

**Council Meeting Minutes**  
**September 5, 2023**

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 7:33PM. 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 Vitale, Testa, Ramos and Crowley. Councilmembers Byrnes and Migut were absent.

FLAG SALUTE, INVOCATION

APPROVAL OF COUNCIL MINUTES:

Motion by Councilman Vitale to approve the August 15, 2023 Council meeting minutes was seconded by Councilwoman Testa and carried by roll call vote.

VOTE: Councilmembers Vitale, Testa, Ramos....YEA  
Councilmember Crowley....ABSTAIN  
Councilmembers Byrnes, Migut....ABSENT

DEPARTMENT HEAD MEMOS: AZO Savacool RE Curb Cut Requests

Councilwoman Crowley: 152 Chicago Ave. – did a site visit – home has been demolished and will be developed – curb cut is currently on Chicago Ave. and will be moved to Harvard – moved to approve – ADDED AS 2H.

Councilwoman Crowley: 411 Yale Ave. – home will be renovated or torn down – are moving the spot 10 feet – was assured by the Engineer that we would not lose a spot – recommends approval of the relocation – there is no loss of parking – ADDED AS 2I.

COMMITTEE REPORTS:

Councilman Vitale: recognized employee anniversaries for September – Tom Hayes 6 years, Brianna Marchetti 4, Chris Macomber 14, Robert Balzano 3, Christine Riehl 38, Brian Martin 5, John Mele 1; gave the Chief’s report since last meeting – 44 arrests resulted in 57 various criminal charges – there were 360 Borough ordinance violations and 1,414 parking tickets issued – thanked Lt. Daniel, the command staff and all officers for another great year in PPB – have turned a corner and made it more family-friendly; thanked the Fire Dept. and First Aid Squad for protecting residents and visitors this summer; Recreation Bags on Beach cornhole tournament on August 26<sup>th</sup> was a huge success with amateur and professional leagues – the Locals Only Bonfire is this Saturday at Maryland Ave. Beach at 6PM and entrance postcards have been sent out – the Kids’ Fishing Derby is Sept. 17<sup>th</sup> at the Inlet, 8AM-11AM – the Seafood Fest 5K is Sept. 16<sup>th</sup> at 8AM – the Tug of War is October 8<sup>th</sup>; the Senior Committee held a Summer Movie and Meal event on Aug. 22<sup>nd</sup> featuring “Father of the Bride” – coming up are Ask the Experts and Italian Luncheon events, with more information to come.

Councilwoman Testa: gave the Building Dept. report – year-to-date, 573 building permits have been given, there are 68 grease trap applications which is double that of last year, 388 seasonal rental units which expire on December 31st, have 41 annual rentals approved which are good for a 3-year inspection, 426 approved mercantile licenses have been approved, have 276 floodplain applications – total fees collected equal \$571,515.00 – Brittany Groff is in training to replace the Technical Assistant to the Construction Official; the Arts Committee’s Sandcastle Contest is this Sunday, Sept. 10<sup>th</sup> at 8AM – partnering with Jenkinson’s – a free event with two \$500.00 prize vouchers for Jenkinson’s – every child gets a voucher for the Sweet Shop – a master sand sculptor and DJ will be there, 10:30AM-12:30PM – Kids’ Fall Art Classes, will be on various Thursdays, Sept.-Nov. at Home Run on Arnold Ave. – \$50/class – register online – the Homegrown Fair is Oct. 22<sup>nd</sup>, 12PM-5PM on Bay Ave. – vendors can sign up online; Antrim is having a Scarecrow Contest – scarecrows will be displayed at the Gazebo on Oct. 20th & 21st – the Beautification Committee winner will be announced on Oct. 24th – looking for 3 more homes for the Garden Tour – echoed thanks to the Police, Fire & EMS.

Councilman Ramos: the Environmental Commission will have a booth at the Seafood Festival on Sept. 16th; gave the Bd. of Ed. report – teachers have started setting up classrooms and school starts on Thursday – Superintendent and team are looking forward to another outstanding school year.

Councilwoman Crowley: aside from their regular duties, DPW is starting to rev up for special events – thanked them for all their hard work; echoed the kudos to Police, Fire & EMS for keeping our summer safe and our hometown a family hometown

#### MAYOR’S REPORT:

Mayor Kanitra: is very pleased to get through the final summer of this administration without any major incidences – testament to everyone the dais kudos for voting the right way on ordinances, and to the Police for enforcing everything so strictly – families are back and happy and people feel safe – not smelling weed and seeing people hammered everywhere constantly – a testament to all working together; was on beach the other day – a neighbor was screaming that someone was drowning – he ran up and saw Lt. Daniel diving into the water with no hesitation with all his gear on and PO Cavanaugh doing the same – residents, Dan Stizza and Dan Deichman also stepped in – shows the best of our PD and residents together and highlights the situation with riptides – kudos to the PD and all who responded – were a ton of similar incidents along the coast that day with one fatality in LBI – thanked them for all they do during; asked BA/CFO Riehl for an update on the Boardwalk cleaning (BA/CFO Riehl: will be a hot power wash tomorrow); was at the Coast Guard Station today – is in pretty good shape – needs to be cleaned up – drop ceilings are messy – needs new paint and flooring – bones are solid, built in 1936 – a homerun for the town – can't wait to get in there and get an RFP issued for grab and go lunch – can make some good revenue on it – the building is conducive to events, meetings and museums – a year-round attraction – NBC 4 and NBC 10 did a story on it which aired tonight – huge shout out to Congressman Chris Smith and his office who helped push it along through all the levels of bureaucracy, ensuring it didn't fall into other hands or get demoed, and put it on the Federal Historic Register; the Orsted Wind Project got delayed until 2026, which highlights how much things have changed since people got all the facts – QOL Dir. O'Rourke is ever vigilant on this – will keep our foot on the pedal; invited QOL Dir. O'Rourke to come up and show the town commercial – believes it captures what we have as a community in PPB – shout out to Recreation, Arts, and the Chamber who put on all the events – QOL Dir. O'Rourke who coordinated with the video guy – the Fisher Fdn., and Ocean County Tourism donated money – are trying to ensure a family-friendly town year-round – are airing this on News 12 starting on Sept. 11<sup>th</sup> – want a divide between full- and par-time homes, but more on the full-time side; the dedication for Hennessy Way out front is Sept. 20th at 5:30PM – will honor former Mayor Hennessy for his 20+ years of service

to the community – BA/CFO Riehl has worked with QOL Dir. O’Rourke on plaques and signage – well suited for the former Mayor, his personality and what he did for the town.

Councilwoman Testa: kids were on e-bikes in the car lane on the bridge this weekend, with no helmets – many residents have expressed concerns – would like a game plan (Lt. Daniel: working on it – stopping kids, issuing summonses – trouble is the parents who complain about enforcement – have given helmets to some kids – will take a team effort) are talks of having the Hoedown in the fall (Lt. Daniel: had talks with the school about pushing education with the School Resource Officer, getting officers out by the bike racks, interacting with kids ask they arrive at school – they’re scary (Atty. Riordan: what they are doing is illegal under state statute; Mayor Kanitra: suggested a bi-lingual education piece; Lt. Daniel: have Spanish-speaking officers doing it; Mayor Kanitra: asked Lt. Daniel to do 1 or 2 Facebook posts to serve as an educational component and show that they are out there doing all this stuff – people need to see that).

#### ADMINISTRATOR’S REPORT:

BA/CFO Riehl: congratulated Asst. Finance Officer Christie Glass who gave birth to a baby girl on August 23<sup>rd</sup> – are doing well; the Borough Hall Soffit and Gutter Replacement project started today – will do a fresh coat of paint and repair any holes – should be finished by the end of Sept.; Central Ave. project is closed out; Resurfacing and Restriping will be done from the Manasquan Bridge to the railroad tracks by Rte. 88 – assume they’ll do the Intersection Improvements at that time; are closing out the Ocean Ave. Water Main Replacement project by Sept. 21<sup>st</sup>; the Arnold Ave. project is also being closed out; Boston Ave. Drainage Improvements will resume the last week of Sept.; Pleasure Park Fencing Improvements is underway and expected to be finished in about 2 weeks, weather permitting; the Bikeways Project plans and specs were submitted in June to the County for comments – waiting for County and DOT approval so we can go out to bid in a month or so; still waiting for permit approval on the Lincoln Ave. project; the Inlet Walkway project specs are being reviewed by the Engineer and will go out to bid after the Tug-of-War; are working on tax map revisions; survey work was done this morning on Dartmouth, Richard and Arbutus – will continue to move on to design.

Clerk announced additions and revisions to the agenda.

#### PUBLIC PARTICIPATION BEGAN AT 8:04PM

Dave Cavagnaro, 118 Parkway, PPB: great commercial; asked about 1y (BA/CFO Riehl: for the salt shed in DPW – roof collapsed – of the \$27K, \$22K is for installation).

Larry Schwartz, 1203 St. Louis Ave., PPB: spoke about 3e – asked why we don't use A-1 Bicycles in PPB, and if they were given an opportunity to participate (Lt. Daniel: Point Bike is the company that can do everything we need and saves us a lot of money – does a great job – been dealing with them for years) A-1 indicated they could fulfil the requirements – should support our local businesses (Lt. Daniel: doesn't have enough information – just took over supervising that division – will bring it to the Chief) at least consider exploring the opportunity to give our local businesses a chance – if they cannot fulfil the requirements, we can outsource (Mayor Kanitra: asked how often we buy bikes; Lt. Daniel: only purchased about 2 this year – a lot of it is repair) \$4,100.00 is a significant amount of money – local business does repairs – they do an excellent job (BA/CFO Riehl: have worked with the local business in years past – assumes, perhaps due to price and inventory, we went in another direction – no reason we can't reach out for price quote in the future; Councilwoman Crowley: we want local business to strive, but we have to help our professionals get what they need, so we don't question them in that nature, because they've researched it, but it's a great point and we want to keep it local).

Robert Clayton, 109 Chicago Ave., PPB: asked about 1p (BA/CFO Riehl: a 3-ft.-wide'x 5-ft.-tall light-up digital sign for downtown to stream events, weather, etc.).

## PUBLIC PARTICIPATION ENDED AT 8:11PM

Atty. Riordan: addressed item 1f, approval for a food truck – have an ordinance that prohibits food trucks – you can't, by resolution, override your ordinance – explained what the Project Matters does (Mayor Kanitra: understands they can be on private property) no – ordinance bans foot trucks – says you can have a food truck but there's a bunch of different conditions, one of which is that you move it every 5 minutes – there's no exception for special events (Councilwoman Crowley: should re-visit that) the ordinance prohibits it – the Governing Body should not, under those circumstances, in his opinion, attempt to override their ordinance with a resolution – it has occasionally happened that food trucks have appeared in town and nobody has given them any citation (Councilwoman Crowley: should revisit the ordinance) the ordinance has been revisited on a number of different occasions – in general, when that happens, the townspeople get up in arms and say no food trucks (Councilwoman Crowley: they cater to parties and then they are gone; Mayor Kanitra: asked for the ordinance number) read 5-5A.1 (Councilwoman Testa: has seen a lot of food trucks at a lot of graduation parties over the last 4 years; Councilwoman Crowley: suggested correcting that for special events and cap the time limit on trucks being able to be there; Mayor Kanitra: asked about the Cooks Tour; Councilwoman Testa: we do food trucks for the Cooks Tour too; Councilwoman Crowley: suggested revisiting it – want to make a family-friendly atmosphere; Mayor Kanitra: when he was on Council, the understanding was that the food truck ordinance was to keep trucks from being stationed in town as businesses that would compete with our restaurants – if on private property, no different than bringing in a caterer, because a caterer brings a van, carries out trays of food and has warmers, etc.; Councilman Vitale: when he tried to bring them in through Recreation, was told we can't – the organization on the agenda is not even affiliated with the town – agrees we should take a look; Councilwoman Crowley: asked about the soup trucks at the Inlet) in the last 15 years, on a number of different occasions, people have indicated that they want food trucks for many of the same reasons – on all of those occasions, he's pointed out that the ordinance prohibits it – on some occasions, the food truck people have decided to come anyway and apparently nobody is writing them any ordinance violation – but, of course, any citizen could, at any time, issue an ordinance violation against any of those food trucks, so it really isn't appropriate for the Governing Body to be telling them they can come when they can still be given tickets and *inaudible* – could always change the ordinance – would advise getting a great deal of public input if you go down that road (Mayor Kanitra: the ordinance says “sales from fixed location prohibited” – he is not looking to change that – the ordinance is called Mobile Food Retail Sales – retail sales means you sell across a counter – catering is not considered a retail sale – so, if a vehicle is used for non-retail sale purposes, this shouldn't apply – asked Atty. Riordan if non-retail sales would be applicable to mobile food retail sales) will research the issue and get back to him (Councilwoman Testa: Antrim wouldn't be able to have ice cream trucks for end of year school parties either).

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

### CONSENT RESOLUTION 1:

- 1a Approval of payment of Payroll #17 (\$376,733.60)
- 1b Payment to State of NJ for employee & retiree health benefits (\$153,652.70)
- 1c Payment to Riggins for no-lead & diesel fuel for DPW (\$6,373.02)
- 1d Approval of ABC S/A Permit app for Bay Head-Mantoloking PBA Fundraiser at Martell's on 10/8
- 1e Auth to refund cost of new water meter, that could not be installed, to Nowak, 406 Richmond (\$319)
- 1f Approval of The Project Matters request for 2 food trucks at their approved event on 9/9/23 - DENIED
- 1g Approval of payment to BTMUA for August bulk water usage (\$139,071.53)
- 1h Approval of Copline Inc. S/E app for 5K Run/Walk on the Boardwalk, 12/31/23 & -1/01/24

- 1i Auth for loan app to NJDEP & NJ Infrastructure Bank for water tank painting/water treatment plant imp
- 1j Approval of payment to STV for Channel Dr Revitalization (\$36,348.83)
- 1k Approval of payment of hand checks from PI Bd & Developer escrow accounts
- 1l Support for Ciba-Geigy settlement & call for DEP to provide concessions to the public
- 1m Approval of PO to Foveonics for Bldg Dept offsite scanning (\$7,995)
- 1n Proclamation of Sept 17-23 as Constitution Week to reaffirm the ideals of the Framers of the Constitution
- 1o Approval of S/E app for PPB Rec Cmte Locals Only Bonfire, MD Ave Bch, Sept 9 (rain Sept 10)
- 1p Approval of PO to Metroclick for digital sign kiosk (\$10,798)
- 1q Approval of PO to Altice Media Solutions for promo commercial (\$10K)
- 1r Appointment of C. Kulcsar, Belmar, NJ to the position of F/T Laborer
- 1s Appointment of J. Gerard to the position of Electric Sub Code Official
- 1t Authorization for pay adjustments for work assignments given while Employee 000747957 is on leave
- 1u Appointment of K. Houlik & J. Houlik as members of the Recreation Committee
- 1v Appointment of C. Kniffin as a member the Beautification Committee
- 1w Appointment of C. Kniffin as 2<sup>nd</sup> Alternate member of the Shade Tree Commission
- 1x Proclamation of October as Hindu Heritage Month
- 1y Approval of PO to Clearspan for CLRNSPAN CSTM CVE/SQ TAN 12.5 (\$27,930.62)
- 1z Appointment of B. Groff, Manasquan, NJ to the position of Technical Asst. to Construction Official

CONSENT RESOLUTION 2:

- 2a Appointment M. Santoro, Toms River, NJ to the position of Seasonal DPW Laborer
- 2b Approval of payment to Turbo Electric for electrical work, K-9 memorial lights, flag lights (\$5,770)
- 2c Approval of payment to All Points Printing & Graphics for Bonfire postcards & postage (\$1,854.15)
- 2d REMOVED
- 2e Authorization for Recreation Committee to advertise for MMDA fall music events
- 2f Amendment to Recreation Committee Pickle Ball times to 4PM-6PM & 6PM-8PM
- 2g Approval of payment to Rainbow Irrigation for irrigation systems repairs (\$3,535)
- 2h Approval of curb cut request at 152 Chicago Ave – PER DEPT HEAD MEMOS
- 2i Approval of curb cut request at 411 Yale Ave – PER DEPT HEAD MEMOS

CONSENT RESOLUTION 3:

- 3a Approval of payment of computer-generated vouchers (\$298,968.98)
- 3b Approval of PO to Fireflow Services for testing - hose, ladder, pump for the Fire Dept (\$6,102)
- 3c Approval of ABC S/A Permit app for Fire Co 2 Raffle Drawing Party at firehouses on 9/23
- 3d Approval of payment to Safe Fleet Mobile Vision for 18 additional body cameras for the PD (\$40,980)
- 3e Approval of payment to Pt. Pleasant Bicycle for Police bicycles (\$4,106.82)

VOTE: Councilmembers Vitale (except 1F), Testa (except 1F), Ramos (except 1F),

Crowley (except 1F)...YEA

Councilmembers Vitale (1F), Testa (1F), Ramos (1F), Crowley (1F)...NAY

Councilmembers Byrnes, Migut....ABSENT

ORDINANCES:

Ordinance 2023-12 (Amend Ch 19-add definition 2<sup>nd</sup> Fl Habitable Area) was considered on second reading. Mayor Kanitra opened the public hearing with no member of the public wishing to be heard. Motion by Councilman Vitale to close the public hearing and adopt Ordinance 2023-12 was seconded by Councilman Ramos and carried by roll call vote.

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

Councilmembers Byrnes, Migut....ABSENT

Ordinance 2023-13 (Amend Ch 9-Establish 25MPH speed limit on portion of Arnold & Ocean) was considered on second reading. Mayor Kanitra opened the public hearing with no member of

the public wishing to be heard. Motion by Councilman Vitale to close the public hearing and adopt Ordinance 2023-13 was seconded by Councilwoman Crowley and carried by roll call vote.

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

Ordinance 2023-14 (Amend Ch 9-3A.2-Include Municipal Pkg Lots) was considered on second reading. Mayor Kanitra opened the public hearing with no member of the public wishing to be heard. Motion by Councilman Vitale to close the public hearing and adopt Ordinance 2023-14 was seconded by Councilman Ramos and carried by roll call vote.

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

#### PUBLIC PARTICIPATION BEGAN AT 8:24PM

Ken Montalbano, 410 New York Ave., PPB: thanked the PD for help with a family member; talked about the proposed 175-ft. monopole cell tower that's going to be stationed where the existing 100-foot cell tower is – will be very tall, unsightly, anti-beach looking, will reduce property values, potentially a health concern – proposed leaving it on top of the water tower and moving existing equipment up there also – a looming tower of electromagnetic frequencies – been patient with a lot the town has done – is his first time here talking in public – asked if this is written in stone (Mayor Kanitra: no – the cell nodes proposed for this tower are already in existence – are painting the water towers, fixing it all up – one of the reasons the water towers look so terrible is because of the rusty nodes – cell companies did not take accountability or pay to fix it up – have to fix them because we got complaints from residents – the existing nodes have to come off the tower for painting and have to go on a temporary pole anyway – are spending over \$1M on painting these towers – it's taxpayer money – if we put them back on the tower, will open it up to just happening again) technology has come a long way – agrees on some of those points – tanks with no cell nodes on them are rusty – if done correctly, with the right material, will not have rust – might be a little more expensive, but won't have to worry about painting it and, in another 10 years, this might be obsolete – don't need another structure – and it's not even good-looking – makes more sense to put it on the water tower – better off taking the towers down than painting them (Mayor Kanitra: the Water Dept. uses them; BA/CFO Riehl: we use the elevated tank – the other is a backup, in the event we have to take the elevated tank offline – one was taken down, as it was not in use and not necessary – were prohibited from removing the other large one by DEP – last painted the tanks in 2007 – our peeling paint is not hazardous, based on testing – the next painting was scheduled for 2021 – it's actually \$2.3M to paint all of the tanks – were going to do the largest and most rusted one last, but Mr. Montalbano's family asked if we could step it up, so we are going to do that one first – will do the smaller one next and the elevated tank will be last – original plan was to create a temporary monopole – the equipment would go on the temporary while they built the permanent monopole – found that they can put the equipment on the scaffolding temporarily and just go out to bid on the monopole, which will save a lot of time as well – all costs associated with the building of the monopole are going to be borne by the cell equipment carriers – will be roughly \$800K-\$1M to build that pole – they will give us ownership of it, so we can continue to get rent from the equipment that's on it – it's proposed to be 170-feet – the 100-foot one that's there now will come down – believes the equipment on it is obsolete or not being used – other locations on the property were considered) the way BA/CFO Riehl is speaking, he feels like that is the plan (BA/CFO Riehl: funding has been authorized and have been authorized to go out to bid and build the pole – bid specs have been drawn – are at a point to either go out to bid for the monopole or paint the water tank and put the equipment back on it) implored her to go back to the water tower (BA/CFO Riehl: researched a lot of other locations – by The Ark and along the railroad tracks – has to stay in that general area – because of infrastructure, it can't go in any other place on that property) there is a perfectly good tower there to put stuff on top of, vs. creating this whole other structure,

looming over his house – the big thing is property values – been here almost 40 years and have put up with a lot that have probably decreased his property value already – this will be the final nail in the coffin, in terms of selling his house – commercial talks about family and safety – his kids went to school here – are locked into this community – would appreciate rethinking this (Councilwoman Crowley: she questioned this project because she drove by a monopole – has been communicating with BA/CFO Riehl – affects the whole town – it's super high – the first thing you will see – in Sea Girt and other areas, they put them on top of the tank, where they are not as visible because the tank is so high – saw one in Seaside, but it's not 175' – was the first to say our tank is an eyesore – didn't realize the monopole would be monstrous with electrodes all over it; Mayor Kanitra: putting them on top will add height to the tank) this is your home too and technology has changed – they are not as big (Councilwoman Testa: some are not functioning and we are getting rid of some; Mayor Kanitra: only getting rid of the empty bracket in the middle – has had 20-30 people complain about the look of the water tower with cell nodes – won't make everyone happy – asked BA/CFO Riehl, if we can put the poles on the steel structure when they rebuild the tank, if we never need to build or pay for a temporary pole; BA/CFO Riehl: we are not paying any costs associated with the monopole; Councilman Vitale: so there is a cost to replace them back on the tank; Councilwoman Crowley: asked why they can't pick up that cost, just like they would the monopole, which will be much less; Mayor Kanitra: can make a motion to reverse course; BA/CFO Riehl: there is nothing on the agenda – asked for 2 weeks to go back and ask if it is feasible to have on top and not need a temporary pole; Mayor Kanitra: and find out what the height would be if they went on top; Atty. Riordan: always better to have BA/CFO Riehl research than to make a snap decision).

Mark Cipolloni, 105 Parkway, PPB: asked if there has been consideration to build a tower that looks like an evergreen tree (all agreed they look horrible).

Robert Clayton, 109 Chicago Ave., PPB: asked if the patch on Ocean Ave. is for the water main break (Mayor Kanitra: there were 2 and they will be fixed appropriately with infrared); asked what is going on with the empty building next to the old Bank of America (Mayor Kanitra: that's a Building Dept. thing – has heard there are structural issues – doesn't know the particulars; Councilman Ramos: there is a sticker the front that identifies the issue); asked for information on 241 Boardwalk – looks like all the new work done is illegal (BA/CFO Riehl: the Tax Assessor has been out to the property – it's obviously very different than what we have on our tax records – and is working with the Building Dept. to capture whatever improvements have been made absence permits); asked for a follow-up on his question on the letter from the resigned Code Enforcement person (no comment) – asked if there was an investigation that would entail someone telling Realtors to write up a 7-day contract for rentals, but only do a 3 – that's what's possibly coming from the Building Dept. (Mayor Kanitra: we certainly don't want that; Councilwoman Crowley: can have Councilwoman Testa look into it).

Tom Panconi, 405 New York Ave., PPB: moved here in 2016 – served as Mayor in Cranbury – disappointed this is the first he is hearing of the cell tower – asked Atty. Riordan if the town is painting the tower because of rust from the nodes (Mayor Kanitra: it's due for painting in general; BA/CFO Riehl: maintenance and repairs, sandblasted) asked if we have an agreement with the cell provider that their equipment not rust our tank – if they use 316 stainless steel hardware, it's not going to rust (BA/CFO Riehl: have 3 carriers up there – the first one, new to us, made it the responsibility of the town to remove and replace any equipment for painting – we worked with them – they will agree to bear the full cost to relocate the equipment to a monopole – roughly \$1M for it to be built – requires design, bid, award of contract – they will bear responsibility for all those costs and turn ownership of the tower to the Borough, so we can continue to charge them rent to stay on the tower) Monmouth County hired an attorney to go after Verizon – there nodes were up and down the Boardwalk in Belmar – Congressman Smith has been talking about not discounting resident concerns – is more disappointed that he hadn't heard about it when it's been talked about for a year (Mayor Kanitra: asked if a notice would be going out to people in a certain radius when it starts; BA/CFO Riehl: can have notice put into the bid specs – might also be advantageous to have a presentation of what's going to happen there – have been very transparent – have

been talking about this project for almost 2 years) this is the first he's heard of it, so there must be a disconnect somewhere.

Dave Cavagnaro, 118 Parkway, PPB: the lights out front on the flagpole and the new monument look great; Manasquan recently passed a Short-term Rental Ordinance – they limit it to 35 days and a \$2K/day fine – some in town have issues about how well it's being enforced – recommends the Mayor, Attorney and Building Dept. chat and be sure all are on the same page; Mayor Kanitra: would like to see more teeth in it – people are emulating what we are doing – asked Atty. Riordan to look at some of the new ordinances being passed and see if there are any components we want to put in; Atty. Riordan: sure, but most of those lawyers are using ours – he, the Mayor and Building Dept. should have a conversation – there may be some enforcement issues we can address).

Mark Cipolloni, 105 Parkway, PPB: asked who inspects the sidewalks – some are in bad shape – there are potholes (Mayor Kanitra: technically, the homeowners' responsibility – if egregiously bad, will send a notice to the homeowner – been trying to wait until roads got paved – asked for the address) on the 100 block of Parkway (BA/CFO Riehl: will send Code Enforcement out); emailed the Governing Body – had asked the Army Corps of Engineers if they had grants available for groynes – been coming here since the 1960s – when you wade out into the water a few feet, it drops off like a cliff – towns with groynes don't have as bad of an the issue – they work if designed properly – asked if Jenkinson's owns the beach up to the water line (Mayor Kanitra: have issues with DEP with their territorial nature) wondered if they should be paying for groynes or if the ACOE should be paying for them, or if the town has a position on that (Atty. Riordan: the town has absolutely nothing to do with any of the beaches, other than their own beach where a jetty would make absolutely no sense – with respect to the privately-owned beaches, you would have to talk to private beach owners) asked where their ownership rights stop (Atty. Riordan: depends on lots of different issues – can think of it as the high water line – depends on what you're planning to do – for example, if what you wanted to do is persuade somebody to build a jetty, you would need permission both from Jenkinson's and from the Federal Government – the town can't do anything about it – they don't own anything involved – they don't own the beach and they don't own the ocean) that's unfortunate and doesn't make it right (Atty: Riordan: suggested he research why it's been turned down every time it's been brought up during the last 100 years) Manasquan, Bay Head, Mantoloking and a lot of beaches down to Cape May have them (Mayor Kanitra: best bet is to talk to the State and Federal Government – can't spend our funds on 90% of town beaches that are private, and the State doesn't want to do full beach replenishment in PPB).

PUBLIC PARTICIPATION ENDED AT 9:00PM

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

Meeting was adjourned at 9:00PM.

ATTEST: \_\_\_\_\_  
Eileen A. Farrell, RMC  
Municipal Clerk