

**BOROUGH OF ISLAND HEIGHTS
MAYOR AND COUNCIL**

REGULAR MEETING AGENDA

JANUARY 19, 2021 – Via Zoom @ <https://zoom.us/j/98449569159>

MAYOR DOYLE:

This Regular Meeting of the Mayor and Council of the Borough of Island Heights is Hereby Called to Order. Notice of this Meeting was Provided in Accordance with the Open Public Meetings Act by Publication in the Asbury Park Press on December 5, 2020 and Notice was Also Posted on the Bulletin Board in the Municipal Building, on the Borough Television Channel and the Borough Website.

MAYOR DOYLE:

PLEDGE TO THE FLAG OF THE UNITED STATES OF AMERICA

MAYOR DOYLE:

ROLL CALL OF THE MAYOR AND COUNCIL:

Council Member Baxter	Present_____	Absent_____
Council Member Fumo	Present_____	Absent_____
Council Member Gabriel	Present_____	Absent_____
Council Member Pendleton	Present_____	Absent_____
Council President Thompson	Present_____	Absent_____
Council Member Weber	Present_____	Absent_____
Mayor Doyle	Present_____	Absent_____
Borough Attorney Mr. Zabarsky	Present_____	Absent_____

MAYOR DOYLE:

ORDINANCES:

First Reading of Proposed Ordinance 2021-01

Motion to Waive Reading and Approve the Ordinance as Introduced:

Motion:

Second:

Voting Record:

Mr. Baxter	Mr. Fumo	Mr. Gabriel	Ms. Pendleton	Ms. Thompson	Mr. Weber	Mayor Doyle
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

ORDINANCE 2021-01

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, FIXING AND DETERMINING SALARIES AND HOURLY WAGES OF CERTAIN EMPLOYEES OF THE BOROUGH

BE IT HEREBY ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS that the Following Hourly Wages and Salaries Shall Remain in Effect Until a Subsequent Salary and Wage Ordinance is Adopted:

SECTION 1: The Salary and Hourly Wage Ranges for Employees of the Borough Shall be as Follows:

<u>TITLE</u>	<u>WAGES</u>
A. Mayor	\$1,000.00 - \$7,000.00
B. Council President	\$1,000.00 - \$4,000.00
C. Council Member	\$1,000.00 - \$3,500.00
D. Chief Financial Officer	\$2,500.00 - \$25,000.00
E. Deputy Treasurer	\$2,500.00 - \$20,000.00
F. Code Enforcement Officer	Minimum Wage - \$25.00 Per Hour

G.	Construction Official	Per Contract
H.	Fire Official	\$2,500.00 - \$10,000.00
I.	Human Resources Manager	\$2,500.00 - \$20,000.00
J.	Municipal Clerk	Minimum Wage - \$25.00 Per Hour
K.	Municipal Clerk - Deputy	Minimum Wage - \$25.00 Per Hour
L.	Municipal Court Administrator	Minimum Wage - \$30.00 Per Hour
M.	Municipal Court Administrator - Deputy	Minimum Wage - \$28.00 Per Hour
N.	Municipal Court – Judge	\$2,500.00 - \$20,000.00
O.	OEM Coordinator	\$2,500.00 - \$10,000.00
P.	Payroll Clerk	\$2,500.00 - \$20,000.00
Q.	Public Works - Clerk	Minimum Wage - \$25.00 Per Hour
R.	Public Works - Director	Per Contract
S.	Public Works - Foreman	Per Contract
T.	Public Works - Laborer	Per Contract
U.	Police Lieutenant	Per Contract
V.	Police Officer	Per Contract
W.	Police Officer - Class II	Minimum Wage - \$20.00 Per Hour
X.	Police Sergeant	Per Contract
Y.	Qualified Purchasing Agent	\$2,500.00 - \$20,000.00
Z.	Registrar of Vital Statistics	Minimum Wage - \$25.00 Per Hour
AA.	Tax Assessor	\$2,500.00 - \$20,000.00
BB.	Tax Collector	\$2,500.00 - \$25,000.00
CC.	Tax Collector - Deputy	Minimum Wage - \$25.00 Per Hour
DD.	Zoning Officer	Minimum Wage - \$25.00 Per Hour

SECTION 2: The Foregoing Salaries and Hourly Wage Ranges Shall be Effective Immediately Upon the Adoption and Publication of this Ordinance.

SECTION 3: All Ordinances or Parts of Ordinances Heretofore Adopted in Connection with the Aforementioned Subject Matter are Hereby Repealed.

FIRST READING: January 19, 2021

PUBLICATION: _____, 2021

FINAL READING: February 23, 2021

PUBLICATION: _____ 2021

NOTICE OF PENDING ORDINANCE

The Ordinance Published Herewith was Duly Introduced and Passed Upon First Reading at a Meeting of the Mayor and Council of the Borough of Island Heights, in the County of Ocean, State of New Jersey, on January 19, 2021. This Proposed Ordinance will be Further Considered for Final Adoption, After a Public Hearing, at a Meeting of the Mayor and Council to be Held in Island Heights on February 23, 2021, at 7:00 p.m. During the Week Prior to and up to and Including the Date of Such Meeting, Copies of said Ordinance will be Available at No Cost During Regular Business Hours at the Borough Clerk's office located in the Island Heights Borough Hall at One East End Avenue, Island Heights, New Jersey for the Members of the General Public who Shall Request the Same.

Sean Asay
Borough Clerk

Publication Date: _____, 2021

NOTICE OF ADOPTION OF ORDINANCE

The Ordinance Published Herewith has been Finally Adopted by the Mayor and Council of the Borough of Island Heights, in the County of Ocean, State of New Jersey, on February 23, 2021, and is Effective Upon the Date of Publication of this Statement. Copies of the Full Ordinance are Available at No Cost During Regular Business Hours, at the Borough Clerk's Office for Members of the General Public who Request the Same.

Sean Asay
Borough Clerk

Publication Date: _____, 2021

First Reading of Proposed Ordinance 2021-02

Motion to Waive Reading and Approve the Ordinance as Introduced:

Motion:

Second:

Voting Record:

Mr. Baxter	Mr. Fumo	Mr. Gabriel	Ms. Pendleton	Ms. Thompson	Mr. Weber	Mayor Doyle
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

ORDINANCE 2021-02

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY

BOND ORDINANCE AUTHORIZING THE LAKE AVENUE (PHASE II) ROADWAY IMPROVEMENTS PROJECT INCLUDING PORTIONS OF EAST END AVENUE, GARDEN AVENUE, LAKE AVENUE AND WEST END AVENUE AND APPROPRIATING FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) OF BONDS TO FINANCE THE APPROPRIATION, AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS

THE MAYOR AND COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made or acquired by the Borough of Island Heights, in the County of Ocean, New Jersey (the “**Borough**”). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00). In accordance with N.J.S.A. 40A:2-11c, no down payment is required as this Bond Ordinance authorizes a project funded by a State grant.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the maximum principal amount of FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) pursuant to the Local Bond Law of New Jersey (the “**Local Bond Law**”) and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the Borough in the maximum principal amount of FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Projects

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
<p>Construction of Roadway Improvements to Lake Avenue, East End Avenue, Garden Avenue and West End Avenue pursuant to the 2019 NJDOT Municipal Aid Program, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, demolition of unfit structures, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.</p>	\$466,750.00	\$466,750.00
Total	<u>\$466,750.00</u>	<u>\$466,750.00</u>

The excess of the appropriation made for such improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as stated above, not including the amount of any grant, is the amount of the said down payments for said purposes.

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Borough in a principal amount equal to the said principal of bonds not exceeding FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Council of the Borough at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Borough may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **10 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by **FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00)**, and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding **ONE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$121,750)** in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

(e) There is no down payment required for this Bond Ordinance as this Bond Ordinance authorizes obligations of the Borough solely for a project that will be funded by a State grant in accordance with N.J.S.A. 40A:2-11c.

Section 7. Ratification of Prior Actions

Any action taken by any officials of the Borough in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the Borough are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The Borough reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same “control group” as the Borough, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough’s official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BOROUGH OF ISLAND HEIGHTS IN THE
COUNTY OF OCEAN, NEW JERSEY

Sean Asay
Borough Clerk

FIRST READING: January 19, 2021
PUBLICATION: January __, 2021
FINAL READING: February 23, 2021
PUBLICATION WITH STATEMENT: February ____, 2021

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body held on January 19, 2021 in the Borough. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on February 23, 2021, at 7:00 o'clock p.m. in the Borough. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Island Heights Borough Hall at One Wanamaker Municipal Complex, Island Heights, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE AUTHORIZING THE LAKE AND GARDEN AVENUE ROADWAY IMPROVEMENTS PROJECT AND APPROPRIATING FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) OF BONDS TO FINANCE THE APPROPRIATION, AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS"

Purpose: Construction of Roadway Improvements to Lake Avenue, East End Avenue, Garden Avenue and West End Avenue under the 2019 NJDOT Municipal Aid Program.

Appropriation: \$466,750.00

Bonds/Notes Authorized: \$466,750.00

Grants (if any) Appropriated: \$345,000.00

Section 20 Costs: \$121,750.00

Useful Life: 10 years

Sean Asay
Borough Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Island Heights, in the County of Ocean, State of New Jersey on February 23, 2021, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE AUTHORIZING THE LAKE AND GARDEN AVENUE ROADWAY IMPROVEMENTS PROJECT AND APPROPRIATING FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF FOUR HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$466,750.00) OF BONDS TO FINANCE THE APPROPRIATION, AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS"

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Appropriation: \$466,750.00
Bonds/Notes Authorized: \$466,750.00
Grants (if any) Appropriated: \$345,000.00
Section 20 Costs: \$121,750.00
Useful Life: 10 years

Sean Asay
Borough Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

MAYOR DOYLE:

APPROVAL OF PRIOR MEETING MINUTES

Resolution 2021-18 Approving the Proposed Minutes for the Regular Meeting
Conducted on December 8, 2020

Motion:

Second:

Discussion/Comments:

Voting Record:

Mr. Baxter	Mr. Fumo	Mr. Gabriel	Ms. Pendleton	Ms. Thompson	Mr. Weber	Mayor Doyle
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

Resolution 2021-19 Approving the Proposed Minutes for the Reorganization
Meeting Conducted on January 4, 2021

Motion:

Second:

Discussion/Comments:

Voting Record:

Mr. Baxter	Mr. Fumo	Mr. Gabriel	Ms. Pendleton	Ms. Thompson	Mr. Weber	Mayor Doyle
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

Resolution 2021-20

Approving the Proposed Minutes for the Regular Meeting
Conducted on January 4, 2021

Motion:

Second:

Discussion/Comments:

Voting Record:

Mr. Baxter	Mr. Fumo	Mr. Gabriel	Ms. Pendleton	Ms. Thompson	Mr. Weber	Mayor Doyle
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

MAYOR DOYLE:

RESOLUTIONS – CONSENT AGENDA

Resolution 2021-21

Authorizing the Mayor and the Clerk to Execute a Shared
Services Agreement with the Ocean County Prosecutors Office
for the Borough Police Department to Participate in the Move
Over Law Enforcement Program (M.O.L.E.P.) for 2020 and
2021

Motion:

Second:

Discussion/Comments:

Resolution 2021-22

Approving the Use of the Central Avenue Pavilion by Diane
Dunne on June 26, 2021 Between the Hours of 4 PM and 6 PM
for a Wedding Ceremony

Motion:

Second:

Discussion/Comments:

Resolution 2021-23 Approving the Use of the Camp Meeting Ground Pavilion by Travis Thompson-Sevcik on June 5, 2021 Between the Hours of 4 PM and 5 PM for a Wedding Ceremony

Motion:

Second:

Discussion/Comments:

Resolution 2021-24 Approving the Applications of Colby Gesser and Matthew Wolfarth of Toms River for Membership in the Island Heights Volunteer Fire Company

Motion:

Second:

Discussion/Comments:

Resolution 2021-25 Approving the Use of the Wanamaker (Summit Ave.) Beach by Sherri Paris, August 2 – 6, 2021 Between the Hours of 9 AM and 2 PM for the New Logic Marine Science Camp

Motion:

Second:

Discussion/Comments:

Resolution 2021-26 Approving a “Save the Date” for the Kiwanis Club of Toms River for their River to Bay 5K to be Held on May 1, 2021 in the Borough

Motion:

Second:

Discussion/Comments:

DISCUSSION & PRIVILEGE OF THE FLOOR

GOVERNING BODY REPORTS

ADJOURNMENT