travel team. We are asking to play our games on Sunday morning at 10 a.m. Also, some practice time at community park. Practices would be on Saturday or whatever day of the week it is available. The County has decided they are not allowing any practice time at Beaver Dam Park at all. Only game time. We have 21 teams. It would be from 10 until 4.

MOTION: Authorize Soccer Club to use Community Park for games to begin at 10 a.m. rather than noon on Sunday for the Spring Season and to practice at the Community Park when available with the consent of Karen Haycook.

MADE: Mr. McAlindin

SECOND: Mr. Pyrtko

Mr. Pyrtko: Yes

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Yes

Ms. Rogers: Yes

CARRIES: Yes

Mr. Pyrtko: End of report.

Mayor Konkus: This is a Health Alert from the Ocean County Health Department concerning the United States Satellite that is due to come down in the next couple of weeks. This was dated on February 20, 2008. The Centers of Disease Control and Prevention which is the CDC is collaborating with Federal Partners to address potential health and safety threats associated with the reentry of an uncontrolled US Government Satellite into the Earth's atmosphere in the next couple of weeks. Because the satellite's fuel contains the toxic chemical hydrazine it is possible that the reentry of the satellite could pose a public health threat if pieces of it fall into populated areas. The risk of the health effects related to the satellite is considered to be low however, CDC is encouraging health officials to information related to hydrazine and to prepare unless their communities are effected by debris. Hydrazine is a clear, colorless liquid with an ammonia like odor. Hydrazine is highly reactive and easily catches fire. It can easily evaporate in the air and can dissolve in water and in soil hydrazine may stick to particles. In each of these forms hydrazine breaks down quickly into less harmful compounds. People can be exposed to hydrazine by breathing contaminated air, thermal contact or ingestion. Breathing hydrazine may cause coughing and irritation of the throat, coughing, convulsions, tremors or seizures. Thermal contact may cause redness, pain or burns. Eating or drinking small amounts may cause nausea, vomiting and uncontrolled shaking, inflammation of the nerves, drowsiness or coma. There are a bunch of web sites and you can also call the CDC at 1-800-CDCinfo. 232-4636. I will give a copy to the Administrator.

Mr. McAlindin: The United States Navy successfully launched a missile last week and it blew up.

Mayor Konkus: If anything strange is in your backyard call the proper authorities.

#### H. OPEN PUBLIC SESSION – 5 Minute Limit Per Person

##### 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 deliberation. Section 5. Public Participation. Each member of the public shall keep his or her remarks brief, pertinent to the issues being discussed and shall not exceed a time period of five (5) minutes in order to adequately provide all members of the public with the opportunity to address the Governing Body consistent with good order and efficiency.

MOTION: Open the meeting to the public Ms. Rogers

SECOND: Mr. Dikun

APPROVED: All in favor

Bette Hughes, Evergreen Lane, I am here tonight to speak on behalf of the soccer club which as you know represents travel soccer in town. I am condensing my comments into three points that I would like to make this evening. The first thing that I would like to address is I would like to clarify the Council's intentions regarding the use of Riverfront Park for soccer. I attended two Open Public Meetings sponsored by the Open Space Commission and at both of those meetings I was told it was a done deal and it was too late and that it had been zoned passive. This gave me the impression that the Travel Soccer would not be able to use the park. As you can see we have a severe shortage of fields and we have a dire situation. Whatever we can get will obviously help us. I attended a Council meeting back in December and the impression I got from that meeting was a lot different from the impression I got at the Open Space meeting. The tenor of the Council meeting was

very cooperative and positive. There was a lot of give and take between myself and the Council Members. There were questions and answers regarding what the club is dealing with and what are intentions are. At that meeting I walked away with the impression that we would be able to use the park for soccer and Councilman Ferrie told me he was the Chairman of the Committee that dealt with the development of the park and he specifically included a field large enough to accommodate a soccer field in the plans for the park that were depicted that night. He further stated that he was aware that there was no other parcel in town that is large enough to accommodate a field and he knew we had needs and that is why he specifically included a field in the plans. What I would really like to do tonight is clarify your intentions about that. I am being told on one hand that is passive and it is too late and yet at the Council meeting I was told we know you have concerns and we the Council have the final say as to how the park is going to be used. My impression was we would be able to use it. There was some give and take about is it going to be used for practice or do you need it for fields. At that meeting quite honestly practices are a priority because when we play games half of our teams are in town and half are travelling out of town to play. But, as far as practices are concerned I have said it before we can have situations where we have six teams practicing on Ocean Road with a baseball team hitting baseballs in the vicinity of us with no goals. That is an unsafe condition for our children to be playing in. That is my first point. That is my first point. My second point is I would like to address a misconception that we missed the boat and that we didn't do anything because travel soccer was here at the first Council meeting when we were talking about acquiring the park. There were differences of opinion with people in attendance at that meeting as to what was going to go on at the park. My specific recollection was that we would all agree that a park was beneficial to that town and we could agree about that. We were on record at that meeting that we had needs and we wanted to be heard. We got up here and said we knew it was not just soccer, baseball was in attendance and we are willing to share. We kept in touch with the various members of the committee that was dealing with the members of the park. I spoke with Joe Sperduti, Dick Blake, Tim Ferrie, and they told me that there would be a field there. We didn't bury our heads in the sand we are on record that we had needs and we wanted to be heard and we wanted to participate. I just wanted to make that clear. In reference to the Open Space and the Recreation Plan it may be that it is more of an Open Space Plan than a Recreation Plan but it is entitled recreation and if it going to be submitted to the Council for your consideration I think we need to do a better job of incorporating the needs of recreation into that plan if it is going to be presented to the town as a recommendation. My suggestion would be that there should be more dialog between the heads of the various team organizations in town. Pop Warner, Little League, Rec Soccer, Travel Soccer because we are the people who know what are needs are and what our concerns are. If somebody came to me and said what are your needs as far as an open space and rec plan I could talk for hours about the shortage of fields and what we are going to encounter. Starting season where we can't practice because we don't have a field. We have made do. We share fields. We have done whatever we can. The hospital field is an opportunity for us to better our situation and we want to make sure that our interests are heard.

Mayor Konkus: You are reasonable enough to understand that we do have to represent the needs of everyone in town.

Ms. Hughes: Absolutely.

Mayor Konkus: We are listening to you very closely. We are indicating an interest in having input with the Open Space Committee, would you like to be appointed to that committee.

Ms. Hughes: I think between myself and other members of soccer we could find someone who has the time.

Mayor Konkus: I would like to have someone who does have the big picture in rec to add that to the picture that is now being painted within that committee. I do believe we have an opening. I left the position open. As far as the questions that you are asking, if I can recollect them the ordinance that zoned that property goes back to 2001 and based on John McZuga, who was our Engineer at that time and he was a planner and it was his opinion that the land was more appropriately for passive rather than recreation. The ordinance was written for both but primarily for passive and with small areas of active recreation. That is in the ordinance for 2001. As things developed over the years and with Councilman Ferrie being the committee head there was that field provided to provide for larger scale

recreation. I believe at the meeting when you spoke with Mr. Ferrie I think he said we could probably work something out to practice on that field. Not hold games but practices. Does that sound familiar to you?

Ms. Hughes: It sounded like the Council was more inclined to promote practice as opposed to games due to traffic issues, noises etc. I was quite honest. I could have said I wanted the world. I was realistic and I know as a Coach practices are more of a concern. I did not want to say forever that is it. What if Beaver Dam shuts down for a year. Then we only have Community Park. Community Park is overused without teams practicing on it. If all of our games had to be played there we are looking at damaging a field that we made an investment in. I had suggested a rotation program using Riverfront Park on occasions would be a good thing.

Mr. O'Rourke: Bette, no matter what is said here tonight things can change. We can change an ordinance, change the rules. It takes constant review. It can change. Nothing is cast in stone.

Mayor Konkus: We are having a ground breaking the middle of the month and the park across the street took twice as long to build as we had anticipated. I can't attempt a finish date. Why don't we get the park built and see how it works.

Ms. Hughes: I just wanted to go on record and tell are needs and be part of the process. We can tell you what we are dealing with.

Ms. Rogers: You are on the list with Beth Landers to give your input in the Open Space Committee. You can circulate that to anyone else.

Ms. Hughes: I think between Karen and some other people we can get to the people who should be aware of this. Has the committee considered doing something with the Rec Center? I know we are in budget constraints and that is a pipe dream but if we are talking about a recreation plan for the future. Our Rec Center is a disgrace compared to what other towns have. If we are talking about money for a Rec Plan I would ask that you talk to people like Karen Haycock or people involved to get suggestions.

Ms. Rogers: I think that is a little different aspect as to what the plan is. It is identifying the current inventories and the current properties and what their designation is and then taking that point system in for future acquisitions. This committee isn't deciding how to do it, it is setting parameters. If there is renovations I think it would come through Rec and Mayor and Council for budget process or grant options. The plan is to lay out guide lines to move forward for identifying what we have.

Mr. Kaklamanis: Karen and I have been in touch and progress is moving forward as far as painting and updating things. Eventually within the financial guidelines to replace the floor and the handicapped parking. Karen is going an excellent job and it just takes time.

Mr. O'Rourke: One of the things that John brought up about the park was some of the tree locations and the fencing. Could we get a copy of the final project.

Mr. Maffei: The drawings are multiple pages and large and they are in the office. The detailed plan shows

Al Clericuzzio, 1505 Hyacinth Avenue, I am one of the many residents that are uncertain. I did some research and we have a town that is approximately 3.5 square miles with about 6,000 people per square mile and based on the 2000 census 76% is over 18 years. If you go through the open space type areas we have a beautiful recreation center, we have a beautiful Community Park, McKennan Field, a skatepark, Heritage Park, and we have four large play areas associated with the four schools. When I look for passive recreation I come up with the cemeteries. That is where I can sit and contemplate. As it stand now, based on what I have read the majority of the open space which is 82% dedicated to our children. The other 76% what is there. Many residents have been using the parking lot for passive activity. One of the other things many years ago the issue came up no enough space in this town said Lenny Arms. I have looked at unutilized fields in Bay Head and in Point Pleasant Beach. Are there fields in the Beach and Bay Head not utilized. Make use of the vast areas that surround our schools. I am very happy we have so many children involved in healthful activities. They are not out drinking, having sex or vandalism. What I would

like to ask you think of the vast majority of this population being over 18. Why can't you have an area that is passive. Slade Dale Sanctuary isn't really passive or recreation but the adolescences has turned that into a drinking place for sex and other things. They are the ones not involved in sports. When I first came here 36 years ago we had two bocci courts. I am asking you to consider the population of this community that is over 18.

Wade Weisleder, 1512 Bel Aire Court East: I have been privileged to coach in this town for 15 years. The parent of these children are part of the population the Gentleman just spoke of. I coach a twelve year old girl soccer team. We support rec with paint and we also offer everything rec has asked of us. We do what it takes. The less time these kids have to practice the less time they are staying busy. Please don't do what a past administration did by making the mistake of Beaver Dam Park. That was a crime to this town, giving it away for \$1.00. On passive or active be careful when you make a decision. Please keep it in mind. We really hurt bad by losing Beaver Dam Park.

Ms. Rogers: We are working very hard with the County and maybe we will have some good news in this town.

Mr. Vitkauskis, Foster Road:

Mr. Pyrtko: Roger, how are the police in this town.

Mr. Vitkauskis: They are very good. Just over paid.

Mr. Pyrtko: They are very good and you get what you pay for.

Mr. Vitkauskis: You did not hear me say anything bad about their performance.

Mr. Pyrtko: When we come up against the Unions and they go to PERC right away. There is no way you are going to win.

Mr. Vitkauskis: You don't know until you try. That is good news about the bus. You got it for \$1.00 and parts donated that is great. Condos are on the tax rolls for the hospital property. How are the Cable negotiations going.

Mr. McAlindin: We just were talking about that to the Administrator and we want to get them back in here for a meeting and work out the terms. We want to count that revenue as anticipated revenue in the budget. The funny thing was when we met with them the last time they struck me as crying poor mouth. I follow the financial pages closely and I read that they had record profits and I can't wait to meet with them again and remind them how well they are doing. They are doing really well because people like us subscribe to their monopoly.

Mr. Vitkauskis: Starting on March 27<sup>th</sup> classic movies, cartoons, history channel, channel 17 out of Philadelphia and channel 3 are not longer available on basic cable it has to be on digital. You have to pay extra money to get the digital box. Try to get them to offer digital boxes to the residents in the Town for free.

Mr. McAlindin: Don't hold your breath on that one.

Mr. Vitkauskis: Getting back to the Police. Promotions, do we always have to fill a vacant spot in the higher ranks when someone retires.

Mr. Pyrtko: No.

Mr. Vitkauskis: I hope you keep that in mind and hopefully control the situation a little better. Keep Indians and less Chiefs.

Mr. McAlindin: There is only one Captain right now. Years ago there were three Captains.

Mr. Vitkauskis: What is the Chief getting right now. For the 2008 before his 10% longevity it is \$135,000 plus. 10% longevity is \$13,500 on top of that. If I was making that kind of money I would take a hit for a year to show my concern for the community.



CARRIES: Yes

MOTION: To adjourn

MADE: Ms. Rogers

SECOND: Mr. Pyrtko

ALL IN FAVOR.

