

COUNCIL MEETING

TUESDAY – NOVEMBER 18, 2008

8:00 P.M.

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

Councilman Elect Chris Leitner and Councilman Elect Jack McHugh are also in attendance.

Deputy Municipal Clerk/Maryanne O'Rourke is also in attendance.

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

Mayor Konkus asked everyone to remain standing for a moment of silence for the recently deceased General Francis Gerard of the Air National Guard and Borough Resident.

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 in the January 15, 2008 edition of the Asbury Park Press and Published in the January 18, 2008 edition of the Ocean Star.

A. ORDINANCE – INTRODUCTION

1. Establishing Rules and Regulations of Borough Parks

Mayor Konkus asked that this be carried until it is revised.

B. OPEN PUBLIC SESSION (Resolutions and Authorizations Only)

5 Minute Limit Per Person

Councilmember Brian McAlindin read the following Ordinance in the absence of Council President Pyrtko.

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. O'Rourke

APPROVED: ALL IN FAVOR

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

MOTION TO CLOSE PUBLIC PORTION: _____

Walter Piasecki: 1621 Center Street: Before you is a letter requesting permission to place a Memorial Park Bench at the entrance to Sunshine Harbor Park. I am here on behalf to answer any questions or concerns you may have to grant permission for this.

Mayor Konkus: I understand that through conversations with you that you have the approvals of Sunshine Harbor.

Walter Piasecki: I presented this to the Association and it is outside the park so they said it was out of their jurisdiction and advised me to contract Mayor and Council. It is being placed at the entrance so it could be used as a utilitarian type of bench rather than a facade out along the water.

Mayor Konkus: I understand that you spoke with our Code Enforcement Officer about this.

Mr. Piasecki: Kevin Burke had no requirements for any type of permits or zoning. He also spoke with Mike Gardner regarding that.

Mr. O'Rourke: You are planning this at the entrance to the park not at the street end.

Mr. Piasecki: At the entrance to the park

Mr. O'Rourke: They did not say yes or no they just said it was no under their jurisdiction.

Mr. Piasecki: It is on the Borough right-of-way and rather than putting the bench inside of the park

Mr. O'Rourke: Did you get any indication from them either way.

Mr. Piasecki: Yes and no. Some of them wanted it inside and some said see the Mayor and Council.

Mayor Konkus: Do you have anyone here that may want to make a comment on this authorization?

Sandy Liebfried, 2109 Siegel Terrace, Sunshine Harbor: We thought about putting it inside and there are a number of benches in the park already. People walking on my street, Siegel Terrace, it would be right by the entrance and we would put a garden around it and there are some flowers there already. It would be for people walking to see the water. They could stop and rest. Janet Healy had a respiratory problem and she would have loved a bench like that. It doesn't block any ones view. It is not in any ones way and it would not be stationery. It could be moved if the Borough changed its mind. I think it would be a wonderful thing. It is in memory of Janet Healy who passed away about a month ago and it would be in her memory. It would cost the Borough nothing. We have donations to get the bench and hopefully we can get that passed tonight.

Mr. O'Rourke: You are going to have to anchor it.

Mrs. Leibfried: We can anchor it.

Mr. O'Rourke: You don't want it to wander.

Mrs. Leibfried: We can anchor it where it can be removed.

Ms. Rogers: Will the Association maintain it?

Mrs. Liebfried: Walter and his business and the Garden Club will maintain it 100%.

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

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

All in favor.

C. RESOLUTIONS

1. (240-2008) Approve Grant Application and Agreement Submission with the NJ Department of Transportation for Reconstruction of Riverwood Avenue

MOTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION OF RIVERWOOD AVENUE BETWEEN BRIDGE AVENUE AND HERBERTSVILLE ROAD.

WHEREAS, The Borough of Point Pleasant has established an ongoing program to reconstruct roadways and drainage systems throughout the Borough as required to maintain safe conditions.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED THAT THE Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2009-00363 to the New Jersey Department of Transportation on behalf of the Borough of Point Pleasant.

BE IT FURTHER RESOLVED THAT THE Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Point Pleasant and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

MOTION: Adopt Resolution

MADE: Mr. Pyrtko

SECOND: Mr. McAlindin

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kalamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

2. (241-2008) Authorize Refund of Demolition Bond, Block 158, Lot 9 – Quartaro and Son Custom Builders

MOTION: Authorize Refund of Demolition Bond, Block 158, Lot 9 – Quartaro and Son Custom Builders

WHEREAS, John Quartaro & Son Custom Builders, 230 Jaehnel Parkway, Point Pleasant, 08742 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 1235 William Street, 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 John Quartaro & Son Custom Builders, a demolition bond in the amount of \$1,000.00 deposited as security for the satisfactory demolition of a single family home at 1235 William Street, Point Pleasant, N.J.**
- 2. Copies of this Resolution to: Construction Official, John Quartaro & Son Custom Builders, Chief Financial Officer and any other interested parties.**

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. Dikun

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

3. (242-2008) Accepting the Terms and Conditions of the Settlement Agreement with the NJ Department of Environmental Protection Concerning Minor Violations with Public Works Underground Storage Tanks

MOTION: RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF POINT PLEASANT BOROUGH, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE TERMS AND CONDITIONS OF THE SETTLEMENT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION CONCERNING MINOR POLLUTION AT THE POINT PLEASANT BOROUGH PUBLIC WORKS YARD

WHEREAS, the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey (hereinafter referred to as the "Borough"), has been cited by NJDEP for minor violations of the Underground Storage of Hazardous Substance Act, N.J.S.A. 58:10A-21 et seq. (the "Act"); and

WHEREAS, the alleged violations of the Act pertain to the failure to have certain overfill prevention equipment at the Borough Public Works Yard located at 730 Albert Clifton Avenue, Point Pleasant Borough, New Jersey; and

WHEREAS, the Borough has received a Settlement Agreement from NJDEP which has been reviewed by the Borough and found to be acceptable as to form and content; and

WHEREAS, the Borough believes it is in the long-term best interests of the Borough and its taxpayers to resolve this issue by means of accepting and approving the Settlement Agreement proposed by NJDEP which will call for a penalty of \$5,000.00 to be paid by the Borough to NJDEP, and a requirement to bring the overflow prevention equipment into compliance; and

WHEREAS, the Borough believes that although it has legitimate defenses to this action because of the relatively minor penalty imposed by NJDEP it would be in the long-term best interests of the Borough and its taxpayers to resolve this issue by agreeing to the Settlement Agreement, a true

copy of which is on file at the office of the Borough Clerk and can be reviewed during normal business hours:

NOW, THEREFORE, BE IT RESOLVED, this 18th day of November, 2008 by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. The Borough accepts the recommendations of the Borough Solicitor and approves the Settlement Agreement proposed by NJDEP, a true copy of which is on file at the office of the Borough Clerk and can be reviewed by the public during normal business hours.

2. Although the Borough believes that it has legitimate defenses with regard to this alleged violation of the Act, because of the relatively small amount of the penalty the Borough believes it would be in the long-term best interests of the Borough and its taxpayers to resolve this matter by accepting the terms of the Settlement Agreement, in order to avoid litigation costs and expenses.

3. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

4. A certified copy of this resolution shall be forwarded by the Borough Clerk to the following:

- (a) Honorable Martin Konkus, Mayor;
- (b) Judith Block, CFO;
- (c) Jerry J. Dasti, Esq.;
- (d) David Maffei, Borough Administrator;
- (e) Dennis Sears, Superintendent, DPW

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

No second.

Mr. Dasti: I remind Council that this is a settlement of proposal that was forwarded to us by the DEP about four weeks ago and you asked me to go back and make some suggestions and modifications including extending the time period in which we had to pay the \$2500. If we don't agree with the settlement agreement then it will be withdrawn by the DEP.

Ms. Rogers: What is out time frame on that?

Mr. Dasti: I think it was 30 days. You have to return the fully executed copy to the DEP within 30 days of November 17th or else the agreement is withdrawn.

Ms. Rogers: Can we wait until the next meeting of December 2nd.

Mr. O'Rourke: What happens if we don't pass this?

Mr. Dasti: If you don't agree to the agreement, this is very legal like, you don't have an agreement. What happens is the DEP has proposed to you a relatively small fine for what has alleged to have been some violations of the DPW in sensor equipment. It was not a spill. We did not have it up to code. As I understand the consensus of Council it is not worth paying me to defend a potential fine of \$2500 because you were in technical violation of their upgraded code in terms of these gasoline sensing devices. To answer your question if you don't agree with this then you have to defend an intensive charge.

Mr. McAlindin: Second.

Mr. McAlindin: Basically they have us. It just seems like you can't win. The DEP decides they are going to take money from us and every other municipality for a minor infraction because they changed the rules. They come and pick our pocket.

Mr. O'Rourke: This is not the first time it has happened.

Ms. Rogers: No.

Mr. O'Rourke: We had that slight, the one time the test came back for something at Hardenburgh and we have this noisy aeration thing because it has not come up again since. A little tiny change.

Mr. Kaklamanis: They change the game plan and then they come down and we are in violation.

Mr. Dasti: The allegation is that we did not have an overflow prevention equipment with an automatic shutoff flow into the tank. We did not have something to alert the transfer operator when the tank is no longer 90% full. We didn't have an overflow prevention equipment which would restrict the flow 30 minutes prior to over filling. We just didn't have this new monitoring system that they just implemented. Councilman McAlindin is correct the DEP is doing a lot of this because they are trying to find the money somewhere to equalize their budget and keep people working up there. Keep people employed in Trenton. You are darned if you do and darned if you don't. It is your choice.

Mr. O'Rourke: When do we start to write violations on them?

Mr. Dasti: I can wait two week to get everyone here but I strongly suggest that either tonight or two weeks from tonight you vote to take care of this or pay me

to open a file. You would have to pay the Borough Engineer to get involved. I suspect it would take Mr. Sears time away from the job. Long term you are in technical violation of these new regulations.

Mr. McAlindin: It seems like legal extortion.

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

Carries: Yes

4. (243-2008) Award Five (5) Year Lease Agreement with Options, for the Placement of Cellular Antennas to Metro PCS New York, LLC

MOTION; Resolution of the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, Awarding a 5-Year Lease Agreement, with options, for the Placement of Cellular Antennas to MetroPCS New York, LLC

WHEREAS, the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, (hereinafter referred to as the "Borough") has solicited bids for the lease of a portion of the Borough's cell tower for the placement of cellular antenna equipment ("the project"); and

WHEREAS, the proposed location of new cellular antennas will be located on the Borough Recycling Center monopole located on Route 88, Point Pleasant, New Jersey; and

WHEREAS, the bid specifications provide, in part, for a 5-year lease agreement with four 5-year options; and

WHEREAS, the sole bid received by the Borough is from MetroPCS New York, LLC for an annual rent of \$29,300.00; and

WHEREAS, the Borough finds that the bid submitted is acceptable, and in line with previous bids submitted for the same type of service on the Borough's monopole:

NOW, THEREFORE, BE IT RESOVLED this 18th day of November, 2008 by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. The Borough accepts the recommendation of the Borough Solicitor and awards the bid for this lease agreement to the sole bidder, MetroPCS New York, LLC. A copy of the full bid specifications and the bid submission are on file at the Office of the Borough Clerk and can be reviewed during normal business hours.
2. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this resolution.
3. A certified copy of this resolution shall be forwarded by the Borough Clerk to the following: Mayor Martin Konkus, Judith Block, CFO, Jerry J. Dasti, Borough Attorney, Declan O'Scanlon, Borough Consultant, Dennis Sears, Superintendent of DPW and any other interested parties.

MOTION: Adopt Resolution

MADE: Ms. Rogers	SECOND: Mr. O'Rourke
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Mr. Pyrtko: Absent	Mr. McAlindin: Yes	Mr. O'Rourke: Yes
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Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers; Yes

CARRIES: Yes

Mr. Dasti: This is a resolution where you will receive about \$27,000 a year from METRO for an antenna on the tower. It is \$27,000 a year for five years.

5. (244-2008) Authorize Change Order No. 1 – Improvements to Rosewood, Briarcliff and Ridgefield Avenues, Earle Asphalt – Net Decrease of \$36,389.12

MOTION: Authorize Change Order #1 – Improvements to Rosewood, Briarcliff and Ridgefield

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 #1, in the amount of a net decrease of \$36,389.12, 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 18th day of November, 2008 by the Mayor and Borough Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey as follows:

1. **Change Order #1 in the amount of a net decrease of \$36,389.12 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. **Authorization is also given for a manual check to be issued for payment Of the related invoice/voucher with aid check appearing on the next formal bill list.**
4. **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

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

5. (245-2008) Authorize Hiring Additional Recreation Personnel – Rec Trust

MOTION: Authorize Hiring Additional Recreation Personnel – Rec Trust

WHEREAS, a need has arisen in the Recreation Department for the hiring of additional personnel on a seasonal basis; and

WHEREAS, the following individuals have shown an interest in part-time seasonal employment with the Borough of Pleasant; and

WHEREAS, the following individuals have been recommended by the Superintendent of Recreation and the Recreation Commission.

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 following individuals be hired to the following positions with the salaries and accounts listed below:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>ACCOUNT</u>
Bob McMahon	Basketball Official	\$30.00/GAME	Trust
Briann Smith	Movement Mania Instructor	\$10.50/HR	Trust
Lynn Wildonger	Adventure Climb Instructor	\$10.50/HR	Trust
Briann Smith	Gymnastics Instructor	\$12.50/HR	Trust

1. Hiring pending the approval by Mayor and Council, effective November 13, 2008.
2. Copies of this Resolution to Treasurer, Administrator, Superintendent of Recreation, Employees, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Kaklamanis

Mr. Pyrtko: Absent

Mr. McAlindin; Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

6. (246-2008) Authorize Public Auction of Certain Surplus Borough Equipment

MOTION: Authorize Public Auction of Certain Surplus Borough Equipment

WHEREAS, the Mayor and Council find that it is the best interest of the Borough to sell equipment at the Municipal Public Auction to be held at the James T. Clayton Public Works Facility; and

WHEREAS, the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey have determined that the Borough Equipment One (1) 1987 GMC 5 Cubic Yard Dump Truck with Snow Plow and Tailgate Spreader with PB Loader Hot Box – Minimum Bid \$3,700.00, not needed for public use and did not sell at previous auction; and

WHEREAS, it is the desire of the Borough Council to authorize its sale at Public Auction or as scrap as noted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Point Pleasant, County of Ocean, State of New Jersey Pursuant to RS.40:11-36(2) that:

1. Said One (1) 1987 GMC 5 Cubic Yard Dump Truck with Snow Plow and Tailgate Spreader with PB Loader Hot Box – Minimum Bid \$3,700.00 shall be sold at public auction or as scrap as noted.

2. Certified copies of this Resolution be sent to the Chief of Police, Municipal Clerk/Administrator, Superintendent of Public Works, Borough Auditor, and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. O'Rourke

SECOND: Mr. Kaklamanis

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

7. (247-2008) Authorize Execution of Interlocal Service Agreement with Ocean County Prosecutor for (F.A.S.T.) Fast Action Support Team – 2009

MOTION: Authorizing Execution of Interlocal Services Agreement with the Ocean County Prosecutor – Fatal Accident support Team (F.A.S.T.) – 2009

WHEREAS, the Borough of Point Pleasant Borough (the "Borough") has been approached by the Ocean County Prosecutor (the "Prosecutor") with regard to the inclusion of police officers of the Borough becoming members of the County F.A.S.T. Program; and

WHEREAS, a proposed Interlocal Services Agreement has been prepared and found to be acceptable by the Borough's professional staff; and

WHEREAS, the Borough believes that entering into this Interlocal Services Agreement with the Ocean County Prosecutor's office is in the long term best interests of the Borough, its citizens and taxpayers, and will assist in providing for the health, safety and welfare of the Borough Residents.

NOW, THEREFORE, BE IT RESOLVED, this 18th day of November, 2008 by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. In accordance with the provisions of N.J. S.A.40:8A-1 et seq., the Borough hereby accepts the provision of the proposed Interlocal Services Agreement, and authorizes the execution of same.
2. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.
3. A copy of the Interlocal Services Agreement is on file with the Borough Clerk and can be reviewed during normal business hours.
4. A copy of this Resolution shall be forwarded by the Borough Clerk to Honorable Martin Konkus, Mayor, Chief Raymond Hilling and Inv. Craig C. Ally, Major Crime Unit, Ocean County Prosecutor's Office.

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. McAlindin

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

8. (248-2008) Authorize Execution of Interlocal Service Agreement with Ocean County Prosecutor for (D.W.I.C.) Driving While Intoxicated Checkpoints – 2009

MOTION: Authorize Execution of Interlocal Service Agreement with Ocean County Prosecutor for (D.W.I.C.) Driving While Intoxicated Checkpoints – 2009

WHEREAS, the Borough of Point Pleasant Borough (the “Borough”) has been approached by the Ocean County Prosecutor (the “Prosecutor”) with regard to the inclusion of police officers of the Borough becoming members of the County D.W.I.C. Program; and

WHEREAS, a proposed Interlocal Services Agreement has been prepared and found to be acceptable by the Borough’s professional staff; and

WHEREAS, the Borough believes that entering into this Interlocal Services Agreement with the Ocean County Prosecutor’s office is in the long term best interests of the Borough, its citizens and taxpayers, and will assist in providing for the health, safety and welfare of the Borough Residents.

NOW, THEREFORE, BE IT RESOLVED, this 18th day of November, 2008 by the Borough Council of the Borough of Point Pleasant Borough, County of Ocean, State of New Jersey, as follows:

1. In accordance with the provisions of N.J. S.A.40:8A-1 et seq., the Borough hereby accepts the provision of the proposed Interlocal Services Agreement, and authorizes the execution of same.
2. The Borough authorizes and directs the Mayor, Borough Clerk and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.
3. A copy of the Interlocal Services Agreement is on file with the Borough Clerk and can be reviewed during normal business hours.
4. A copy of this Resolution shall be forwarded by the Borough Clerk to Honorable Martin Konkus, Mayor, Chief Raymond Hilling and Inv. Craig C. Ally, Major Crime Unit, Ocean County Prosecutor’s Office.

Motion: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Mr. Dikun

Mr. Pyrtko: Absent
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Absent

Mr. O’Rourke: Yes
Ms. Rogers: Yes

CARRIES: Yes

9. (249-2008) Authorize Purchase of Gasoline through Ocean County Cooperative Purchasing System – 2 year period

MOTION: Authorize Purchase of Gasoline through Ocean County Cooperative Purchasing System

WHEREAS, the Borough of Point Pleasant did enter into a Cooperative Purchasing Agreement with Stafford Township acting as the lead agency for the purchase of certain work, materials and supplies pursuant, to Borough Ordinance Number 90-4; and

WHEREAS, the Ocean County Cooperative Purchasing System has solicited bids pursuant to State Law and having done so has awarded its contract for the purchase of gasoline to Pedroni Fuel Company, 385 Wheat Road, Vineland, New Jersey 08360; and

WHEREAS, there exists a need within the Borough of Point Pleasant for the purchase of gasoline; and

WHEREAS, the Superintendent of Public Works has certified that the cost of purchasing said gasoline from Pedroni Fuel Company, through the Ocean County Cooperative Purchasing System, would be a substantial savings to the Borough after soliciting independent bids.

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 Borough of Point Pleasant shall purchase gasoline from Pedroni Fuel Company, 385 Wheat Road, Vineland, N.J. 08360.
2. That said purchases shall be through the Ocean County Cooperative Purchasing system with Stafford Township as its lead agency, during the term of the contract from October 18, 2008 through October 18, 2010.
3. That copies of this Resolution shall be sent to the Chief Financial Officer, Superintendent of Public Works, Stafford Township Purchasing Agent, Pedroni Fuel Company and any other interested parties.

MOTION: Adopt Resolution

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

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

CARRIES: Yes

10. (250-2008) 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 for 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.

CHECK #	AMOUNT	ACCOUNT	VENDOR	REASON
1120	\$588.00	Recreation Trust	S&J Snyder	Lost (stop payment) Reissue Check
11962	Blank	Current		sequence out of order
33974	\$691.70	Payroll	B. Puorro	wrong amount

MOTION: Adopt Resolution

MADE: Ms. Rogers

SECOND: Mr. McAlindin

Mr. Pyrtko: Absent
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Absent

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

CARRIES: Yes

11. (251-2008) Transfer Resolution – 2008 Appropriations

MOTION: Transfer Resolution – 2008 Appropriations

WHEREAS, the date of this resolutions is within the last two months of calendar year 208 and the first three months of the year 2009; and

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

NOW, THEREFORE, BE IT RESOLVED, (not less than two thirds of the members of the Governing Body confirming) that the following transfers be approved and the same are hereby made between the appropriation accounts in the 2008 budget:

CURRENT: (FROM):

Construction S&W	\$50,000.00
Administration OE	10,000.00
Hospitalization OE	7,000.00
TOTAL	\$67,000.00

CURRENT (TO):

Legal OE	\$10,000.00
Police OE	7,000.00
Construction OE	50,000.00
TOTAL	\$67,000.00

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Absent
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Absent

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

CARRIES: Yes

12. (252-2008) Authorize Councilmembers Elect to Attend Executive Session Meetings of the Governing Body

MOTION: Authorize Councilmembers Elect to attend Executive Session Meetings of the Governing Body

WHEREAS, John J. McHugh Jr. and Christopher Leitner were elected on November 4, 2008 to positions on the Borough Council; and

WHEREAS, the Councilmembers-Elect have traditionally been allowed to attend executive sessions of the Borough Council meetings in order to assure a smooth transition with governmental affairs particularly concerning on-going litigation, contractual, or personnel matters; and

WHEREAS, it is the desire of this Mayor and Council to permit the attendance of the Councilmembers-Elect to attend all executive sessions until the end of this calendar year;

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

1. That it is the decision of the Governing Body for purposes of assuring a smooth transition for newly elected members of the Borough Council to allow John J. McHugh Jr. and Christopher Leitner to attend all executive sessions of the Governing Body from this date until the end of this calendar year.

2. Copies of this Resolution be sent to: John J. McHugh Jr., Christopher Leitner and any other interested parties.

MOTION: Adopt Resolution

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

**Mr. Pyrtko: Absent
Mr. Kaklamanis: Yes**

**Mr. McAlindin: Yes
Mr. Dikun: Absent**

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

CARRIES: Yes

13. (253-2008) Bills and Claims

MOTION: Adopt Resolution Bills and Claims

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

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

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

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay said bills, and has certified 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. O'Rourke

SECOND: Mr. McAlindin

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

D. RESOLUTION (254-2008) - 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, Big Brother Big Sister of Ocean County, on premise 50/50 to be held December 5, 2008.
2. Application Raffle License, Marine Trades Association of New Jersey Foundation, on premise 50/50 to be held December 4, 2008.
3. Application Raffle License, PTO Point Pleasant High School, off premise gift auction, to be held May 19, 2009.
4. Application Raffle License, PTO Point Pleasant High School, on premise gift auction, to be held January 30, 2009.
5. Application Raffle License, PTO Point Pleasant High School, on premise 50/50, to be held January 30, 2009.
6. Approve Council Meeting Minutes of June 17, 2008. (Tabled August 19, 2008).
7. Approve Council Meeting Minutes of July 15, 2008. (Tabled August 19, 2008).
8. Application Raffle License, Ocean Road School PTO, on premise gift auction to be held December 5, 2008.
9. Application Raffle License, Ocean Road School PTO, on premise 50/50, to be held December 5, 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. O'Rourke

SECOND: Mr. McAlindin

**Mr. Pyrtko: Absent
I was not present.**

Mr. McAlindin: Yes, abstain on June 17, 2008 minutes,

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Ms. Rogers: Yes to all and no to #6 & #7.

CARRIES: Yes

E. AUTHORIZATIONS

1. Manual Checks

MOTION: Approve Manual Check for the Attorney

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

2. Authorize Payment to Verizon to Relocate Utility Pole

MOTION: Authorize Payment to Verizon to Relocate Utility Pole (to table)

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

3. Request to place Bench in Right-of-Way at Sunshine Harbor Beach Park

MOTION: Authorize request to place bench in Right-of-Way at Sunshine Harbor Beach Park

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

4. Approve Recreation Department Winter Programs and Related fees

MOTION: Approve Recreation Department Winter Programs and Related fees

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

Mr. Pirkto: Absent
Mr. Kaklamanis: Yes

Mr. McAlindin: Yes
Mr. Dikun: Absent

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

Ms. Rogers: I just want to note that we did have a meeting yesterday to review the budget in detail with the CFO and the Recreation Supervisor and Councilman O'Rourke and myself. All the items are falling into place and updated budgets are being posted to the municipal system as well as the quick book system for Karen. I feel very comfortable that these are in line.

F. COMMITTEE REPORTS

Mr. Kaklamanis: I have several things here I would like to go over. I was at the Riverfront Park today and the boardwalk is basically complete and some of the things I pointed out to Eagle Construction in regards to the railings, some of the knots on the top of the handrail and the construction items I pointed out to them were fixed. The bathrooms are getting completed, the public restrooms. They are starting to move the top soil a little to cover the ground for the grass. They are not sure about the sod because of the weather. The Boy Scouts were down at the Fishing Pier and they updated some items with the fishing pier. We were at the Environmental Commission meeting last night and there are some things that can be modified a little bit for elements of the weather. I want to touch base with Mike Kearns and the Boy Scouts in regards to the badges and modify a few of those items down there. Overall, the park is moving along and I am in contact with the Supervisor quite often to make sure things keep going forwards. The Rec Center, I have been in touch with Bob Forsyth about the handicapped parking and the ADA access to the Rec Center and that is moving forward. There have been some issues about the parking and the access to the doors which he sent me a fax about and we have to discuss it with the rec committee. I have been in contact with Kevin Burke about the enforcement of the Tree Ordinance and the Shade Tree Ordinance in regards to applications and building permits. I have to talk to the Borough Attorney about a few of those items. I was fortunate enough to be invited to the Finance and Administration meeting and we have some things from the insurance company and Mr. McAlindin and Ms. Rogers will expand on it. Our medical benefits for the employees and the prescription rates have gone up 4.6% on one and 9.9% on the other. Ultimately, with the negotiations with the Unions these items have to be addressed because it is an everlasting always increasing item. Those will be after January issues addressed and then we have the town budget that has to be gone over. That is a lot of nights, a lot of days, a lot of inputs and cutting. This year as compared to last year I am sure we will be cutting even more. Our Governor misjudged our state budget and as usual he came out this week and said there is a \$500 million shortfall and it is going to fall back on the taxpayers of the towns and communities. That was the Governor's mistake this week. I know we had in the Finance and Administration meeting, I don't know if a motion has to be made. The Borough Administrator was going to look into researching for grant monies in regards to seeking shared services. I have talked briefly some time ago with Mayor Barella of Point Pleasant Beach and the Mayor of Brick and I am pretty sure the legislature in the state is aware of it that shared services are just a matter of time. Saving tax payers dollars, we did coop sharing with gasoline with the County and other services such as public works. Maybe in the future to include police departments and public works. The other big issues is the budget process starting in January and I am sure what we went through last year this year will even be harder. Brick, I did talk to someone over there and they are having layoffs of 52 workers, although that may change. It seems hard, it is a give and talk situation between the town and the employees. They are to be some middle of the road meetings. End of report.

Mr. O'Rourke: There are actually some shared services going on. I understand in the community reporter last week that Marty gets to break all of the ties over in Point Pleasant Beach at the Council meetings. They keep messing up. This is Point Pleasant Borough and that is Point Pleasant Beach Borough and they keep messing us up. Two different towns, same zip codes. It should have read Mayor Barella. Another example of how shared services doesn't work, there are all kinds of restrictions that the State places on us whenever we try to do something.

Mr. Dasti: The public questions was rejected and people did not understand the question on the ballot.

Mr. O'Rourke: It would have meant you could have one Judge handle two towns. If you do that today the Governor appoints the Judge. The two towns have no say. Bricktown, we almost worked out some stuff with Bricktown this year with the construction department but they would have charged us too much money. They are hurting because they have a lot of bodies in the construction department and the permits are down. We were going to help bail them a little and keep their people working but they just charge too much money so we went another way and so did a number of other towns.

Mayor Konkus: That meeting took place about a week before I was hospitalized. Nothing really happened since then, everything fell through.

Mr. O'Rourke: Now they are looking at all kinds of layoffs. Jerry, the construction feel ordinance that we put together, it had some typos in it and they were not from your office. Some of them were decimal points. Maryanne, could you have Dave forward the Construction Officials new numbers to Jerry's office? Do we need authorization to have Jerry prepare a new ordinance? There are typos and some other recommendations if we are going to change it.

Mr. Dasti: If you want me to prepare an ordinance you should vote on it.

Mrs. O'Rourke: I will get it from the Construction Official and fax it to Jerry.

Mr. O'Rourke: I make a motion to authorize Jerry Dasti to review the numbers in the construction ordinance and if necessary put together a new ordinance.

Ms. Rogers: Second.

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

Mr. O'Rourke: We had a discussion yesterday with the Recreation Director and the CFO regarding the CFO. The meeting was extremely cordial. Everyone is happy and satisfied with the surplus funds and we run a good rec program. The rec program we run has always been exemplary. This is no different. We have an excellent winter schedule coming out please take advantage of it. You cannot get these prices anywhere. This is the least expensive way to have a good time. Please take advantage of it. These are fantastic programs. I got a letter from the Code Enforcement Officer regarding a request for business registration. The Code Enforcement Committee has not met on this yet. I think this is something we don't want to have. There is another way to handle this. What he ran into was he had a business operator and he couldn't find their name and the people in the business could not give the owners name, address and phone number. He ended up not getting very far. He suggested we register every business and get emergency contact numbers. That would be a lot to keep up. The Land Use Committee will discuss this. I hope you are having a warm Fall. End of report.

Ms. Rogers: The DEP might have a problem with Point Pleasant but the Governors office doesn't. I am proud to announce that Point Pleasant Public Works will be awarded one of the Governors awards for Environmental Excellence on December 4th at the Governor's residence in Princeton. Dennis Sears should be commended along with Jude Walker and I know they will both be attending. They both do a wonderful job. This is an exciting award. On a sad and a happy note, I was able to attend on Sunday the Brand Family Fund raiser at Bay Head Shores and for as sad as it is that this young man has to endure cancer and is going through his second bout with this it was wonderful to see the number of people that came out to support the family and be there to help out. It was very touching to myself and to my son. We spent the entire afternoon there and we enjoyed it and had a wonderful time. I came home with a smile

on my face that some many people in our town came out to help this family. I would ask that you keep them in your prayers. They have a long road to go and wish Matthew a speedy recovery as best he can. I believe his Birthday was yesterday. He was able to watch the web cam from his hospital bed. It was very nice. I also want to thank Kathy Aiello and Greg Ross and Mary Guetzlauf, they were the key people putting everything together along with an enormous amount of other people. It was just a beautiful thing. On committee assignments, the Environmental Commission met last evening and the Commission wanted to reiterate that we are in leaf season and we have some dialog on this via e-mails with Council this week about leaf collection and making sure you do not put your leaves out to the curb more than seven days in advance. Members of the Commission were concerned that it is clogging up the storm drains. Please pay attention to that. They are also gearing up to their earth day and they have their web site up and running and it has all of the information for the April event and it has pre registration for things and it talks about the upcoming poster contest and the educational components that we will be starting. We will be presenting this to Ocean Road and Nellie Bennett sometime in early March. We have four grant applications for that educational component that we are waiting to hear on between January and February. On Open Space, they will be meeting next Monday. I can safely say that we are the owners of the Osborn Cemetery now.

Mr. Dasti: Yes, we found the deed.

Ms. Rogers: This is great because I believe Greg Zyry and Mr. Morris will continue their cleanup over there and get things organized. The fencing will now go up. On Public Safety, I received the Chief's report for October and I can tell you that summonses are up by 25% from last years numbers. Some of the things that are down significantly from last year are criminal damage down 50% from last years numbers. Disorderly persons by 30%. What has increased are motor vehicle complaints. The surveillances, 479 up to 632 events. This is also posted to the Point Boro Web Site. The next meeting for the Point Boro Watch Program is December 9th. We have a speaker from the Red Cross to talk about Emergency Management and Fire Prevention in regards to holiday safety. We will be having Lt. Colwell come in and talk to residents about different speeding issues on different roads. So if you are having some issues please come out and we will try to help. We will also talk about some of the vandalism that is happening to the signs with graffiti. Anybody that comes to the meeting that night will get an emergency management survival kit along with a first aid kit and a holiday surprise we have for you on December 9. We hope you can get out to the meeting. On the dollars and cents of things, Laura, I have been reading the paper and I know you have certain comments for me on what happened to my rubber bands, paper clips and things from a year ago. It has taken me three and a half months to break down the purchases that the Borough has made over the last several years and I had an opportunity to meet with Superintendent Smith and Steve Corso and we talked about shared services in our surrounding towns and we have an opportunity to do shared services within our Board of Education. This came about in a meeting I had when I was working with Comcast as far as looking to bringing the Council Meetings live. The schools do not have a radio station as Brick does but we were able to identify IT issues, maintenance issues and bulk purchases between ink cartridges and paper and that will substantially assist with the upcoming 2009 budget. What does not seem to happen in the fastest time as I know you would like to see it has been happening for months now and hopefully with come to light in 2009. It is not that nothing happened in 2008 either. We did see a reduction in our insurance cost (the JIF). Updating our policies and procedures and employee manuals. There was savings brought to the Borough in 2008 and with those upgrades we will realize them again in 2009 more so because everything is in place and we upgraded everything we needed to. Those are some of the things that will b happening for the upcoming budget. I found another way to support the credit cards. For no cost to the Borough for paying your real estate taxes and your water and sewer and vital statistics you can pay with no costs to the Borough. The company is coming in to meet with the Administrator in another week and a half. That is no cost to the Borough. We have also found a way to add and generate an additional 5% to 10% in added revenue income to our interest on our accounts. That is another thing coming up in 2009. There is a lot of work behind the scenes that we can't lay out in one shot.

When writing your next letter if you want I would be happy to sit with you personally and go over the detail. End of report.

Mr. McAlindin: My wife is going to be upset. She missed this. (Mr. McAlindin put on lipstick). I have to agree with Sue that the Brant affair was great. If you don't have your health you don't have anything. If your children don't have their health, you have even less. I am so proud of all of the people that got involved in that and gave their time, their money, their services. All the businesses that were involved, it was a tremendous outpour of support. I think the most unique prize was dinner with Officer Mike. There are a million ways to give something. I believe they raised about \$30,000 and it will go a long way in helping them. Their son has been in the hospital for about 270 days. They can use the help. The government is really getting great at handouts it seems. Every time you open the paper there is another bail out for another hundred billion. There is nothing like a hand up from the community. I was very proud of the people in Point Pleasant that came to do that the other day. Speaking of health care, we have gotten our renewal quotes. Scott Davenport kind of did a great job. He solicited bids from eight companies and several declined to quote. Five did. I am happy to say that Horizon came in the best quote and in all likelihood we will be renewing with them. We started several years ago to try to take a long range approach to some of our health care costs. Prescriptions being one of the issues. The Police PBA and Senior Officers previously agreed to \$10 and \$25 co-pays on generic and non-generic

Mr. Dasti: Be careful how specific you get.

Mr. McAlindin: I understand. The police previously agreed to \$10 and \$25 co-pay and it is our hope that the other Unions will agree to that because the idea was to try to create economy on scale. I suppose that will remain up to their membership when they vote. I can tell you that the saving in the prescription plan alone will amount to \$43,000 a year. That is about the average salary of one employee. You don't have to be a genius to figure out what that means.

Mayor Konkus: I attended the Climate Action Committee meeting on October 30 and they did have a Professor and it was a very informative meeting and it was entertaining as well. Since then I spoke with Cheryl Burke who is the Chairwoman of our Environmental Commission and I also spoke with a representative from Four Point Heating and Cooling. They hosted in the Spring an alternative energy seminar at Forte Restaurant at which they brought out several manufacturers and installers of renewable energy sources etc. They have both asked in addition to Lois Jacobson who is part of the Climate Action Committee and the main force behind it, when they could sit down with me to discuss where we are going in the future. I suggested that this late in the year it might be better to wait until after the first of the year when our two Councilmen Elect are fully on board so they can cover the material. We received correspondence from a citizen asking about Beaver Dam Park and why we can't complete the fence on the portion of the park that people are using as a dog park and open it up as a dog park. Apparently, this person does not realize that although it is in the community of Point Pleasant Borough that it is a County Park and that we have made that request in the past. Maryanne, I am going to ask that you have a resolution prepared to be sent to the Freeholders for the next meeting asking them to reconsider opening that portion of the Beaver Dam Park as an official dog park for our residents and the surrounding towns.

Mr. O'Rourke: Marty, might I suggest another option, if they say no that we request that they let us have part of it to run as our own dog park.

Mayor Konkus: Can we include that in the resolution. Maryanne, please communicate with this person and let them know the action that we are taking. Thank you. We also have a request from the Athletic Booster Association to authorize the Home Coming Spirit Parade the day before Thanksgiving. Nancy Pazienco could you come forward and explain.

Nancy Pazienco, 2302 Pulaski Drive, I am the Chairperson of the Spirit Parade. November 26th and this is put on by the Point Pleasant Boro High School Athletic

Boosters. We are putting in on in joint efforts with the Black and Gold Football Club and the High School Band Boosters. The reason why it is joined is actually are town issues because of the costs of the police for the parade. So the band boosters and the Black and Gold have joined the Athletic Boosters to help pay for the Police. So that the parade can go on. Lt. Mike Colwell has just been wonderful working with us. He might as well be my co-chairperson because he has just been great. He is a super, super person and I know that everyone knows that. We are running this parade and I am asking all of your permissions. We did send out invite letters to all of you. The primary issue being how we were going to pay for the parade and we have taken care of that with donations from the three groups and within those groups people have also donated money. Lt. Colwell has said the cost is going to be \$915 to the Boosters to pay for five officers while the school is paying for two officers to cover their part of it. They are requesting two officers for the bon fire and the pep rally part of it. When you put them all together we have seven officers for the night. This is what the County requires for the parade.

Mayor Konkus: Have those entities actually signed off on vouchers that they would contribute the funds.

Ms. Pazienzo: I signed a contract that I actually gave to Lt. Colwell on Monday and he walked it over to Mr. Maffei that afternoon. The understanding is that I will come and bring a check on Wednesday. They had asked for the check ahead of time which I understand and I put in writing to Lt. Colwell and Chief Hilling that the Boosters is covering the costs. I did sign the contract. I did not hand over the check yet because one of our concerns is the weather and if I give the check to the town then we have to wait for you to reimburse us. I will be happy to bring a check over on Wednesday morning. We never paid for the parade in the past. The town kindly paid for this parade. It is really a community parade. Not only do we have the high school kids in it, we have the Pop Warner kids, the soccer association, the soccer club, we invited the Rotary, we invited the Lions Club, we invited the Town Chamber of Commerce. We want everyone to show their spirit. We appreciated that the town paid for it all of these years but last year it came out that the town did not have the money to pay for this parade. They thought we were paying for it and we didn't have the money for it last year. Even this year the money that we are paying for it and this is one of the concerns of all of the agencies that are involved, is that we are taking money from the scholarship funds.

Mr. O'Rourke: Nancy, what is the total cost, ball park?

Ms. Pazienzo: For everything is it about \$1500, for the police expenses and the class floats. The floats are about awareness. They actually chose Go Green, Support the Troops, Cancer Awareness and Autism. I give them a lot of credit and we give them money to do that. We have five businesses donating their trailers and their flat bed trucks and that is a cost we don't have to pay for that. Lt. Mike has gotten the First Aid and the Fire Companies to put up the lights along the parade route. It is definitely a community effort. I would like to say to the town please come back and pay and actually the conversation was Nancy, why don't you go and ask. I already knew the answer because I was sitting here listening and when you talked about the Halloween Parade and the discussion was about the Memorial Day Parade. How we don't help to pay for the Memorial Day Parade. There was no way I was getting up to ask to pay for a Spirit Parade when I feel we should be paying for that Memorial Day Parade. We went back to the clubs and asked everyone to donate and they all came up with it, they are not happy about it but we are working on it. We did not want to see this not happen. This is our 9th year and it is a great way to celebrate the community.

Mr. McAlindin: Just so you understand one thing on the financial issues, the new State legislation prevents you from spending more than 4% than you did the year before. Even if we had the money for some things you just can't do it. The people who have been elected, I don't know how they are going to do it going forward. It is as close to an impossible task as I have ever been engaged in. Something like that is a great example of how awful the effect of that is. Who could argue that it is not a good thing for the community. It is great for the community. We are kind of between a rock and a hard

place. To my colleagues who will be up here and to Mr. Leitner and McHugh, you have my empathy because it is not an easy job. These type of heart wrenching things have been more and more prevalent every year that has gone by and it is a shame.

Ms. Pazienco: I totally understand what you are saying. You all are in a difficult position, how do you justify paying for a Halloween Parade as compared to paying for a Memorial Day Parade.

Mr. McAlindin: The Halloween Parade, it is a great day, so many people in town enjoy it. The Administrator was having heart palpitations when we approved it. We go minus \$1600 on next years budget and it goes against our spending cap. You can't go above a certain number.

Ms. Pazienco: For the Boosters it is six scholarships between the Athletic Boosters and the Ban Boosters it is six to eight kids that are not getting scholarships now. Do you justify one for the other.

Mr. McAlindin: The same State that just put a 4% cap on us just took \$5000 out of our pocket. There is a monumental disconnect between local government and Trenton.

Ms. Pazienco: I did get some RSVP's back and I hope that the rest of you will RSVP. I actually have one of the Councilman driving. Mr. Kaklamanis, thank you. I think it is your 9th year driving. Thank you.

Mayor Konkus: It seems we have to make a decision on this if they are going to have their parade.

MADE: Mr. McAlindin

SECOND: Mr. O'Rourke

Mr. Pyrtko: Absent

Mr. McAlindin: Yes

Mr. O'Rourke: Yes

Mr. Kaklamanis: Yes

Mr. Dikun: Absent

Ms. Rogers: Yes

CARRIES: Yes

Mayor Konkus: That completes my report.

OPEN PUBLIC SESSION – 5 Minute Limit Per Person

Mr. McAlindin, Acting Council President read the following Ordinance.

Ordinance No. 530. An Ordinance to establish by laws to govern the organization and procedures of the Borough Council for meetings and 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. O'Rourke

APPROVED: All in favor

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

MOTION TO CLOSE PUBLIC PORTION: _____

Rob Wells, 1106 Borden Avenue, I stand here on behalf of our PBA Local 158. I want to read a brief letter.

Mayor and Council, back in June of 08 the PBA addressed the Council in regards to the Sgt's position for retiring Sgt. Robert Wells. The PBA read the following letter to the Council. "The PBA is aware of the Borough's financial position. However, the PBA is not

looking for additional promotions but it looking to keep and restore the table of organization. As you may or may not be aware, the Department currently has two officers performing all of the duties of Police Captain and Police Detective Lt. without having the job title and of course being paid with it. These officers being the Patrol Commander, a position previously held by a Captain, and a Detective Bureau Commander, a position previously held by a Detective Lt. in the past. Both positions were not replaced although the officers continue to perform the same duties. When a police organization is successful it is because management is exceptional. Today's Police Supervisor must develop behavioral and social skills in order to deal effectively with a rapidly changing society. The Sgt.'s job is to obtain results through people which is done by continuously training subordinates by instruction through example, advising, counseling and coaching. Everyone benefits from the effective training. The community gets the protection and service it deserves. Police Officers do their jobs better and earn professional status they crave. The department accomplishes some of its goals and objectives and mitigates some of its liability. In today's society when police departments are held liable for negligent training the additional elimination of the Sgt.'s position would not be a wise investment for the future. Mayor and Council was afforded the opportunity to restore the Captain, Detective Lt. and Detective Sgt. Positions when presented with the 2008 police departments budget proposal presented by the Chief of Police in which Chief Hilling proposed a restoration of a Captain and Detective Lt.'s positions as well as the replacement of the Detective Sgt.'s position. Again, we request that members of the Governing Body reconsider their decision as well as reconsider the previous decisions that were made not to replace Detective Lt.'s and Captains position." I respectfully submit this for the PBA. Thank you for your time.

Dennis Vitkauskis, Foster Road, Shaun, you did not say anything about the public auction. It was very well attended. Very chaotic. I think in the future it will have to be handled a little bit differently over there. If it wasn't for Jude Walker showing up to watch people could have just walked off with bicycles. It was a little bit better handled if there were a few more people and a little better auctioning technique used. People were holding onto bicycles and keeping them towards the back figuring the price would get better. Although there was very spirited bidding and a lot of bicycles were up for a lot more money than they were worth. Made a lot of money.

Mr. O'Rourke: Not to say that Muskrat Jack did not do a good job. The numbers are just overwhelming. For two people to run that is like.

Mr. Vitkauskis: Possibly it could be twice a year now for the bicycles. For the amount of bikes and the amount of people that show up it has to be thought out a little better. One other thing. The Cable Company it was in the paper that the federal government is going to start looking into the cable companies for taking channels off, basic channels and charging more and if you don't go with the digital service. Marty, you might be breaking a lot of ties in the Borough.

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

MADE: Ms. Rogers

SECOND: Mr. O'Rourke

ALL IN FAVOR.

I. EXECUTIVE SESSION

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

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

WHEREAS, those matters relate to the following:

1. Litigation Matters – Affordable Housing
2. Contractual Matters: Union Negotiation, Teamsters Local 469, Transport Works Union of America, Police Chief

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. McAlindin SECOND: Mr. O'Rourke

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

CARRIES: Yes

MOTION: To adjourn

MADE: Mr. O'Rourke

SECOND: Ms. Rogers

ALL IN FAVOR.

