

May 2, 2023

Council Meeting Minutes

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Held in-person at Borough Hall Council Chambers, 416 New Jersey Avenue, Point Pleasant Beach.

Live streamed via <https://www.youtube.com/channel/UCfIODKbSFakXUEKiyxSYdUA/live>

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

Mayor Kanitra called the regular meeting to order at 7:30PM. 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 Vitale, Testa, Byrnes, Ramos and Crowley. Councilman Migut was absent.

FLAG SALUTE, INVOCATION

APPROVAL OF COUNCIL MINUTES:

Motion by Councilman Vitale to approve the April 18, 2023 Council meeting minutes was seconded by Councilman Ramos and carried by roll call vote.

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

Councilman Migut....ABSENT

DEPARTMENT HEAD MEMO: AZO Savacool RE: Curb Cut Request at 207 St. Louis Avenue

Councilwoman Crowley: this is a request for a curb cut and relocation – requested a letter be sent to the neighbor, whose property this change would affect, and wait to hear any input for the next meeting – Engineer stated there would be no loss of parking – she would agree after sending correspondence to the neighbor – there is no current construction – TABLED.

DISCUSSION: Recreation Committee vs. Recreation Commission

Mayor Kanitra: asked BA/CFO Riehl for an update, as there have been additional requests to contact DLGS (Division of Local Government Service) again (BA/CFO Riehl: received a letter from the Chair and further correspondence from Mr. Bennett, asking us to adhere to that letter – there was discussion about another woman at LFB (Local Finance Board), who was on the letter – she called her on Friday, Monday and today – her voicemail is full and says she is not accepting voice messages – she spoke personally to a retired head of DLGS, who said their message meant they are not going to respond to phone calls – she did not email anyone – received an email from the Chair today, prompted from a resident's email, saying their decision in their first letter stands) appreciated – have to stop the politicization of this and move on – the narrative has been wild – initially, it seemed he, Councilwoman Testa and Atty. Riordan were targeting everyone and an email went out riling everyone up – when it became clear that he and Councilwoman Testa only found out about the situation after the fact, the narrative shifted to everyone blaming the Borough Atty. – at the last meeting, all agreed to ask for clarification from the State – the letter to the State went out the next day, as promised, and we received confirmation of receipt that same day – the State sent a letter stating that the BID (Business Improvement District) didn't need to file and the Recreation Committee (Rec) did – they stated in that letter that the Borough Atty. brought up some important points – you'd think that would validate him doing the right thing, but that didn't seem to be enough – the conspiracy theory shifted again, that the letter wasn't crafted the right way – and it turned out that it wasn't the Borough Atty. who crafted it, it was the Borough Clerk and Administrator – still that wasn't enough, so the latest conspiracy theories were sent to the State and they sent back that second letter to us, clarifying the first – in addition, a Rec member messaged them and they responded, saying they are not reconsidering their opinion – there is nothing more we can do – no more conspiracy theories can be invented – need to stop and figure out a solution – comes down to what can be cut from the Rec to ensure that they are just a committee, if Rec is supportive of this – in his opinion, need to cut the \$100 benefit and cany input on hiring, firing, budget decisions, cost of events, etc. – or Rec members can just file the form – they signed a disclaimer and a waiver when they filled out their volunteer application, saying they might have to file the FDS (Financial Disclosure Statement) – at this point, they either file the form or drop off the committee and still volunteer at events, they just can't make the decisions – doesn't seem like a bad or unfair outcome – not a huge political victory some people were looking for, but it's a

solution – from his standpoint, are done with going to DLGS – is not going to direct the Borough Administrator, Clerk or Attorney to do any more of that – have exhausted this and beaten it to death (Councilman Vitale: disclaimer states “commission,” not “committee” – when they signed up, there was no expectation that they had to file – read from the committee bylaws that Atty. Riordan put together last year, and all Rec members signed, saying that the volunteer committees, created by ordinance, are purely advisory in nature – tried to establish that last time and the Borough Atty. said Council never disagreed with anything – but everything is on the agenda – the email we received today at 4PM said that since the Borough Atty. said Rec is a commission, they are a commission, and they (DLGS) are not looking to see what we are doing; Councilwoman Crowley: we sent the facts; Councilman Vitale: our letter said the Borough Atty. feels the committee is being run as a commission) email he is referencing says the LFB is tasked with enforcing the LGEL (Local Government Ethics Law), a component is the FDS and the Board seeks to enforce that component fairly across all entities over which it has jurisdiction, in pursuit of a fair application of the law and her prior written opinion will not be reconsidered (Councilman Vitale: they were going off the information given to them) if saying it comes down to local interpretation, the Borough Atty. made that determination – since the reference from a year ago, about being advisory, Rec has also given the \$100 benefit, so there is a new component (Councilman Vitale: it was voted on by Council – wants Rec to stay as a committee and the Municipal Clerk to remove their names from roster) disregarding the 4 opinions from the State and Borough Atty., taking Councilman Vitale’s legal interpretation and keeping them a committee (Councilman Vitale: that’s what he wants, what should be done, because it’s an advisory committee to Council and can’t do anything until voted on) solution is not to disregard the State and Borough Atty. because Councilman Vitale and others, who are not legally trained nor the Director of DLGS, feel that they are wrong (Councilman Vitale: theirs is not a legal opinion – they’re saying, here are the guidelines based off the information given: Councilwoman Crowley: asked when the Recreation Committee ordinance was passed; Atty. Riordan: thinks 2010: Councilwoman Crowley: asked Councilman Vitale if he thinks Rec today is the same as in 2010; Councilman Vitale: guidelines changed in 2017; Councilwoman Crowley: have grown a multitude since the ordinance was created – not the same entity as in 2010 – DLGS agreed with the Borough Atty. that it is a commission; Councilman Vitale: they agreed only based on the guidelines: Councilwoman Crowley: we all want to work with the volunteers).

Motion by Councilman Vitale to keep the Recreation Committee a committee and to remove the names of all the Recreation Committee members from the Local Finance Law was seconded by Councilman Ramos (wants to specifically identify what makes this different from the Recreation Committee that he was on for years). **NO VOTES**

Motion by Councilwoman Crowley to table the motion to investigate what the differences are was seconded by Councilwoman Byrnes and carried by roll call vote.

VOTE: Councilmembers Testa, Byrnes, Crowley*....YEA

Councilmembers Vitale, Ramos....NAY

Councilman Migut....ABSENT

*Wants to investigate what needs to change to keep it a committee – working with them, not against them.

Mayor Kanitra: at issue is a form – everybody has their right to fill out the form or not – also at issue is Rec and continuing to provide services for our families – current members can still do that – if they don't want to fill out the form, they can resign and still volunteer at every event – can attend open Rec meetings, but won't be able to make recommendations or receive the \$100 benefit (Councilwoman Crowley: would be unethical to vote with this letter in our hands) asked to discuss 2 paths – leave things as is and Rec members who want to can fill out the form, and the ones that don't want to can remove themselves from the Committee but still volunteer and come to every meeting they want – if Rec gives their blessing, chop off whatever is reasonable to make sure they are not a commission – the benefit has changed since the 2017 ruling and there is a glaring difference in the committee – but this would also take the benefit away from those who want to stay on and don't mind filling out the form (Atty. Riordan: our ordinances prohibit any compensation for committee members; Councilman Vitale: said it's not compensation and asked, if it's prohibited, how it passed through Council vote; Atty. Riordan: Council did not understand – *inaudible, as people speaking over each other*) some community members brought to his attention that he wasn't strong enough at the last meeting – anyone who curses, insults the Municipal Clerk or Administrator, or interrupts the proceedings will be thrown out (Councilman Ramos: only thing that seems different since he was on Rec is the \$100 credit – should discuss – disagrees with statements he heard last meeting that Rec hires and fires – they do not – they make recommendations – Council doesn't turn down their recommendations because the work is done before it gets to Council; Councilwoman Crowley: might not be able to let them make recommendations) that could be discussed as well – spirit of the Local Finance Law (LFL) is that, if you have input in decisions that could affect finance, the public understand your motivations and interest – for instance, the Sham Rock event was hosted at Boatyard – if Rec decided to host the event at Boatyard over other places, the community deserves to know if any Rec members own a stake in Boatyard – not allowed to take any benefit the general public can't – even though Rec doesn't want to admit it, they make decisions on a regular basis – yoga teacher, etc., real decisions about fair government – and also consider some people over others in the hiring and firing – thinks Councilman Ramos' way is the best way to tackle it, but looking at the most glaring thing – Rec is, wonderfully, a huge beast, doing a ton of events, with a ton of the community engaged, but are deciding where events go and who is involved, and who is sponsoring, etc. – in the eyes of the State, any financial decision is not small potatoes – doesn't want to take away a benefit from Rec that they want – would want to know if Rec would be willing to give up the benefit and stay as official voting members or if they care if only 5–10 stay on and everyone else is a volunteer; Councilman Ramos: doubts any member of Rec is there for the \$100) asked, if this was taken away, if all can be on the same page and call them a committee (Atty. Riordan: up to DLGS, not him – if you have input into decisions, you have a problem – not so much about the fee, although the fee is improper according to our ordinances, it's really about the decision making – DLGS knows full well that PPB is a borough and, because PPB is a borough, every decision has to come to the Governing Body, as opposed to, for example, the Twp. of Toms River, which is a different form of government – in Toms River, it's the HR Dept. that hires, not the Mayor nor Council – has a couple of lawsuits he is defending for Toms River where the allegation is that the Governing Body overstepped their bounds and tried to influence HR, in terms of hiring and firing – Mr. Mercado wrote a long letter, in which he made that point

to DLGS and their response was that their letter stands – DLGS knows that this group of folks just tells Council what they recommend) problem is that, going back to them prolongs this process – whatever letter Clerk Farrell drafts is going to be micromanaged – whatever response comes back is going to be assessed ad nauseum – doesn't get us anywhere – the other component is whether Rec cares if they all stay members or if want to just be volunteers (Councilman Vitale: need some membership on a committee – asked Atty. Riordan what would keep Rec a committee and satisfy the regulations of the LFB; Atty. Riordan: Mayor put it as well as it could be put – as long as the committee has input into the recreation facilities and community events, they need to file, according to DLGS; Councilman Vitale: law was enacted in 2017 – been doing what we do now for a long time and all of a sudden it's becoming an issue; Atty. Riordan: explained that last time.

Motion by Councilwoman Crowley to write a letter to DLGS asking them to revisit, noting everything that's done by the Chair of the Recreation Committee and all the members – what they vote on, what they recommend, whatnot – although they seem to know what we do, let's reiterate it – maybe it needs to come from Rec as well, sent to the Clerk (Atty. Riordan: asked if that's not what Mr. Mercado did; Mayor Kanitra: read from DLGS response that they administer 564 municipalities, 21 counties, etc.) this is going to be used every day – let's try to put facts on paper – Councilman Vitale keeps questioning what they do that is wrong – have to be careful – worried that we could be legally doing something unethical – could be charged with unethical behavior if we go against what they've advised – this is becoming something that shouldn't even be here; Councilman Vitale: need to have a meeting at LFB, with whoever wants to be on it, so he can talk about what Rec does – letters back and forth are not effective (Mayor Kanitra: problem is, they are not responding to our calls; Councilman Ramos: to DLGS, it's a local decision) not by this letter – they're saying they're standing by it; Councilman Vitale: they're standing by the local decision given to them; Mayor Kanitra: suggested a motion to say the benefit is repealed, the committee is a committee and that's just our stance – if we get sued, we get sued; Councilwoman Byrnes: so many residents are really unhappy that we approved that credit – so many people have volunteered for years in town for countless hours and they have not gotten compensation of any kind; Mayor Kanitra: asked if she supports the motion he proposed; Councilwoman Byrnes: yes; Councilman Vitale: would have to talk to Rec, but to Councilman Ramos' point, they're not here to make \$100 credit to send their kids to summer camp, so get rid of it – to be clear, if we get rid of this benefit, we are going to be a committee and we're removing everybody's name: Mayor Kanitra: it's always blame, and it's Clerk Farrell's name, etc.) doesn't even think we are going to be able to do that (Councilman Vitale: she is not personally liable for this and she easily removed them the first time and can go in and remove them if this motion passes; Clerk Farrell: it's past the deadline – doesn't know what LFB will do) she can't just remove them because she wants to – have to vote on it (Councilman Vitale: if we stay a committee, we should remove everyone's name from that list; Atty. Riordan: Clerk Farrell can write to DLGS and say the Governing Body voted to take the Recreation Committee off the roster – doesn't believe DLGS will honor that; Councilman Vitale: 15 people had to resign from Rec due to their jobs because they can't be an LGO – if we approve this, and they come back on, they are not subject to this; Atty. Riordan: spoke to DLGS about that issue – just because you file a form, you are not an LGO and, although there are jobs where if you are an LGO, they have to be cleared first and they, in general, are not allowed to – it is not true that those regulations apply to people who file the form. **NO SECOND AND NO VOTE**

Mayor Kanitra: suggested a motion that Council rescind the benefit to Rec members, we ask that a letter subsequently be sent to LFB, advising them of our decision, and that letter specifically state that this is the Governing Body's wish and unanimous decision, and that we would like confirmation from them that we can keep it a committee under those circumstances (Councilman Vitale: wants letter to say the Governing Body and Counsel – that Atty. Riordan agree that it's a committee and the names should come off; Atty. Riordan: asked if he wants to tell him what his opinion is going to be; Councilman Vitale: only because they've said that it's the local Atty. and the Clerk; Councilwoman Crowley; would like a meeting with Rec to see what they do and don't do; Councilman Vitale: come to a meeting – the 4th Monday – we go through everything; Councilwoman Crowley: her husband was on the Committee – she's aware of what happens – have a Municipal Government entity telling us what we can and can't do, feels scared crossing the line – a shame it's coming to this) asked who LGE representatives are – read from the DLGS letter (Atty. Riordan: lots of people – in this case it means Clerk Farrell – has no objection to the Governing Body sending a letter to DLGS that says we have voted to make these folks not have to file – just doesn't think DLGS is going to be impressed by that) if we are saying this is our opinion as a Governing Body, doesn't see how this makes it dangerous, legally (Councilwoman Crowley: let's recommend it and see what they give feedback on; Councilman Vitale: in our letter back today, it says LGEs are asked to work with Counsel – that's why he wants that addition in the letter – Clerk Farrell's original letter says the Governing Body doesn't think they should be on the list but Counsel does and that's why they're on – doesn't make sense to say Governing Body without saying Counsel) only thing that's changed since 2017 is this benefit and that they are doing more but, 20 years ago, they were still advising on Camp Counselors (Atty. Riordan: it's the input that the Committee has – if the Committee has no input, then that's a different situation but, as long as the Committee has input, his advice is that they belong on the roster – thinks the State has told us that – doesn't see how he can tell the State something different; Councilman Vitale: wants a meeting with them – they responded to Mr. Mercado – they were very responsive to some of the other Rec members – would feel better having a call with them prior to voting – deadline passed) guesses it depends on when they send out late notices (Councilman Vitale: they are ok with not having the benefit – wants to do it the right way, so they don't have to be on the list – end goal is that they should be off that list; Councilwoman Crowley: let's have a meeting and get a resolution; Councilman Vitale: if they won't take the meeting, we'll revisit that in 2 weeks; Atty. Riordan: can force a meeting – if you get a late notice, you get an opportunity to meet with them and discuss it with them and they make a ruling; Councilwoman Crowley: let's try to avoid that, so people don't get late notices) instructed the Borough Administrator and Borough Clerk to tell DLGS in the letter requesting the meeting that the Governing Body is universally supportive of removing the benefit, if it will make the commission a committee, so that they see something has changed (Councilman Ramos: wants a definition of what would make Rec truly a committee – to determine exactly what it is that is making them work like a commission, so it can be addressed; Atty. Riordan: these are ethics rules – you don't usually try to look for ways around ethics rules, you try to find ways to abide by them – local government ethics rules were designed for the people who make decisions, to reveal anything that might cause a conflict – from his point of view, if Rec is going to continue to operate the way it is, then the people who are members of Rec, at least according to DLGS, are going to have to file – it is a relatively simple and easy form – thinks it's much to do about nothing; Councilman Vitale: asked how this differs from Arts, or Animal Welfare and any other committee in town; Atty. Riordan: the Recreation Commission is in the list in the

Administrative Code – Animal Welfare is not, neither is Beautification; Councilman Vitale: other commission are though; Atty. Riordan: none of the one's he's asked about – the list has been handed out a bunch of times – if there is anyone on the list who he believes should file, that he missed, he should tell him; Councilman Vitale: his point is that the other committees do the same things – asked why Recreation being singled out; Atty. Riordan: because they are on the State list) to say Rec is being singled out is unfair – it's on the list and the other ones aren't (Councilman Vitale: let's set the meeting up and work forward; Councilwoman Crowley: would like to participate and help resolve it; Atty. Riordan: would love to see it get resolved and would love to see DLGS answer questions about advisory committees that get voted on by the Council – thinks they've answered it, but there's no reason you can't ask again, if you don't think you have the right answer; Clerk Farrell: asked who will give her input on the letter; Councilman Vitale: asked that a draft be circulated to Council before going out).

COMMITTEE REPORTS:

Councilman Vitale: gave the Chief's report since last meeting – training included Canine, Alcotest, Firearms Requalification – Dept. completed successful Distracted Driving Enforcement April –30 – on May 7th, will hold yearly Summer Orientation Meeting with 60–70 seasonal personnel – thanked Lts. Daniel and Nase and Sgt. Siculietano, who worked hard to prepare these new Law Enforcement Officers – gave a shout out to Det. O'Neill, who retired after 25 years of service – read his accomplishments including developing the Dept's first bike unit and his years as the School Resource Officer; acknowledged May employee anniversaries – Janet Mutter 11 years, Clint Daniel 22, Frank Finn 22, Kyle Boturla 19, Gary Siculietano 15, Catherine Bradley 9, Josie McCrystal 20, Megan Schwarz 4, Jarred Popp 16, Jason Headley 15, Kevin Wright 3, Carmen Triggiano 3, Lynda Hapstak 5, Brittany Groff 1; Recreation is finalizing the planning of Battle of the Bands on June 10th – Pickleball started and was recently expanded into 2-hour sessions – Summer Camp planning is ongoing – looking for a Summer Camp Director – Ukulele/Guitar on the Beach starts July 10th – registration is ongoing; Military Banners will be hung before Memorial Day – deadline is May 15th to re-hang a banner – new banners through Veteran's Day.

Councilwoman Testa: Art Walk this Saturday was well received – mentioned possibly doing this quarterly – thanked the artists and store owners who participated – Juried Art Show winners are posted on the Point Beach Arts page – congratulated all – Party by the Sea is May 18th, 7PM–9PM – come support the arts; Beautification flowers will be coming in and planters ready by May 18th – had discussion about coordinating the filling and watering of planters – big undertaking; congratulated Det. O'Neill on 25 years – he is amazing – job well-done – proud of him – will miss him – has impacted so many kids' lives, her son's included – wishes him well; shout out to the Firefighters and support system this past weekend – house fire is heartbreaking –

her husband is a retired fireman, so she knows what it's like to have someone go in a burning building – commended and thanked First Aid and everyone involved.

Councilwoman Byrnes: thanked all for coming; the Shade Tree Commission (STC) will plant 50 new trees in May through the Big Beautiful Tree and Nominate You Block programs – are grateful for the Fisher Family Fund grant to plant 12 new trees along the Little Silver Lake shore – are planning a dedication for the Peace Tree planted last year at Lake of the Lillies – attended an Arbor Day celebration on Friday at Antrim – children who received honorable mention for their poetry submissions were recognized with certificates – all were singing enthusiastically about trees – was moving, darling; thanked the first responders, Fire Companies and First Aid – take a special kind of person to run into a burning building – a difficult fire over the weekend with very high winds – worked until all hours of the morning – multiple agencies responded – are grateful for their bravery; the Golden Gulls are working on calendar of events – had 19 people attend the exercise activity today – started with 1 – nice to see the seniors do Zumba Gold and Chair Yoga with instructors who have facilities in town – awesome – will start to meet earlier on May 16th, as the days get warmer – 9AM & 10AM for Zumba Gold and Chair Yoga – anticipate it continuing to grow – they share recipes, make friends – it's wonderful – are planning a Spring Tea on May 11th, 12PM–3PM – lunch will be served and a local artist will be there to guide them through a painting session – canvases and paint supplies will be provided; a beautiful apple tree was planted in Pleasure Park in memorial of the student who met his sad demise – Kitty Stillufsen helped to facilitate that – very touching.

Councilman Ramos: Green Team met on April 27th – on May 5th, Anne Lightburn and Louise Stillufsen will attend the NJ Sustainability Summit – working on retaining Bronze Status – Louise Stillufsen is heading that effort, working with QOL Dir. O'Rourke, the Arts Committee and others, including the School District; the 14 new trees on Chicago look fantastic; the Environmental Commission was well represented for Earth Day 2023 – announced No Mow May to allow lawns to grow higher to help the environment and to help wildlife thrive; several grant applications are in the works; gave the Streets/Water/Sewer report – Earle will start Arnold Ave. on May 9th and move to Ocean Ave. on or about the 15th, milling during the day and paving at night – once completed, DPW will work on striping the parking areas – the long nightmare is about to be over; under Bd. of Ed., the Unsung Hero award for Ocean County, May 3, 2023, sponsored by the Ocean County Prosecutor's Office, recognizes a student from each district who has overcome a significant challenge to rise to their best selves – winners haven't been formally announced, but one of our students has been awarded; Ocean County Teacher of Year Breakfast is May 5th – congratulations to PPHS Teacher McGee and Mrs. Gonzalez at Antrim, our Teachers of the Year; the Ocean County Student Recognition Breakfast is May 30th – congratulated the top 2 PPHS students for 2023, Rachel and Noah – Senior Scholarship Night is June 6th, with over \$500K in scholarships to be awarded – 8th Grade Promotion Ceremony is June 20th – PPBHS Graduation is June 21st – the Superintendent was invited by Apple to present our Staff Health and Wellness Initiative, in partnership with Apple, on June 23rd at the College of St. Elizabeth – Bd. of Ed. did a presentation at their last meeting for the December

referendum – lot of people have read about it – they’re submitting 5 separate projects to the NJ Dept. of Education for review, to allow for maximum possible State funding of up to 40% – amount does not include any private or public funding opportunities – Board will conduct public meetings to discuss and answer questions – improvements to athletic facilities and fields – 45–50% of the referendum is for much needed repairs to infrastructure, including the tennis courts, track, Antrim masonry, football field improvements, fire alarms, access controls, lighting, High School curtain wall replacement, locker rooms, food and fashion classroom renovations – additional items include input from residents, coaches, officials, etc. and include the need for more basketball space, increased field use opportunities, particularly for soccer, football and lacrosse, indoor recess locations for Antrim in bad weather, indoor recreation spaces for Recreation Committee, seniors, residents, pickleball, etc., as well as students, and meeting space for the community and seniors – total on the referendum is \$23.9M – some State funding would be added to that, as well as looking at private funding opportunities – an investment in our outstanding school district, in line with Borough initiatives to attract more year-round families with children and increase home values – reminded all that PPB is ranked the #1 High School in Ocean County – US News ranked 38th out of 406 high schools for NJ college curriculum – both schools are in U.S. News Top 100 schools in NJ.

Councilwoman Crowley: DPW is in full force with spring cleanup and maintenance – prepping for the summer season and waiting to work on Ocean Ave.; echoed congratulations to Det. O’Neill on his retirement – will be greatly missed by the community – a wonderful man; very grateful, as a community for our Fire Dept. and First Aid for their efforts on the fire the other evening – shows how blessed we are to have all that help – God Bless and Thank You to all the volunteers and first responders.

MAYOR’S REPORT:

Mayor Kanitra: very grateful to our Fire Dept. and the way they responded to that difficult blaze, and all they do for us; recognized Det. O’Neill and all the crimes he has looked into over the years and the way he’s helped the school kids – tremendously appreciated – thanked him for his 25 years of service; signs are finally up on Ocean Ave – paving is coming – don’t park on Ocean Ave. between the posted times, so vehicles don’t have to be towed or work not done; Little League Opening Day and Parade was last week – fantastic; went to a DCA Shared Services meeting about a week ago to see about ways to save money in ways that are not intrusive to our identity – are small opportunities that may make sense – State is giving out up to \$400K per newly-created shared service – pot of money has not been exhausted and next year they will be increasing it – Bay Head and Point Boro are collaborating to buy 2 new street sweepers, the bane of his existence – street sweeping is a big component of keeping things out of the sewer system and waterways – will ask BA/CFO Riehl to look at that, along with the Administrator of Bay Head and Point Boro – a Brielle Councilman came to him – they are thinking about a possible

shared service between Brielle, PPB, Manasquan and Point Boro for boat patrols during the summer months – spoke with the Chief, who has priorities to get OEM vehicles up and running – doesn't think these things are connected – would like to explore it – have a lot of people recreating on our waterways – water taxi goes between Brielle and PPB, Red's Lobster Pot, Shrimp Box and Patio Bar are all places that have alcohol and people pulling up and eating and drinking and driving away – every summer, we hear about some accident on the water – State Police only has 4 boats for the whole State – concept of them helping us out is rare – would ask for conversations about viability – maybe can put together a package to see if we can get enough money to fund a boat and a first year of service, use Class I Officers, rotate it amongst the 4 towns, from @7AM–7PM – might keep residents and visitors with boats a bit safer.

ADMINISTRATOR'S REPORT:

BA/CFO Riehl: went out for RFPs for the Bikeways sharrows and Inlet Access improvement projects – award of engineering services are on tonight to get started on both; still waiting to hear about the Bioswale grant for the Inlet – can get a lot of the preliminary work done; renovations on the Bathhouse at the foot of New Jersey are finished – would like to do another phase when funds are available; were able to get seasonal laborers for the first time in 3–4 years; have an offer in on the Coast Guard Station – waiting to hear back; Water Tank paintings are moving forward – lot of work involved – are eventually going to paint all 3 tanks, but they need to be rehabilitated, shrouded and sandblasted – must establish an interconnect with the Boro, so we have water for residents when we decommission – have met with them and flushed one of the interconnects – plan is to start with the 150,000 ground tank late spring or summer of 2024, then move on to the elevated tank in fall and the 600,000 tank thereafter – hope to end by the end of 2024, into 2025 – elevated tank will have the new logo – hopefully, all cell equipment on that tank will be relocated – will have renderings well in advance (Mayor Kanitra: addressed item 1x – got feedback from those in the vicinity – are not in favor of the temporary wireless tower) that's accurate (Mayor Kanitra: it is also only \$29K, but Verizon could say we don't have enough cell service for the summer crowds – had said that if there was opposition in the community, we weren't going to do it) the lease is for 1 year – it is temporary – there's been some social media is saying it's not – will go up in May and come down in October – Verizon came to us, concerned about coverage, particularly in the Boardwalk area in summer – their initial ask was for the foot of Broadway – we declined and suggested behind the bathrooms – notified all the surrounding properties – not one favorable comment – can reject all bids and cancel the project – was offered to any other carrier – Verizon was the only one that came in – assumes it's because they are the only ones with coverage issues – ATT&T has a temporary cell tower in the Silver Lake Lot and there may be another carrier on their tower as well – could award the lease for this season only – 5G nodes to be deployed throughout town are in the permitting process and a 5G node will go up in the Locks of Love area, across the street from this location, at which point a temporary cell tower won't be needed – could just flat out allow it (Councilwoman Crowley: asked when 5G will be done) working through permitting – many will be going out – first phase will be 16 in different areas (Councilwoman Testa: made sure in last

year's ordinance where they are going; Mayor Kanitra: will have to co-locate too; Councilwoman Testa: asked if this is something that has to be voted on now) it's on the agenda (Councilwoman Testa: asked if it can be tabled; Councilman Vitale: asked Chief Kowalewski if there have been issues with people calling for help in the area; Chief Kowalewski: not that he knows of; Atty. Riordan: suggested carving out and treating it separately – getting the impression you might want to do something other than authorize it; Councilwoman Testa: yes, that's what she would like to do; Mayor Kanitra: the one point about increased cell service, 5G, etc. is the phenomenon whenever anything happens – if you are at a stadium, it's tough to get Internet – obviously, if something happens, you don't have the coverage, if everybody's trying to call; Councilwoman Testa: true – could affect us on 4th of July weekend, when we have a lot of people; Mayor Kanitra: right, or if something happened – a weather event or something else – would like to carve it out); the County was back out at Lake of the Lillies to clean the chambers – they sucked out 11 yards of debris – from South Baltimore, Chicago and St. Louis areas; will start Arnold and Ocean Aves. on Tuesday – asked Councilwoman Byrnes to let the Fire Dept. know (Councilwoman Byrnes: she did) starting at the railroad tracks and going down – milling at 7PM, paving at 9PM – are signs up about not parking – asked everyone to pass that along, as it would delay the project – once they are done with Arnold, they are going to head to Ocean and continue as necessary – then we'll need to stripe and put the parking stall numbers down.

Clerk announced additions to the agenda.

PUBLIC PARTICIPATION BEGAN AT 8:46PM

Rob Mercado, 1002 Chicago Ave., PPB: LFB responses have been misrepresented – opinion being stood by is that someone in the position of Bd. of Recreation Commissioner is required to file – he agrees with that, but not with the interpretation that Rec members have the powers and authority of a commission – this is not about the form or benefit, but that they should have been notified of the notion that they have acted in this capacity and may have to file a form – they're actions have to be approved by Council – counts 45 Rec-related agenda items in last 6 months regarding events, use of facilities, hiring, pay rates, registration – Rec doesn't do those things, they recommend them to Council – if there was a question, it should have been addressed at that time – in those 6 months, there was nothing to suggest they were crossing a line – only found out via notice, saying they qualified as LGOs and are now subject to requirements – a question of interpretation and procedure – should have been given guidance accordingly – have continued to operate the same way and will continue until given direction not to – doing what they feel is correct, due to lack of guidance – he will decide whether to serve – is inappropriate to have a single person make a unilateral decision without showing a history of behavior and actions that suggest Rec has crossed into this territory – deeply disappointed that members of Council don't know what they are voting for – appreciates the conversation and effort to make this right – thinks DLGS will say what they've said all along – as presented, if they have these duties and

responsibilities, they have to file – original letter did not tell the right story, which is why he sent an email – both sides of the story should have been told – Chair’s response is that this is a local decision made by an LGE representative with assistance from the Attorney – believes he doesn’t fit this requirement – would appreciate actions be taken – been said that Council does nothing but rubber stamp – an interpretation of that would be that the Governing Body is ineffective – no reasonable person would say Rec are LGOs.

Kristin Hennessy, 604 New Jersey Ave., PPB: thanked the Governing Body for the trust they placed in her by appointing her to the Rec and Senior Committees – looks forward to serving because she has a lot of really good ideas – loves to help people enjoy PPB – wouldn’t dare take compensation for her service – is happy to complete the FDS – is employed by a local Bd. of Ed. – asked what is so secretive that is so offensive to everybody – thanked Mayor Kanitra for bringing the issue to closure – sat at the Council meeting 2 weeks ago for 3 hours debating this crazy stuff – are here to do the people’s business – is the daughter of a 20-year Mayor – knows what it’s like to sit in that middle chair and be the mediator – Mayor Kanitra did an outstanding job on this issue – thanked Councilwoman Crowley on her voice of reason – looks forward to her participating in this discussion with the State, as she has valuable contacts – is concerned about the length of time this issue took up – things she’s read on Facebook – for 2 weeks, have vilified the Borough Attorney – ironically, banter back and forth on this, is increasing his billable hours – minutia – disappointed that any elected official would debate ethics – gave the definition of ethics – the State LFB dictates to the municipality – we seem to want to take on that board – probably going to come back and say Rec has to fill out the form – fighting over ethics – all comes back to the issue of compensation – gave the definition of a volunteer – is baffled on how this took on a life of its own – served in this town for many years, including on the volunteer First Aid Squad – no organization, other than the Fire Dept., is more admirable than the First Aid Squad – they save lives – Rec provides fun and leisure – there are committees – organizations that really do a lot and from their heart – is glad that the issue of compensation has ended – seems like Rec is in a state of disarray – lot of volunteers – knows there were issues with the Senior Committee and complaints about Governing Body leadership and a second liaison was appointed – seems like it’s time for a second liaison to be appointed to Rec – too much for one person – recommended Councilwoman Crowley, who is greatly qualified – is appalled that this issue is being litigated on social media – read Erica Susko’s post on social media saying Summer Camp, etc. could be cancelled – that program has been in effect for close to 60 years – she is 56 and attended as a little girl – it didn’t take 50 volunteers to run it – they did arts and crafts and ran around – to threaten to cancel it and scare residents because of a political agenda is unethical behavior – parents rely on the Park Program – running a campaign on social media and putting volunteers up to these crazy posts – riling up controversy – speechless that we have become so uncivil to stoop to that level – heard depending on what happens in this election, about a paid F/T Recreation Dir./a newly-created position – was advised that the person has already been picked out – someone who was very involved in the last meeting and current Rec – hopes this isn’t about creating controversy to justify another F/T position in the municipality (Councilman Vitale: that’s inaccurate).

1. Seickel, 201 New York Avenue, PPB: appreciates the time all have put in to try resolve the issue with Rec – suggested, in the future, approaching the liaison with questions about any committee first for clarification/recommendations/changes, before going to the State

and sending out legal notices – doesn't want to continue to waste time – also suggested that, if notice is going out to a volunteer, stating that their status is changing, would be nice to be made aware of that change beforehand – not about the stupid form – appreciates Clerk Farrell working with him and explaining what the form is all about – last time, he said she didn't get back to him – since then, have had numerous conversations and he appreciates her time and effort – we have Councilmembers as liaisons to committees, to tell committees what they are doing wrong and make corrections.

Andrew Cook, 12A Inlet Dr., PPB: asked what carving out 1x means (Mayor Kanitra: will vote on it separately) wrote letters against the cell tower in that spot – wondered if it is legally possible to put it there, being so close to residents – are within the fall zone – some things said at the last meeting were inaccurate – motel doors do face that lot (Mayor Kanitra: doesn't think it's going to pass).

Jill Jackson, 4A Inlet Dr., PPB concerned about the tower – looks like it's within 50 feet, which is very close, according to recommendations.

Amy Jackson, 4A Inlet Dr., PPG: concerned about the fall zone – Inlet area is very busy – tower would be viewable from Ocean Ave., Inlet Dr., the park and picnic areas – obstructing views – hotel rooms face that lot.

Bill Schule, 326 Richmond Ave., PPB: apologized for using profanity and speaking derogatorily towards Atty. Riordan at the last meeting – his wife, Rec Chair, spends hundreds of hours volunteering on summer camp because no one else wants to do it – suggested Ms. Hennessy might want to – have wasted enough time – appreciates the spirit of trying to put this behind us – can speak for some on Rec that they would give back the credit and re-wind the clock 2 months – no one wants to drag this out – want to go back to the way it was – concept of the input they provide has been misconstrued – every committee provided input into decisions – doesn't see how that input goes to the definition of an LGO as it pertains to the term Recreation Commissioner, which is what this all boils down to – cited N.J.S.A. 40:12–6, which gives municipalities the ability to appoint a Bd. of Recreation Commissioners, which is defined in this code – PPB code doesn't provide the ability to appoint Recreation Commissioners – Rec is an advisory body – doesn't like leaving here today with credit and names off, because it doesn't address the problem Mr. Riordan brought up, that Rec is overstepping – if that's the case, the Governing Body needs to legislate them into a commission – not about the form – has nothing to hide – principle is that he signed up to be a volunteer and was blindsided 2 weeks before he had some deadline – were not going to sit back and not have their voices be heard – if they're a commission, get it in the code.

Barbara Riggio, 408 Broadway, PPB: doesn't want the credit – Governing Body said they didn't read it – a woman here is angry and thinks we are like criminals for taking the \$100 credit – that's not how it was – it was voted on – it was on the agenda and Council voted on it – we are not criminals – we don't want the \$100 – rumor has it that a Recreation advisor was appointed (Councilman Vitale: as a volunteer for the Committee) doesn't know that they recommended

that; would like to join the Beautification Committee (Mayor Kanitra: can apply – we get applications all the time).

Anne Lightburn, 307 New Jersey Ave., PPB: is interested in this topic of Recreation being considered a commission – sits on 2 commissions – law says people either have the responsibility or are on an official Recreation Commission, which is limited in number of people, governance, how you get appointed, etc. – doesn't think Rec wants to shrink to become a Bd. of Recreation Commissioner – would be a much smaller group – read that they have full control over the parks – this is for big towns that have staff dedicated to recreation facilities, not little PPB (Mayor Kanitra: plenty of small towns have Bds. of Recreation Commissioners) they have limited numbers of people on it and may have people employed in a Recreation Dept and the Board as an oversight committee – read about commission regulations in N.J.S.A. 40:12–6, that they have all the power and authority of police officers – this is big city stuff – has opened up a can of worms – get rid of the benefit, if that is what has opened this up (Mayor Kanitra: would like to finish this tonight) need to find out what it means legally to be a commission – to some people the form is innocuous, some people just don't want their name on another list in the government – there are people who find this invasive – appreciate people wanting their privacy – and it was thrown on them.

Mayor Kanitra: been boiling mad for the last hour – would love to end this thing – asked for re-consideration to do away with the benefit, the only qualifiable thing that has changed (Councilman Crowley: are all okay with doing away with the benefit – just wants to ensure that doing so is going to remove everybody's names from this list and we don't have to go through this any other time) suggested the motion be to repeal the benefit and demand that the names are repealed from the list (Atty. Riordan: has no trouble with writing to DLGS and saying the Governing Body like to take Rec off) doesn't want to write to them anymore and get another nebulous response that we're all going to argue about at the next meeting – we all know we are going to get a response or they're going to say something that can be interpreted both ways – thinks he has the power to ask for a motion and do so (Councilman Vitale: asked the next course of action if DLGS declines; Atty. Riordan: Mayor said it very well very early on – that what Rec has to do is give up a bunch of their powers – can understand very well that they don't want to do that – thinks the right thing to do is have a few Rec members, who don't mind filling out the form, be the ones who make the decisions, and everyone else be a volunteer and just works for Rec) he doesn't want that; Councilwoman Testa: agrees with the Mayor – wants to put an end to this and move forward– hears everything being said – are all done with it – understands what they are saying about when they got the form, how they got it – wants transparency in the future – can't go back and change – moving forward, all have learned a big lesson – Council is not perfect – now that this has been brought to her attention, she will make sure this doesn't happen with her committees going forward – is sure Councilman Vitale feels the same – nobody wants this – as a mom and a resident, it has been tough – would like to close this tonight).

Motion by Councilwoman Testa to end this. **NO SECOND AND NO VOTE**

Councilman Vitale: wants a definitive end to this – wants everyone's name off the list and not to be put back on; from a legal standpoint, the only quantifiable difference between now and 5 years ago is the benefit.

Motion by Councilman Vitale to remove the benefit and everybody's name comes off the list and doesn't go back on. **NO SECOND AND NO VOTE**

Councilwoman Crowley: are putting a professional on the line (Mayor Kanitra: Clerk Farrell was fine filing it the last 4 years when there was no benefit).

Former Mayor Vincent Barrella, PPB: wasn't here last meeting – asked, other than BOA, Planning Bd., who have to file the FDS, what other committee or commission files (Mayor Kanitra: STC had to in the past) could understand STC – asked how Rec all of a sudden ended up on the list of people who have to file – what prompted the Borough Clerk to put Rec on – if you repeal the \$100, it seems there is no reason that anyone from Rec should be on this list and that the Borough Attorney should have no problem opining as to that (Atty. Riordan: this issue is N.J.A.C. 5:35–2.1 that lists 33 groups of people who have to file – number 23 says Bd. of Recreation Commissioners and there's an Attorney General (AG) opinion which basically says it doesn't matter if you call them a commission or a committee, it depends on their function and what do – what this Rec does is as the Mayor indicated – moved Sham Rock from downtown to Boatyard – question is, why, and do you have an interest in the Boatyard – the truth is, they don't, but you need to see that at the form, at least from the State's point of view) fair enough – asked how long that statute and the AG's opinion have been on the books, and why Rec hasn't been required to file from the time the statute was enacted (Atty. Riordan: 2017 is when the statute was enacted – Rec started to do things differently in 2020 – in 2021 and 2022, he did not get the question that required him to read the Administrative Code, so he didn't, and he didn't see that the Bd. of Recreation Commissioners had been added until this year) seems that Rec went on and on for decades and it's never been a problem – the way he would word it is that it is the opinion of the Council that the services performed by the volunteer committee members do not rise to the level of that performed by commissioners on a Rec committee, as envisioned by the statute, and we are repealing the \$100 credit, therefore, it is the opinion of this Council and the Mayor, that the members of Rec do not have to file the form – lay it out as to why – don't lay it out in a way that becomes subjective – if the Attorney feels that he wants them to file the form, for whatever reason, he can make it real easy that they're going to have to file (Mayor Kanitra: his point is that we state our opinion, send that to DLGS and say that the Governing Body would like the names removed – and, at that point, it's not Clerk Farrell saying please remove the names – it's the Governing Body – we want the names removed – if DLGS comes back and says we still think you're a commission, then we're wrong, but that's the most that we can do) the most you can do is say that Rec does not make decisions, that the decisions are made by the Governing Body and, therefore, Rec should – *inaudible* (Mayor Kanitra: and then there's the benefit– really wants a motion that says we're taking away the benefit and the Governing Body now views that we have removed the only obstacle or change in the past number of years and therefore we would like the names removed from the list, as a Governing Body; Councilman Vitale: asked what happens if they come back; Mayor Kanitra: if they come back and say sorry, we still think it's a commission, then I guess that's where we're at; Councilwoman Crowley: then we revisit it and sit down after the fact; Councilwoman Testa: have to do this first; Councilman Vitale: need a list – wants a draft circulated to Council before it is sent out; Mayor Kanitra: asked Clerk Farrell to read the motion back, so there is no ambiguity; Councilman Ramos: likes the way Former Mayor Barrella worded it; Atty. Riordan: imagines Clerk Farrell can take what Mayor Barrella said, from the minutes and from the tape, and turn it into a letter;

Clerk Farrell: said she could – explained that DLGS doesn't take names off the roster, she would have to go back in and remove them, so the letter should actually ask for permission for her to remove them; Councilman Vitale: asked Clerk Farrell if she needs permission to do that – from what he understands, she can do whatever she wants; Clerk Farrell: they're already in there and the deadline has passed – she already put them in and took them out, – it's going to cause a mess; Mayor Kanitra: are saying that it is our opinion, after conferring with Counsel – because it says we have to confer with Counsel – we've conferred with Counsel; Atty. Riordan: has no trouble with that – that's exactly right; Councilwoman Testa: we've decided as a Council this is what we want to do).

Motion by Councilman Vitale to remove the \$100 benefit to Recreation Committee members, as the Governing Body, after conferring with Counsel, now views that they are removing the only change in a number of years and therefore it reverts back to a committee, and to request permission for the Municipal Clerk to remove the Recreation names from the 2023 roster, with a draft of the letter (to DLGS) circulated to Council before it goes out, was seconded by Councilwoman Testa and carried by roll call vote.

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

Councilman Migut....ABSENT

Erica Susko, 701 Richmond Ave., Unit A1, PPB: thanked all for trying hard to get past this – feels attacked for her Facebook post – would appreciate, if someone is going to personally attack somebody in a public meeting, that it gets stopped before it actually happens – unfair when you can't defend yourself – if there was an issue with anything she posted, a conversation before publicly mentioning it would have been more appropriate – her post was not a threat – hopes to get some members back – wasn't meant as a threat – had almost half of their members resign over this – if resolved, hopefully can get some back – person who runs Bags on the Beach resigned – are already stretched for people – will now have to pull someone else on top of their full-time job and all of their other sub-committees that they agreed to run – or will have to disband or cut back on a lot of programs – Councilwoman Crowley mentioned summer camp would still happen – if someone would like to take it on that would be a huge relief – takes a lot of manpower to do the interviewing and recommendations (Councilwoman Crowley: been a mom here for 25 years and had several mothers call her – she doesn't comment on anyone's posts when it comes to political things, but had to say that it would continue, because it would have – would have found a way – have already talked – but thanked her for her input – want to work together) to say it was a political post is an assumption – it wasn't – it was a plea (Councilwoman Crowley: moms were calling because they were worried) better to ask for help first than cancel and have everything blow up – asked, until this is resolved, and they get more members, if other Borough committee members could offer assistance so they can bridge the gap (Councilwoman Crowley: Mayor asks for volunteers yearly; Councilwoman Testa: suggested another Volunteer Fair – even a couple extra would help – many hands make the bourdon light) offered to meet with Councilmembers and let them know what they do (Councilmember Crowley: lives with a guy who was on the Committee for years – will pick his brain; Mayor Kanitra: Rec is asking for help – Ms. Hennessy brought up a good point – asked Councilwoman Crowley if she is willing to co-liaison Recreation; Councilman Vitale: there are

no operational issues on Rec – the 15 people who dropped off had to do it for work – once this nonsense gets cleared up, thinks will get them all back – they had an obligation where they couldn't be an LGO; Councilwoman Crowley: Mr. Mercado said there was a lack of direction; Mr. Mercado: no – he said they should've been guided accordingly, as Rec actions were placed in front of the Governing Body and they had an opportunity to opine; Councilwoman Crowley: there's got to be some kind of issue; Mayor Kanitra: asked for any other thoughts on providing another body from the Council).

Dave Cavagnaro. 118 Parkway, PPB: appreciates taking compensation off the table – heard someone say maybe we can give you free access to something – that's compensation – taking money from the public and giving it to a volunteer – the volunteers do a fantastic job – not suggesting anyone did anything illegal or unethical – they asked, Council said yes, Attorney didn't say no – it's no fault of anybody's – going forward, under no conditions, should anyone ever think they should get compensation – just be a volunteer; thanked the Governing Body for 1Q; a temporary cell tower at end of Niblick, Central, Parkway or Arnold, at the Boardwalk would solve the problem – no homes close by to get upset; asked about the Bikeways Project (Mayor Kanitra: got grants to make the streets safer, especially for commuting kids – essentially sharrows in the roadway, arrows, bike outlines, letting people know that when they are in PPB, they are sharing the roadway with bicycles and pedestrians).

PUBLIC PARTICIPATION ENDED AT 9:50PM

Motion by Councilwoman Crowley to close public participation and approve the items listed below was seconded by Councilman Ramos and carried by roll call vote.

CONSENT RESOLUTION 1:

- 1a Approval of payment of Payroll #9 (\$364,452.90)
- 1b Authorization for 2023 Municipal Budget to be read by title
- 1c Appointment of C. Stetter & S. Martin to the seasonal position of Comfort Station Attendant
- 1d Approval of 2 Water/Sewer relief requests
- 1e Approval of S/E App for Help2Care's American Cancer Society event on the Bkwlk on May 19–21
- 1f Approval of payment to the OC Treasurer for 2nd Q County Tax Levy (\$2,373,999.81)
- 1g Approval of payment to the OC Joint Insurance Fund (\$332,316)
- 1h Approval of payment to All Points Printing & Graphics for 2023 Newsletters – April/June (\$5,317.29)

- 1i Approval of payment to All Points Printing & Graphics for 2023 Parking Passes (\$4,380.12)
- 1j Approval of salary adjustment for M. Grimme for obtaining CDL
- 1k Appointment of K. Hennessy to the Senior Cmte & Recreation Cmte and L. Miller to the Senior Cmte
- 1l Approval of pymt to MRS–Municipal Records Svc for traffic ticket & special compliance forms (\$2,861)
- 1m Appointment of I. Brogna to the position of Seasonal DPW Laborer
- 1n Approval of payment to CCW for Recreation Accident Policy (\$3,075)
- 1o Amend to Res 2023–0404/1y and 2023–0418/1i & ij – start dates for T Popp, G Garcia–Vargas & J Lopez–Pacheo and pay rate for T Popp
- 1p Amendment to Resolution 2023–0418/1n to add 9/7 to list of DAV Forget–Me–Not sale dates
- 1q Resolution proclaiming May as Older Americans Month
- 1r Resolution recognizing April 28, 2023 as Arbor Day
- 1s Approval of payment to Beasley Media Group for OC Tourism Marketing (\$10,080)
- 1t Auth for DPW to auction pick–up bed, bumper, tailgate, and roll off containers on Municibid
- 1u Approval of payment to Janitor Supply for bathroom supplies 2023 (\$4,907.20)
- 1v Approval of payment to Pierce Equipment Company for Nozzle and Rotojet for DPW (\$3,660)
- 1w Approval of pymt to Integrated Technical Syst for pay station equipment & supplies (\$9,786)
- 1x CONSIDERED SEPARATELY AS RESOLUTION 4
- 1y Award of Eng Svcs to Remington Vernick for Inlet Access Project, pending Atty. review (NTE \$33K)

1z Award of Eng Svcs to T&M Assoc. for FY2023 NJDOT Bikeways Proj, pending Atty review (NTE \$16,500)

1aa Approval of payment to State of NJ for employee & retiree health benefits for May (\$156,855.55)

1bb Approval of PO to Turbo Electric for electric repairs at DPW (NTE \$4,500)

1cc Approval of PO to Fast Signs for Borough Hall front lawn sign (\$4,952.55)

1dd Approval of ABC S/A app for Elks Fluke Tournament, 7/22 (rain 7/23)

CONSENT RESOLUTION 2:

2a Approval of payment of computer-generated vouchers (\$3,950,403.78)

2b Approval of payment to Mark White PH.D. for 12 SLEO psych evaluations (\$6,600)

2c Appt of C. Levan to the position of Police Officer, pursuant to N.J.S.A. 11A:4-1.3

VOTE: Councilmembers Vitale, Testa, Byrnes, Ramos (except 1dd), Crowley....YEA

Councilman Ramos (1dd)....ABSTAIN

Councilman Migut....ABSENT

Motion by Councilman Vitale to reject all bids with regard to Resolution 4, was seconded by Councilman Ramos and carried by roll call vote.

RESOLUTION 4 (formerly 1x & 2a): Auth. to award temp wireless communications contract to Verizon Wireless, pending Atty review (\$29,400)

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

Councilman Migut....ABSENT

RESOLUTION 3: 2nd Reading/Public Hearing 2023 Municipal Budget

The 2023 Municipal Budget was considered on second reading. Mayor Kanitra opened the public hearing with no member of the public wishing to be heard. Motion by Councilwoman Crowley to close the public hearing and approve the 2023 Municipal Budget was seconded by Councilwoman Testa and carried by roll call vote.

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

Councilman Migut....ABSENT

PUBLIC PARTICIPATION BEGAN AT 9:53PM

EJ Geiger, 115 Arnold Ave., PPB: Earle did not put any notices on Arnold about work next week – confirmed that they would be working at night (BA/CFO Riehl: will send a Robo-call on their behalf – not her project); kudos to the Fire Dept. asked if there are plans to check any of the other hydrants, for the same issue that occurred with the hydrant at the corner of Boston and Arnold – bolts sheared off when twisted because they were corroded and rusted (BA/CFO Riehl: that's not true) that's what he was told by the water – *inaudible* – they flushed it that morning (BA/CFO Riehl: asked who told him that) the guy who was out repairing it – he said when the Fire Dept. spun it rapidly, it caused the bolts that were holding it in place to shear off, because they hadn't been replaced with the stainless steel like a lot of the other hydrants had been (Mayor Kanitra: asked that it be looked into; BA/CFO Riehl: just did flushing – it was operational) he said we don't spin it at the same force (BA/CFO Riehl: another hydrant on Arbutus and Yale was tagged as being in need of repair when we flushed last week and that was repaired this morning); read the section of the sign ordinance about political signs on public right-of-way (ROW – says they may be removed and disposed of by Borough workers without notice – per the Engineer the space between the curb and sidewalk is a ROW (Atty. Riordan: usually, ROW extends not only beyond – *inaudible*) 10 feet (Atty. Riordan: if you're going to use the term ROW, that usually means a little longer – although our Code folks interpret that ordinance just the way he did – Code has been asked to properly enforce the sign ordinance – expects they will continue to do so; BA/CFO Riehl: everyone is equally guilty – haven't disposed of any – can come and pick them up) asked for any word on the large ship/oyster boat (Mayor Kanitra: tremendous cost for repairs for lumber was more than they thought – they don't have a crew for this year – they are in Bivalve – working through the grants to get the dock ready for next year – anticipate they'll be back next year – they are not doing any sailings this year).

Kristin Hennessy, 604 New Jersey Ave., PPB: asked about her suggestion that Councilwoman Crowley be another liaison to Rec – Councilman Vitale's message was that it's not necessary – seems a committee this large could use another Governing Body representative (Mayor Kanitra: more hands on deck; Councilwoman Testa: would have to be discussed with Rec to see if its warranted – want to go through the process – Councilman Vitale does an excellent job, but if Rec feels they need another representative, will do – thinks Councilwoman Crowley would be an excellent choice; Councilwoman Crowley: would have to think about that; Councilman Vitale: unless there is a leadership issue, they're good – he helps out at every event,; apologized if Ms. Susko was offended by her comments – didn't mean to personally offend her – she put her name on Facebook – didn't necessarily think she was calling her out publicly – it's about what this issue devolved into on social media, which can be a dangerous place to litigate a sensitive issue like this – people suggesting that the Park Program could be cancelled – it brought her to tears –

the Park Program – it would be like cancelling the Homecoming Parade – you just don’t even suggest that – just come to a Council meeting and talk about it – would have loved to have commented with Ms. Susko on that Facebook post but, because of Mr. Betten, she is censored from a page called Point Beach Residents, a private page that he runs – can’t imagine why someone who has lived here for 3 years would censor someone who has lived here for 56 years; thanked Councilman Ramos for bringing up feedback as Bd. of Ed. liaison – went to the meeting – shared what she learned and her comments with Council – Super. Smith was careful to say that he didn’t want anyone walking out thinking that 40% of \$23.9M is going to be covered by the State – 40% of the essential items could possibly be covered – sounds like a lovely wish list, but questioned if it’s really necessary – they couldn’t begin to guess what kind of increase this would represent to the average taxpayer – is tone deaf in the present economy to ask the taxpayers to shoulder this cost all at once – worst economy in the history of our country – did just fine without a \$23.9M sports complex – have declining enrollment and participation in the sports program – seems excessive – is hearing we need this to be competitive, but no other schools in this area have such a facility – if providing a Ranney School-type campus, should be charging Ranney-type tuition – is a Bd. of Ed. issue, but affects Ms. Riehl’s bonding ability.

Dave Cavagnaro, 118 Parkway, PPB: asked if charging for summer concerts (Councilman Vitale: no) in the newsletter, it asks for a \$2 donation/person (Councilman Vitale: people can donate to Rec, but it’s not a charge – doesn’t know how it got on there; Councilwoman Crowley: can retract it in the next newsletter).

PUBLIC PARTICIPATION ENDED AT 10:11PM

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

Meeting was adjourned at 10:11PM.

ATTEST: _____

Eileen A. Farrell, RMC

Municipal Clerk