

Council Meeting Minutes
January 16, 2024

Held in-person at Borough Hall Council Chambers, 416 New Jersey Avenue, Point Pleasant Beach.
Live streamed via <https://www.youtube.com/channel/UCflODKbSFakXUEKiyxSYdUA/live>

The Governing Body reserves its right to amend and supplement
the purposes of executive session by motion at the public meeting.

Mayor Vitale called the meeting to order at 6:33PM. The Municipal Clerk read the notice indicating compliance with the Open Public Meetings Act: “Adequate notice of the time and place of this meeting was given under the provisions of the Open Public Meetings Act and was posted and sent to the officially designated newspapers in compliance with the law.” Present were Councilmembers Testa, Byrnes, Crowley and Gant. Councilman Ramos arrived during Executive Session.

The Municipal Clerk read the Resolution for Executive Session: “Whereas, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and whereas, this Governing Body is of the opinion that such circumstances presently exist, now, therefore, be it resolved by the Mayor and Council of the Borough of Point Pleasant Beach, County of Ocean and State of NJ, as follows: the public shall be excluded from discussions concerning the hereinafter specified subject matter; the general nature of the subject matter discussed is as follows: Union Contract Negotiations. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.”

Motion by Councilwoman Testa to enter Executive Session was seconded by Councilman Gant and carried by roll call vote.

VOTE: Councilmembers Testa, Byrnes, Crowley, Gant....YEA
Councilman Ramos....ABSENT

EXECUTIVE SESSION BEGAN Councilwoman Testa 6:33PM AND ENDED AT 7:05PM

The Municipal Clerk again read the notice indicating compliance with the Open Public Meetings Act. Present were Mayor Vitale and Councilmembers Ramos, Testa, Byrnes, Crowley and Gant.

FLAG SALUTE, INVOCATION

CAUCUS: Water Tank Painting Discussion

BA/CFO Riehl: asked for this caucus – have had a lot of discussion on water tank painting, the equipment on the tank, the monopole – went back and forth with Council and was decided not to have the monopole erected and put the equipment back on the tank after painting – our engineering firm has been told the tank no longer meets the structural capacity for said equipment – asked Engineer Mele to let everyone know what’s going on – are more than likely going to be required to go back to the monopole.

Engineer Mele: Sen. Declan O'Scanlon is our Wireless Telecom Consultant for 10+ years and our liaison with the carriers on the tanks, and Jack Berens, with Van Cleef, is who we retained to do the rehabilitation and repainting of the tanks – after the Sept. 19th Council meeting, he told them we would not be doing the monopole and questions were addressed at that time – in Nov., it was revealed that T-Mobile had performed a structural analysis, which found failures if the equipment were to stay on the tank, based on today’s standards – tank complies thoroughly with the American Water Assoc. standards in effect when it was built – today’s standards regarding wind loads, etc., are different – it’s compliant without the equipment, but not with it – T-Mobile has refused to back on the tank – Declan made it clear

the other carriers will follow suit, so we will lose all the carriers on that tank (Councilwoman Crowley: asked what will happen in other municipalities and if the painting opened us up to this situation) putting new equipment on or removing/replacing it for painting, yes – have to paint it approx. every 20 years, especially with the salt air, but have to re-asses at that time – is confident it will continue to work but no one will take ownership of the liability – Declan mentioned Bay Head and other towns south, Little Silver, Fair Haven, Rumson, Sea Bright, Toms River and Point Pleasant have monopoles – they are not uncommon – they blend into the background – we don't want to take on that liability and they are refusing to go back on the tank even if we did (Mayor Vitale: asked if the monopole would be the same height as discussed) yes – the water tower is 125' – monopole is 170' (Councilman Gant: asked how long we can use the water tower if that stuff comes off; BA/CFO Riehl: she asked that question – without any equipment on it, we would never have to change the structure; Councilman Gant: Bay Head's look like a Christmas tree – asked where the monopole is going – County has property by Channel Dr. – asked about putting it there, on the island) part of his discussions with Declan and Jack is that, with the monopole, we don't have to deal with this routine every 20-25 years when we paint/rehab the water tower – can entertain having the monopole look like a tree – is sure it's an additional cost (Councilman Gant: should be aesthetically pleasing) having the monopole on the island will not serve the purpose – have been at this location for about 15 years and are adamant about coming back to this site – they built towers and services based on this location (BA/CFO Riehl: we asked if we could relocate to dirt lot on the other side of The Ark by the railroad tracks, or the DPW garage area – they said both were too far; Councilwoman Crowley: asked who is making this determination) our liaison and hired consultant (Councilwoman Crowley: asked about having an independent assessment done) we cross-examined their assessment and, unfortunately, it's valid (Councilman Gant: asked if the monopole must be erected before the tank is painted) if we take the equipment off, we have to put it at least on a temporary pole, eventually, on a permanent structure – might as well do it in one swoop – the location is the 100-ft. lattice tower in front of the parking meter garage (Councilwoman Crowley: thinks there are statutes that protect residents from something that high – is worried about entertaining that – asked about venturing into other areas and trying to find another location) he can take it back up with Declan and Jack – but the opinion/request of the consultants and carriers is to go out to bid and move forward with the monopole – ultimately, they have to maintain service in this priority location – have been discussing for over a year – are in a corner – not much of a choice – will leave it to the Governing Body (Mayor Vitale: see if they're willing to look at other areas) any other location would be residential, but will take it back to them and discuss – he has been given the direction from the consultants and professionals we retained (Councilwoman Crowley: visit in any way to get a solution) will ask Declan to come to the next meeting (Councilwoman Crowley: had no idea we were talking about a monopole – were told it was the water tank painting) felt it was a priority to inform Mayor & Council of this time sensitive matter and BA/CFO Riehl was kind enough to put it on the agenda – will see that Declan is at the next meeting, so we can act (Councilwoman Crowley: asked Engineer Mele to research if other beach communities that have repainted and what they did to overcome the current standards).

Mayor Vitale called the regular meeting to order at 7:31PM. The Municipal Clerk again read the notice indicating compliance with the Open Public Meetings Act. Present were Councilmembers Ramos, Testa, Byrnes, Crowley and Gant.

Mayor Vitale: the Jan. 1st meeting was a complete embarrassment to the town and administration – heard from people from Neptune to Normandy Beach – we need to do better – was not the time and place for Council to take over the meeting – a celebratory day – it ruined not only his day, but that of the Fire Officers and their kids and the volunteers they threw off committees – residents elected him Mayor – he runs and takes control of the meetings – he rearranged the seats today for the new year – except for Councilman Ramos, Councilmembers insisted to sit where they are – a power trip – there are rights afforded to the Mayor that they are not adhering to – he is not fighting that battle – just wants the residents

to know what's going on – asked the public to keep their comments and hand gestures to themselves and be respectful – he'll give them the full 5 minutes to speak – he and the Chief are the only people who can remove someone from a meeting – Chief is trained in that – if there is any type of escalation of threats or violence, someone is continually disrupting the meeting, will make the judgement call to remove them.

APPROVAL OF COUNCIL MINUTES:

Motion by Councilwoman Byrnes to approve the December 5, 2023 and January 1, 2024 Council meeting minutes was seconded by Councilman Ramos and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Crowley, Gant (except December 5, 2023)...YEA
Councilman Gant (December 5, 2023)...ABSTAIN

RESOLUTION A: Appointment to fill vacancy of Mayor Vitale's former Council Seat

Motion by Councilwoman Crowley to appoint former Mayor Jack Pasola to the unexpired term of Mayor Vitale's seat was seconded by Councilman Gant and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Crowley, Gant...YEA

OATH OF OFFICE: Clerk Farrell administered the Oath of Office to Councilman Jack Pasola

Councilman Pasola: thanked Council for the unanimous vote and made it clear to residents that he is here to work with the Mayor, Council President and Council – must work together – cannot let PPB's reputation slip and it has started to – at least a dozen people asked him what is going on – was Councilman for 20 years – there were 2 Democrats during that time – disagreed many times – maybe voices were raised, but would shake hands/hug and still be friends – have to end the nonsense – is not on anyone's team – is here for PPB and the residents – the whole Mayor and Council should feel the same way.

COMMITTEE REPORTS:

Councilman Ramos: spoke with DPW Super. Trout – streets are being cleared and salted – he is concerned about low temperatures tonight and has crews ready to salt roads as needed – he assured that water and sewer are flowing with no issues; recognized Jan. employee anniversaries – Eileen Farrell 19 years, Tom Branch 2; read from a prepared statement about the Reorganization meeting and how it affected him – hoped to begin 2024 anew, with cronyism and narcissistic behavior removed – was not the case – majority of Council decided to remove him from all committee assignments and positions as political retribution for his support of Mayor Vitale, as was as several volunteer residents from committees – he was removed as Liaison to the Bd. of Ed. – a 6-year former member and President, with extensive experience in policies and procedures and established relationships with the District Administration and Bd. of Ed. – was removed as a member of the Inspections, Licenses and Code Committee – has over 35 years of extensive experience in land use development, fire, electrical, mechanical and building code inspections and permitting processes for commercial and residential development – took the lead last year on this committee, with Chairwoman Testa's blessing, and spent 50+ hours working to resolve the severe backlog and disfunction in the Building and Code Dept. – been replaced with Councilwoman Crowley – to him, that's a conflict of interest, as she is currently involved in open litigation with the Code Enforcement Dept. – was removed from the Police & Emergency Management Committee and the Planning Bd. and replaced with Councilwoman Crowley – residents need to watch the Planning Bd. closely, with new areas in need of rehabilitation and redevelopment, as power is now also given to Council to approve development projects in these zones – was removed as liaison to the Environmental Commission and replaced someone to be determined this evening – was blocked as liaison to the Recreation Committee – was a 6-year Vice Chair of the committee and revived it from extinction from 2010 to 2016 – was replaced with Councilman Gant – Councilwomen Testa and Byrnes retained all of

their committees – questioned how his removal is in the town’s best interest – Council, on it’s first day, removed several volunteers from the Senior and Recreation Committees – quoted Councilwoman Crowley, about them speaking down about Council and disrespecting them – respect is earned by actions and results – voicing one’s opinion is a God-given right and is Constitutionally protected – he and his family were subject to harassment, taunts and threats from residents, friends and people in this chamber when Bd. of Ed. President during COVID – when you run for elected office, you are subject to criticism and unfair treatment – if you cannot take the criticism, don’t run for office – the removal of these residents was a blatant an abuse of power that further destroyed Council’s reputation and divided residents from their municipal government – shameful – political vengeance should have disappeared with the previous administration – all removed were strong supporters of Mayor Vitale in the election and worked with him closely on his campaign – political theater and vengeance orchestrated by Councilpersons Crowley, Testa, Byrnes and Gant – we serve at the will of the people and they are watching us very closely – promises to continue to do the work of the people, to be transparent and honest and treat them with respect, even if he disagrees, because they elected him to represent them – begged Council to do the same.

Councilwoman Testa: congratulated Councilman Pasola – an honor to have him – looks forward to working with him; the Arts Committee’s spotlight artist, Melissa Hood’s, work is installed in Town Hall through Mar. – Meet the Artist is scheduled here on Feb. 12th at 5:30PM, pending approval – Sheila Soyster has work at the PPB Library; the Famers’ Market is on the agenda for approval, with more than 25 vendors at the train station lot, May-Sept., 8:30AM-12:30PM – Party by the Sea is planned for May 30th at Lobster Shanty – tickets are \$40 if bought early, going up to \$65 – the Art Walk is on the agenda for Apr. 27th; Beautification will be selling tickets soon for the June Garden Tour; are meeting with the Building Dept. next week and will have more to report on that.

Councilwoman Byrnes: welcomed and congratulated Councilman Pasola for stepping up and accepting the nomination again – is proud and honored to sit with him – his presence, life experience, traditional family values and character are welcome and refreshing; gave the Chief’s report – recent training includes Mandatory Canine and Vehicular Pursuit – are hiring SLEO Is to handle summer crowds, assist with community policing and enforce quality of life issues – scams are targeting seniors, through phone calls and online – contact the Police Dept. immediately if suspicious; gave the Fire report – with the assistance of QOL Dir. O’Rourke, submitted the American Rescue Plan Firefighters grant for essential equipment and personal protective gear – will be looking for the announcement from the DCA – thanked all first responders; the first Golden Gulls meeting was last night – was so happy to be back – fairly attended, as weather was awful – one item on the previous meeting’s minutes was that the basement might not be the best place for the expensive stereo equipment – asked BA/CFO Riehl to work with her to secure another location before it gets spoiled (BA/CFO Riehl: first she has heard of it) next social event is a St. Patrick celebration with details and dates to follow – this morning’s Zumba Gold and Chair Yoga were cancelled, but are organically growing – she has established a wonderful working relationship with the new Dir. of Ocean County Commissioners/liaison to the Office of Senior Services – as co-liaison to the Golden Gulls, is looking forward to working with the committee to further our mission of enriching local senior’s lives; the Shade Tree Commission encourages property owners to actively participate in their new 2024 Free Street Tree program – properties will be evaluated for site suitability – requests for the free street trees should be received no later than February 15th for spring planning.

Councilwoman Crowley: thanked all for being here; congratulated Councilman Pasola – is very respected – looking forward to his help in opening lines of communication – she and the Mayor have already met to try – has been an advocate and reached out to him before he became Mayor – Jan. 1st occurred the way it did because communication was and continues to be blocked – she was given agenda items at the last minute that weren’t even discussed – she was thrown on committees she never requested or asked if she wanted – she and her running mate, Mike Ramos, have been on Council 2 years – seems

he thinks he should have all those committees and never share – she would like to try at the School Board, Planning and things she hasn't done before – in the history of PPB, you shuffle around – there was no agenda – they want to explore and do different things – are not being brought to a table to say what we want, so we chose and voted on it – time to share duties with others – no one here is power tripping – had regular seating for 4 years and he chose to just switch our seats around – were not comfortable with it – what about feedback – no one person is going to take charge and not allow us to have input – it is a weak Mayor/strong Council – want to respect him as leader, but he just trashed everybody except the people who attacked then – if you want to be a leader, you have to defend your people – neither Mayor Vitale nor his wife were threatened in this room – she will reach out to the Chief if she feels uncomfortable – are equal up here – were all voted in, not just Mayor Vitale – let's respect each other and move forward – she plans on it – went to a Senior meeting last night and was embarrassed that Mayor Vitale brought politics into it – let's move forward with communication – are a team; Seniors had a wonderful event – attendees had great ideas and want to work with us – will do an open fair for volunteers, as in the past – volunteers are an extension of the Governing Body – we choose you to represent us – opinions and freedom of speech doesn't mean disrespect and harassing Councilmembers – we work together not against each other (Councilwoman Byrnes: the Senior Committee was not provided with a treasurer's report for last night's meeting – requested anything that was submitted) were totally unprepared and blindsided.

Councilwoman Testa: received a lot of calls and messages from residents and out of towners, who stood by them as well and see the work they've done – have always worked with the Mayor and Councilman Ramos – all have jobs and she puts in an extra 30-40 hours/week as Councilwoman – all work hard – no one likes what is happening – very uncomfortable – we want to work together – are not the enemy – have to be held accountable for your actions and what you say on Facebook – people send her screenshots – lot of people have crossed the line and it's upsetting – can do great things together – wished Mayor Vitale the best – wants to work together, but we need communication and respect for one another.

Councilman Gant: suspects that tonight is going to be a disaster, so he will leave his comments to the end; congratulated Councilman Pasola – looks forward to working with him; reached out to the Fire Dept., who submitted the grant for their dry suits – they had their first meeting and look forward to working with Council; met with DPW – did a great job on the roads last night – planning to install new lights at Pleasure Park when they come in, as part of a Recreation project – will change to different colors for seasons/events – are swearing in a new Chair at the Recreation meeting next Mon. – some events will not take place this year because there is a shortage of volunteers – Recreation is looking for volunteers – is sorry if anyone got caught up in the mess; there is a Bd. of Ed. meeting Jan. 23rd at 7PM – the Superintendent will give his State of District presentation and Teachers of the Year will be recognized – District is in the process of Middle States accreditation and surveys will be going out to stakeholders soon (Councilwoman Crowley: Recreation is a wonderful committee – when we made Councilman Gant Chair, we offered Councilman Ramos to be co-chair – he chose not to – we would like him to be; Councilman Ramos: he was not asked – historically, Recreation has not had a co-liaison – in his opinion, it is not needed – need one person to make decisions and represent Council – has no problem with Councilman Gant – the Mayor asked him and he told him he'd do it – the co-liaison situation was put in place when there were issues and problems – Recreation and Councilman Gant are capable of doing the job.

Councilman Pasola: no report; hearing a lot of bickering here tonight – let's get it out – after tonight, let's get down to business and do what's best for the people – have an excellent Mayor, Council President and Council who want to serve the town – if we disagree, that's ok – to be the only one to vote “no” or “yes” – takes a lot of courage and character – please, no more of this.

MAYOR'S REPORT:

Mayor Vitale: busy couple weeks – set up the Mayors' office – works there on Wed., approx..10AM-4:30PM – invited residents – just asked for a heads-up – is setting up evening Mayor's Hours; he brought up item 2a – thinks it's important – will be an outside vendor to take over social media of the committees – would take over responsibly of approving flyers and promoting the social media, will help run the town's social media – we do a good job of communicating, but could do better – this person can help with the stagnant PPB app – can push out alerts for road closures, committee events, bad weather, etc. – not all seniors are on social media, but many have smart phones – can highlight businesses and send alerts via the app – hopes it goes through; he attended his first Animal Welfare Committee meeting – a very interesting group – doing a wonderful job maintaining and managing cats in town – there is a fundraiser in Apr.; item 2f is the Ocean County Tourism Grant – were awarded nearly \$10K in 2022, which paid for the promotional tourism video and a small digital streaming campaign – last year, were awarded just short of \$5K for a digital streaming radio ad campaign – the 2024 application is seeking funds to revamp the app and update information about businesses, parking, attractions, emergency information, DPW and municipal services, and to promote the app to visitors in other counties and towns – working with QOL Dir. O'Rourke to prepare public comment on a Problematic Environmental Impact Statement on offshore wind – encompasses 6 lease areas between the mouth of the Hudson River to Sea Girt – will be visible from PPB and negatively impact our local fishing industry, migratory species, fisheries, beach replenishment, on-shore transmission infrastructure, etc. – comments are due Jan. 31st and will be reviewed before submitted; welcomed Councilman Pasola – will bring a wealth of knowledge and experience – the voice of reason and sanity; worked with the Emergency Services Dept. in preparation of last week's storm, which wasn't as bad as predicted – thanked OEM Coord. Dempsey and all first responders for manning the Fire and EMS stations during the storm; thanked DPW for coming in last night to plow and salt the streets and make sure the town was safe.

ADMINISTROR'S REPORT:

BA/CFO Riehl: would like to hold 1v to gather information; Finance closed 2023 and rolled in 2024 – looking to start Budget meetings – binders are together – moving through the State's increasing online budgeting platform – looking to set up a meeting in the next 2-3 weeks with the Finance Committee; hopes to award Inlet Access Improvements in Feb. and have project done before Memorial Day; will be working through budgeting for some projects: got a \$418K grant for Carter Ave, South Baltimore and portions of New Jersey Ave., which are in dire need of repairs – looking to revamp the Band Shell area – waiting to hear on the Boardwalk Preservation Grant application – need to come up with a plan/vision for the Coast Guard Station – Safe Routes to School – Rte. 35 Drainage Improvements is going to be a big ticket item – will appropriate maybe \$6M this year to move it forward – DOT is working in conjunction – Transit parking lot – Firehouse flash & signal – pedestrian beacons on Ocean Ave., Liberty main drainage pipe improvement – need to talk about downtown rehabilitation, redevelopment of Channel Dr., Broadway and Inlet area, vehicular charging stations, and the parking study.

Clerk announced additions and revisions to the agenda.

PUBLIC PARTICIPATION BEGAN AT 8:19PM

Ken Montalbano, PPB: spoke about the water tower painting and monopole – has lived across the street for 40 years – was here on Sept. 19th when the town said the monopole project was off the table – spoke against Engineer Mele – complained about the export container he has to look at every day, and the confusing Hennessy street sign which causes people to turn down his street – monopole will be about 75 feet from his house – asked about the fall zone and ice that could come down – per the ordinance, it can't be put there – thinks money is promoting this – is upset – his wife is in tears – will have 170'

monopole over their bedroom (BA/CFO Riehl: reiterated the earlier discussion) will do an OPRA – wants to see the engineering reports and, if he has to, will have another engineer look at it – sounds very convenient – an example of back door deals (Councilwoman Crowley: as Mr. Montalbano wasn't here during the caucus, explained that this is being revisited – Council is not accepting this – trying to do everything) asked if other places are being looked at (BA/CFO Riehl: not so much other places, but other avenues – project consultant, who is making the decisions, will be at the next Council meeting to address) are going against the ordinance – are legal issues here – is concerned for his property and the people who live there (Mayor Vitale: will look into it).

Tom Panconi, PPB: is ashamed for the Governing Body about what happened at the last meeting – he came from Cranbury, where he was elected and re-elected to the Township Committee – he ran as a Democrat in a Republican town – he knows what the Governing Body is going through – spoke to business owners in town over the last 2 weeks – Mayor Vitale has friends – that's why he is here – people in town want to rely on the Governing Body to do their business; in this town, if a shed gets moved too close to a property line, everyone within so many feet has to be notified – now, we are talking about a monopole; people are upset at what happened at the Reorganization Meeting – families are here, it's a happy time – to get political and to be childish is shameful.

Dave Cavagnaro, PPB: welcomed Councilman Pasola; asked how much the social media consultant is going out to bid for (Mayor Vitale: just getting proposals); asked if he can ask about 2g (BA/CFO Riehl: after it's approved); asked about the change of Council meeting date (Councilwoman Crowley: there is a 30-day statute to reappoint the attorney – it's a Tues., 2 weeks from today – thought it would be an easy transition).

Robert Clayton, PPB: congratulated Councilman Pasola; asked about 1v (BA/CFO Riehl: pulled this for further explanation); asked about 1z (BA/CFO Riehl: complex on Riverside Pl. – irrigation meter was registering for sewerage – cancelling the sewerage); asked about 2d (BA/CFO Riehl: got a letter from the State that an individual from one of our engineering firm's didn't file his financial disclosure – he was fined – Governing Body now has to take action – the firm is doing one of our projects, but that particular engineer is not allowed to work in town); asked about 2i (Councilwoman Crowley: so we can have privacy and keep government business on phones and our personal phones for our personal life) asked the public would be able to get the Council phone numbers (Councilwoman Crowley: 100%) asked if this was done in previous administrations (Mayor Vitale: no; Councilwoman Crowley: all other towns have it and, in today's temperament, it's a good thing – looking for the basic plan).

Kristin Hennessy, PPB: congratulated Councilman Pasola; concerned about 2a – unnecessary – have a web site with a very competent administrator – given it's divisive and destructive nature, would like to see no more social media and no one on the Governing Body communicating on the Point Beach Residents Facebook page, which is not open to everyone – she has been a resident for 57 years – a man who just moved into town created it and blocked her – was taken back by Mayor Vitale advertising storm information recently on that page – information should be disseminated on a public page, sanctioned and approved by the Borough (Mayor Vitale: was on his Mayor's page, which is public – a couple thousand residents are allowed to participate in the Point Beach Residents page, so it makes sense – can go on his Facebook page and the town's) feels it's an ethics violation for the Governing Body to be participating on social media – will look into it; spoke about committee appointments and liaison issues – about 20 years ago, Councilman Ramos and Mr. Paesano moved into town and quickly got themselves on the Recreation and Open Space Committees – one of their first big projects was the \$750K debacle at the Little League Field – most of the town hates the design – can't see from the bleachers – visitors complain – sometimes change is good – a liaison is not a lifetime appointment – everyone starts somewhere – Councilwoman Crowley is the only one on Council with kids in the PPB school system – in 2021, when Councilman Ramos was President of the Bd. of Ed., he was leading the meeting about reinstatement of fall sports for the 2021-2022 school year – a group of about 16 parents pleaded with him to reinstate middle school cross country and soccer – many schools in the area had – Councilman Ramos listened and refused – about a week later, he posted on his personal Facebook page about being proud of bringing back our high school

football team, which his son was on – he ruined the lives of countless middle school students, who wanted to run after being cooped up indoors for over a year – when she called him out on his Facebook post, he blocked her/unfriended her because he didn't want to hear what she had to say and shut down any further dialogue – since then, have turned the Bd. of Ed. over and have 3 new members – people were not happy with his leadership – that's why Councilwoman Crowley deserves to be liaison (Councilman Ramos: to clarify, he is not the sole authority of the Bd. of Ed. – as President, he ran the meeting – decisions are made by the Board, with the Superintendent's guidance – those sports were not cancelled by the Board, but by the administrative group who oversees them – he blocked her on Facebook because she jumped onto his personal page – through the football league, it was decided, at a different time, to allow 4-5 games – he and his wife sat separately in the bleachers, wearing masks outside, as required – his son was up for scholarships at several universities and got to have at least a piece of his season, where he could be seen by scouts – he ended up getting a scholarship to Gettysburg – he was a proud father, not a Bd. of Ed. member – she personally attacked him and his son on his own page – he was just re-elected to a 3-year term on the Bd. of Ed., but left to join this Council – she has him confused with someone else – was not involved in the design or planning or anything with regard to the baseball field.

Dan Friendly, PPB: this is embarrassing – the last year is a disgrace – people are getting physically hurt at Council meetings – someone on this dais, or related or close to, is posting on Facebook accounts under the fake name of Jillian Smith Jones, who is not Dave Betten – Code Enforcement showed up at his home, Dave Betten's and others', under the name, Jillian Smith, with a fake phone number and fake complaints – disgusting political retribution – everyone involved or knows about it should be ashamed – the last administration used to say it was the 7-8 crazy people on Facebook – it's not 7-8 people – there are only 7-8 who speak up – everyone in town feels the same way and all will find out at their next election.

Joe Seickel, PPB: is a proud member of Recreation and Senior Committees – thanked Mayor Vitale, as liaison to Recreation – welcomed Councilman Gant – hopes he is willing to put in the time – a hard working group of volunteers – they get beat up – most are up in years and do it for the kids – want a family-friendly town – can take their voting rights away, but they will still volunteer – asked volunteers to come out and work, not just join to have their name added or report to someone who wants to know what the committee is doing.

Kitty Stillufsen, PPB: congratulated Councilman Pasola; is opposed to large scale ocean wind turbines – suggested micro turbines on buildings and land – work toward solutions for climate change; clarified that Councilman Gant is liaison, not chair of the Recreation Committee; asked about 2e (BA/CFO Riehl: project in design for about a year and a half – rain garden, drainage, bioswale, repaving, long curb, concrete improvements – is happy to share the plan – will be a concrete path to the gazebo and fishing area – handicap access) asked for a ruler where you clean the fish, so people know what they can keep; asked about 2g (BA/CFO Riehl: can talk about it after approved – settlement of litigation, in lieu of trial); asked about 2h (Mayor Vitale: apparently to stay within the 30 days for appointment of a new attorney) asked if Mr. Collins is a temporary town attorney (Atty. Collins: is an appointed Special Counsel and is here attending in Atty. Riordan's stead, as he is unable to appear tonight) confirmed that Atty. Riordan is not being reappointed; asked if the Nov./Dec. deadline for comments on the Channel Dr. project can be extended (BA/CFO Riehl: has a call on Weds. about that project) she didn't feel it was a safe political environment to air suggestions or comments – to Council's credit, she feels much more safe and welcomed in this environment than she did a month ago – didn't feel, at the time, that she could freely voice her opinions, even though she owns 2 properties on Channel Dr. and is very familiar with the community there – a lot of other people felt the same way (Councilman Gant: if you have something to say, maybe we can get that in) to be clear, she is asking if the deadline can be extended for everybody; she was a long-time volunteer and would be willing to do that again (Councilman Gant: we would love to have you).

Andy Cortes, PPB: asked about 1t – it's a County road (BA/CFO Riehl: water main break repair); as Councilman Pasola said, you are not up there for yourselves, but for all of us – you are all getting paid earn that money – grow up and act like adults – will make friends, lose friends and disagree – wasn't long

ago that he was up there – show some thick skin and maturity and work together (Councilwomen Crowley, Testa and Byrnes thanked him for helping with the garland on the poles – a huge help and a big deal).

Cary Mulkeen, PPB: is on the Environmental Committee – Councilman Ramos served on the Committee and did very well – he was removed, leaving no liaison, for no reason – wants to know what is going to be done (Councilman Crowley: he was to remain – nobody removed him; Councilwoman Byrnes: that is not how we left the meeting; Councilman Ramos: he was removed – Councilwoman Crowley made the motion and it was voted 4-1 – it’s on tonight’s agenda for somebody to be appointed) asked for Councilman Ramos to come back.

Motion by Councilman Pasola to put Councilman Ramos back on the Environmental Commission was seconded by Councilwoman Crowley and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Pasola, Crowley, Gant...YEA

Anne Lightburn, PPB: the Shade Tree Commission lost a liaison – at their meeting, they requested Councilman Ramos – delighted he is going to be appointed; congratulated and welcomed Councilman Pasola; spoke against co-liaisons.

Motion by Councilman Pasola to close public participation was seconded by Councilman Gant and carried by consent of Council.

PUBLIC PARTICIPATION ENDED Councilwoman Testa 9:05PM

Councilwoman Crowley asked to carve out 2m, amend 2c, and table 2a.

Motion by Councilwoman Crowley to amend 2c to reflect the change from Fire to Police was seconded by Councilwoman Testa and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Pasola, Crowley, Gant...YEA

Motion by Councilwoman Crowley to add 2q to appoint Councilwoman Byrnes, instead of Councilman Pasola) to the Fire Committee was seconded by Councilman Gant and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Pasola, Crowley, Gant...YEA

Motion by Councilwoman Crowley to approve the items listed below was seconded by Councilman Pasola and carried by roll call vote.

CONSENT RESOLUTION 1:

- 1a Approval of payment of Payrolls #25 (\$297,091.08) & #26 (\$307,144.40) & #1 (\$325,514.45)
- 1b Approval of bulk pick-up & drop-off dates & rates for 2024 (3/29, 5/31, 8/30, 11/29)
- 1c Approval of payment to the State of NJ for employee & retiree health benefits (\$163,591.35)
- 1d Approval of salary adjustment for A. Kondas for obtaining CDL license
- 1e Approval of payment of insurance opt-outs for Jul-Dec 2023 (\$27,998.23)
- 1f Approval of payment of hand checks from Developer escrow accounts (\$3,930)
- 1g REMOVED
- 1h Approval of PPB Arts Cmte S/E app for Meet the Artist Reception in Council Chambers on 2/12
- 1i Approval of Clean Ocean Action Beach Sweeps at Maryland Ave Beach on 4/13 and 10/19
- 1j Approval of PPB Arts Cmte S/E app for Weekly Farmer’s Mkt in train station lot, Sundays, 5/19-9/8
- 1k Approval of S/E App for ACS Making Strides Against Breast Cancer Walk on Bdwlk, 10/20
- 1l Approval of S/E app for Cystic Fibrosis Fdn Great Strides walk in Bdwlk area on 5/18 (rain: 5/19)
- 1m Approval of PPB Arts Cmte S/E app for Point Beach Art Walk on Arnold & Bay, 4/27 (rain: 4/28)
- 1n Authorization to cancel 2023 & preliminary 2024 taxes for B168/L5, as lot was consolidated
- 1o Approval of payment to Riggins for gasoline & diesel fuel for DPW (\$23,089.92)
- 1p Approval of payment to Altice Media Solutions for promo commercial (\$2,655)
- 1q Approval of payment to Brick Township MUA for December bulk water usage (\$69,326.53)

- 1r Approval of payment to Foley Caterpillar for Caterpillar wheel loader for DPW (\$89,006.31)
- 1s Approval of payment to M. Woszczak for 611 Forman emergency repair (\$4,878.95)
- 1t Approval of payment to Earle Asphalt Company for Ocean Ave mill and pave (\$8,640)
- 1u Approval of payment to Atlantic Infrared for sinkhole repair (\$11,601.69)
- 1v HELD
- 1w Approval of 2 Low Speed Vehicle driver licenses for Point 2 Point Shuttle through 1/17/25
- 1x Approval of S/E app - Jersey Shore Running Club Runapalooza–Ocean/NJ/Bdwlk/Bdwy/bridge, 4/6
- 1y Revocation of Resolution 2024-0101/7K-1 (Open Space appointments made in error)
- 1z Approval of W/S relief request

CONSENT RESOLUTION 2:

- 2a TABLED
- 2b Designation of Manasquan Bank as financial institution of & depository for funds of the Corporation
- 2c Appt of individual appointed to fill Mayor Vitale’s Council vacancy as member of Finance Insurance & Advertising and Streets & W/S Utility and chair of Police & Emerg Mgt standing cmtes - AMENDED
- 2d Retention of svcs of firm, but not the individual, who failed to file 2023 Financial Disclosure Stmt
- 2e Authorization to go out to bid on the Inlet Access Improvement Project
- 2f Authorization for Borough Administrator to apply for an Ocean County Tourism Grant (NTE \$10K)
- 2g Approval of settlement recommended by Borough Attorney
- 2h Rescheduling of the 2/6/24 Council meeting date to 1/30/24
- 2i Authorization to purchase cell phones for the Governing Body
- 2j Appointment of M. Ramos as Class III alternate member of the Planning Board
- 2k Appointment of M. Ramos to the Open Space Committee
- 2l Appointment of M. Ramos as Council liaison to Shade Tree Commission
- 2m CONSIDERED SEPARATELY AS RESOOLUTION 2R
- 2n REMOVED
- 2o Reappointment of L. Stillufsen to Environmental Commission
- 2p Appt of M. Ramos as Alt Planning Board Council Liaison to Local Emergency Planning Council
- 2q Appointment of Councilwoman Byrnes as chair of the Fire & Street Lighting standing committee – ADDED PER COUNCIL PRESIDENT

CONSENT RESOLUTION 3:

- 3a REMOVED
- 3b Approval of Interlocal Agmt with Twp. of Manchester for use of Manchester firearms range facility
- 3c Approval of pymt to Fireflow Services for testing–hose, ladder, pump for the Fire Dept (\$7,164.70)
- 3d Approval of payment to Absolute Fire Protection for apparatus service for Fire Co. 1 (\$5,929.28)
- 3e Approval of payment to Baycomm for electronic siren for the Fire Dept (\$26,706)
- 3f Approval of payment to McNamara Screenprint & Embroidery for police screenprinting (\$2,816)
- 3g Approval of pymt to Safe Fleet Mobile Vision for camera, antennas, microphone for the PD (\$5,975)
- 3h Auth for atty to draft an ordinance regarding Phoenix Automated Property Reporting System/PAPR
- 3i REMOVED
- 3j Auth for Mayor to execute shared svc agmt w/County for Police Svcs–OC Narcotics Strike Force

VOTE: Councilmembers Ramos (except 2h & 2i), Testa, Byrnes, Pasola, Crowley, Gant....YEA
 Councilman Ramos (2h & 2i)....NAY

Motion by Councilwoman Crowley to TABLE RESOLUTION 2R was seconded by Councilman Ramos and carried by roll call vote.

VOTE: Councilmembers Ramos, Testa, Byrnes, Pasola, Crowley, Gant....YEA

PUBLIC PARTICIPATION BEGAN Councilwoman Testa 9:12PM

Maryjane Reilly, PPB: read from prepared statement - at the Jan. 1st Reorganization Meeting, she was accused by Councilwoman Crowley of making inflammatory statements about Councilmembers on Facebook – she and Joan Clune worked hard to keep the Golden Gulls functioning last year without a chairperson – they were maligned by a vote to remove them - a political stunt – will not allow her reputation to be slandered – she and her husband donate and volunteer and are embarrassed to live here now – is embarrassed and ashamed by what Councilwoman Byrnes said at Golden Gulls meeting last night – has a lot of Facebook posts, but will not read them on the advice of her attorney.

Kristin Hennessy, PPB: attended first Senior Committee meeting last night and listened to some members lament about the fighting, bickering, nastiness and negativity – Mrs. Reilly was called the cancer that needs to be cut out of the committee – asked if she offered Mayor Vitale, at his request, an olive branch to consider reinstating members (Councilwoman Crowley: 100% – she and other Councilmembers decided that might be a way to make things right, as long as there is respect – they said absolutely not); spoke out against the uncivil language and gestures at Council meetings; quoted what she had posted on Councilman Ramos' Facebook page in 2021/22 – it was not an attack on a child (Mayor Vitale: didn't hear what she heard at the Senior meeting – definitely some miscommunication).

June Cuzzo, PPB: welcomed Councilman Pasola – pleased to hear everyone talking about peace – asked. if she applies to volunteer, will she get a fresh start or will she be blocked by a Council vote (fresh start); did an OPRA request and 6 hours later, the person she requested was made aware of it – asked how a property owner would be advised that's she's done an OPRA request on their property (Atty. Collins: there is no confidentiality in making an OPRA request – you can actually OPRA request other OPRA requests – there is no formal notification under OPRA; Councilwoman Crowley: can go on GovPilot).

Anne Lightburn, PPB: looking to go forward and make PPB pleasant – pleaded with Council to think about the beach season – 13'x13' cooler size and 7PM beach closing hours are reprehensible – should think about loosening up – Council can set the tone for what they expect a beach experience to be.

E.J. Geiger, PPB: agrees with Anne about beach closing time and cooler size; read the definition of a liaison officer – are not in charge of the committees, the chair people are; just please get along.

Kitty Stillufsen, PPB: recently, she heard a 6th grader from about an hour away reference PPB as Point Unpleasant Beach – have to work on our image and policies – was Shade Tree Commission Chair for 8 years – their liaisons didn't control meetings or policies – were their advocates and voice on Council – need to have boundaries; redevelopment, rehabilitation and revitalization are 3 tsunamis coming toward PPB – 3 different programs – the pitfall of the redevelopment and rehabilitation programs is that they are meant to attract developers to blighted areas and the incentive is tax abatements and exemptions for up to 30 years – have lucrative properties in PPB – don't need to give developers tax abatements or exemptions – taxpayers would then have to pay the deficit and the new taxes created by the new infrastructure – rehabilitation includes almost 250 properties – gives the government a lot of control over individual properties – not in the town's best interest – with Channel Dr. comes the revitalization – they want to make the street more narrow with no or shared bike lanes – this is a marine commercial fishing district – multi-million-dollar-producing properties – don't need to narrow streets – big trucks have to get through – and it's heavily-trafficked – would cause more congestion and problems – large-scale developers might want to build a massive condominium complex – public needs to be aware of these projects and the hazards taxpayers face (Mayor Vitale: a lot of those meeting were done with his predecessor without a lot of knowledge from Council and administration – will change that – will dive into those 3 projects; Councilman Ramos: it's been stated by former Mayor Kanitra that there was no interest on the part of the town of giving any type of tax incentives – that's not on the table – the current Mayor can speak for himself – no one has had any discussion with him about any type of tax incentives – agrees with her assessment – we are not Trenton or Camden – do not have blighted areas – every piece of property is pretty much developed and there is no tax incentive available – people building in this town are going to have to pay their fair share of taxes – Mayor Kanitra made that very clear at Planning Board meetings).

Dave Cavagnaro, PPB: to clarify, the first step for redevelopment and rehabilitation is an ordinance – understands that, regardless of what the law allows, you set the parameters within the ordinance – the ordinance clearly states no parameters for rebates – this was stated again and again and again at Planning Board and Council meetings – believes the timelines for suggestions/ideas would be part of the ordinance (Atty. Collins: would imagine that if a redevelopment plan ordinance were adopted – once it's finally adopted, it's the final ordinance – it can be amended by the Governing Body by adopting a new ordinance that makes changes, but doesn't believe there would be time to comment beyond the comment period on that ordinance) timeline has passed for comments; Governing Body was gracious to allow the public to come to a caucus and listen – they are not allowed to speak unless you ask them to – don't respond to people who forget their manners or protocols – it's rude, impolite and not the purpose of a caucus; when he was on committees, would serve for one year and could be reappointed or not and you got a letter saying so – with the size of the committees, it's a lot of paperwork, but suggested going back to that.

Joe Seickel, PPB: asked about making the Coast Guard building a community center, which is something this town has been lacking (Councilwoman Crowley: great idea – we all agree on that).

Robert Clayton, PPB: last year, he brought up issues about Building Dept. investigation – Mayor ordered Karen Mills to put him on the Bd. of Adjustment meeting, possibly ahead of other residents, after 26 days – asked Councilwoman Crowley to elaborate on what she said at the last meeting about problems in the Building Dept. (Councilwoman Crowley: it's an entry-level appointment – residents have had concerns about permitting and turn-around times in the Building Dept. – are working hard on making it more time-effective and working with the public) in the last year, Councilwomen Crowley and Byrnes didn't vote on CO Thulen's appointment because of a conflict of interest – yet put themselves on the Building Dept. committee – are going to court (Councilwoman Crowley: she recused herself – and she's going to court on a variance issue, not a Planning Board or Building issue; Councilwoman Byrnes: she recused herself from the same issue to keep the peace; Councilwoman Crowley: recused herself for a personal reason discussed in Closed Session – what we agreed on behind closed doors, not because she has any conflict – going before the variance board for pavers in her house for 21 years – has nothing to do with the Building Dept., so she has not conflict; Atty. Collins: it wouldn't be wise for us to discuss what happened in a past Executive Session – would suggest we refrain from that); asked about the Building Dept. employment offer (BA/CRO Riehl: we hired someone at the last Council meeting; Mayor Vitale: not the original person; Councilwoman Crowley: she added something to the agenda – we hired a local girl) suggested that she is friends with her daughter (Atty. Collins: he has a First Amendment right to say his piece – Councilmembers shouldn't be discussing and details on any personnel action that was taken – we have to respect the confidentiality of an employee – would recommend the Council not respond; Councilwoman Crowley: there is no friendship with the person that was employed); asked Councilwomen Testa, Byrnes and Crowley if there are any plans to replace the Borough Administrator (Atty. Collins: that's something that should not be commented upon in public by any Councilmembers).

Motion by Councilwoman Byrnes to close public participation was seconded by Councilman Ramos and carried by consent of Council.

Councilman Gant: the division he is hearing around town is coming from Facebook and certain residents spreading lies and hate and fueling the rest of the town – the town didn't just elect Mayor Vitale, but all of us – our form of government is a weak Council/strong Mayor (Council corrected him – strong Council/weak Mayor) tried to work with Mayor Vitale, but it's not working – will continue to try – Mayor Vitale had said that everybody just rubber-stamped and did whatever the past-Mayor wanted and now he is screaming that we are not doing what he wants – has begged him to post something on the Point Beach Residents page to prevent further division, stop the hatred and lies and assure residents we will be working together, and he has refused – apologized to residents – division lies up here by a select few – the Point Beach Residents page has become a political cancer platform of hate – hopes someone creates a new one, where great events are promoted and high school teams congratulated, like it used to be a year ago – it's

a cancer and not controlled – people spread lies – assured residents that there is no division among our town – it rests in the hands of a few – apologized to the committees who feel they've been used as political pawns – that is not what has happened – that was never our intent, nor would it ever be – proposed leaving nonsense behind and starting working for the town – wants the following items on the next Council meeting as topics of discussion: band shell rehabilitation – open up the sign ordinance and remove excessive signs along the Boardwalk and streets, with only one sign at every entrance – remove any ordinance that prevents people from smoking at the foot ends of any street along the Boardwalk – remove the chains and open the gates along Ocean Ave. that the State DEP said were illegal, to be utilized only during storm warnings and for safety concerns – a complete overhaul of Building Dept., regarding permits, fees and procedures, as the Mayor suggested; leaders bring people together – they do not divide (Mayor Vitale: good ideas – welcomes dialogue – would like stakeholders in the room – is open to all – is not the Facebook police) when you assure people that we will all work together, things will settle down.

PUBLIC PARTICIPATION ENDED Councilwoman Testa 9:51PM

Motion by Councilwoman Crowley to adjourn was seconded by Councilman Pasola and carried by consent of Council.

Meeting was adjourned at 9:51PM.

ATTEST: _____
Eileen A. Farrell, RMC
Municipal Clerk