

REORGANIZATION MINUTES  
January 6, 2015

The Reorganization Meeting of the Borough of Island Heights was called to order by Mayor Silver at 7PM at the Island Heights Borough Hall, 1 Wanamaker Municipal Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the meeting was advertised in the Asbury Park Press on December 20, 2014. Notice was also posted on the bulletin board in the Municipal Building.

The Oath of Office was administered by Attorney McGill on January 6, 2015:

Mayor  
(4 year term)  
Jeffrey Silver

Council Persons  
(3 year term)  
John Bendel  
Sean Asay

Pledge to the flag and a moment of silent prayer.

Mayor Silver appointed Susan Thompson to Council Vacancy for which the term expires 12/31/15. Motion to appoint Ms. Thompson was made by Mayor Silver second by Mr. Berglund.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Mayor Silver	Yes

Attorney McGill swore in Ms. Thompson as Councilmember.

Mayor Silver asked for nominations for Council President.

Nomination of Council President was made by Mr. Bendel second by Ms. Thompson to nominate Mr. Asay.

Motion to nominate Mr. Bendel as Council President was made by Mr. Pillion. Mr. Bendel respectfully declined.

Mayor Silver asked for a motion to close the nominations. Motion was made by Mr. Pillion second by Mr. Bendel. Unanimous Voice Vote.

February 1, 2015. Mr. Palazzo will assist in the transition up to February 1<sup>st</sup>, 2015. On behalf of the Borough we wish him well. Record will reflect that Mr. Silver gave the Clerk the CFO's letter of resignation.

Mayor Biggs: Mr. Palazzo made the office of the CFO accessible. Even with our differences, I've had a good time working with the various Council Members during my term in office. It has been a pleasure working with everyone. I also want to thank Ellie Rogalski, our Municipal Clerk, for her cooperation and work as Clerk. I appreciate this town.

PRIVILEGE OF THE FLOOR:

Extended to the following:

Mr. Lenox: Congratulated Mayor Biggs on his retirement.

Adopt Resolution 2014 -- 79, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION.

Motion by Mr. Silver second Mr. Berglund.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Meeting was reconvened on a motion by Mr. Asay second by Mr. Silver, unanimous voice vote.

Motion to adjourn the meeting made by Mr. Bendel second Mr. Silver, unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC

Roll Call Vote on Council President Nomination of Mr. Asay:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mayor Silver presented the following appointments to serve at the pleasure of the governing body:

Municipal Attorney	Pringle, Quinn & Anzano
Municipal Auditor	Homan, Frenia, Allison, PC
Municipal Fee Accountant	William E. Antonides & Co
Municipal Special Attorney	Steve Zabarsky, Esquire
Municipal Engineer	O'Donnell, Stanton & Associates
Municipal Bond Counsel	Jan Wouters, Esquire
Special Attorney Tax Appeals	Christopher Connors, Esquire
Planning Board Attorney	Brady & Kunz
Municipal Prosecutor	Elizabeth Leahey, Esquire
Municipal Prosecutor (Alt. 1)	Garret Joest, Esquire
Municipal Prosecutor (Alt. 2)	(To Be Determined) Required by law
Public Defender	Brian Rumpf, Esquire
Municipal Court Administrator	Elizabeth Boettger
Deputy Court Administrator	Michelle Sargent
Alternate Deputy Court Administrator	Barbara McAteer
Deputy Municipal Finance Officer	April D. Elley
Payroll Clerk	Margaret Newnom-Purdie
Clerk of Public Works	Wendy Prior
Assessment Search Officer	Ellie Rogalski
Affirmative Action Officer/Purchasing Agent/Project Manager/Newsletter Editor	April D. Elley
Construction Official Class I/Building Sub Code Official Class I/Building Inspector Class I	Ken Anderson
Certified Recycling Professional	Oscar Cradle, CPR
Emergency Management Coordinator	Douglas Platt
Fire Sub Code Official (3 year term)	William Richert

Motion to approve the appointments presented by Mayor Silver was made by Mr. Bendel second by Mr. Pillion.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mayor Silver presented the following appointments:

Capital Committee

(1 year term)

Mayor Silver

Finance Committee

Mayor Silver

Trustees of the Library

(1 year term)

Joyce Kaizar

Sharon Lee

Ellen Columbus

Claire Kalli

James Muller

Jill Gallina

Pat Fusaro

Lynn Lenox

Marilyn Connors

Sally Gauntt

Betsy Hyle

Property Maintenance Code Appeals Board

Joe Burt

Frank Randazzo

Andy Parks

Jim Lenox – Alternate

Robert Wilber - Alternate

Planning Board

Class I – 4 Year Term

Richard Morrison

Class II – 3 Year Term

Elizabeth Leahey

Class IV – 4 Year Term

Stu Challoner

Bob Snedden

George Kotzas

Recreation Committee

Alan Fumo  
Robert Crutchley  
Gina Vasel  
Paul Smutz  
Eric Bornebusch

Environmental Committee

George Kotzas, Vice Chair  
Margaret Laratta  
Pat Sherwin  
Marsha Cudworth  
Mary Judge  
Tara Church

The following resolutions 2015 -01 through 2015 - 2009 were acted on as a consent agenda.

1. Resolution 2015-01 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX LIEN SALE.
2. Resolution 2015-02 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, SETTING THE INTEREST RATE CHARGED ON DELINQUENT WATER & SEWER.
3. Resolution 2015-03 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO SET THE INTEREST RATE CHARGED ON DELINQUENT TAXES PURSUANT TO N.J.S.A. 54A: 4-67.
4. Resolution 2015-04 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING SIGNATURES OF BOROUGH CHECKS PURSUANT TO N.J.S.A. 40A:5-16.
5. Resolution 2015-05 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THAT ALL FULL TIME AND PART TIME EMPLOYEES OF THE BOROUGH BE PAID EVERY TWO (2) WEEKS.
6. Resolution 2015-06 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING THE OFFICIAL PUBLICATION(S).

7. Resolution 2015-07 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE ALL GRANT APPLICATIONS ON BEHALF OF THE BOROUGH.
8. Resolution 2015-08 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, DESIGNATING THE VARIOUS PROFESSIONALS PURSUANT TO N.J.S.A. 40A:11-1 et seq.
9. Resolution 2015-09 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING THE CASH MANAGEMENT PLAN FOR THE CALENDAR YEAR OF 2015.

Mr. Bendel stated that he would like to have the Resolution that was passed a few years ago that criticized the State of New Jersey for forcing municipalities to advertise in newspapers.

Motion to approve Resolutions 2015-01 through 2015-09 was made by Mr. Bendel second by Mr. Pillion.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to adjourn the Reorganization Meeting at 7:15PM was made by Mr. Bendel second by Ms. Thompson.

Unanimous Voice Vote.

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Respectfully Submitted by Wendy J. Prior

Regular Meeting  
Minutes

January 6, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order 7:15PM, the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board in the municipal building.

Roll Call:

Councilmember Asay	Present	Councilmember Pillion	Present
Councilmember Bendel	Present	Councilmember Snow	Absent
Councilmember Berglund	Present	Councilmember Thompson	Present
		Mayor Silver	Present
		Attorney George McGill	Present
		Attorney Paul Anzano	Present

Motion to adopt Resolution 2015- 10 entitled Resolution of the Borough of Island Heights, County of Ocean, State of New Jersey allowing for Temporary Appropriations prior to the final adoption of the 2015 Municipal Budget was made by Mr. Asay second by Mr. Berglund.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mr. Palazzo explained the purpose of this Resolution is to allow the Borough to function until the budget is adopted.

Motion to adopt Resolution 2015 – 11 entitled Resolution of the Borough of Island Heights, County of Ocean, State of New Jersey authorizing the execution of a Schedule “C” Agreement with the County of Ocean for 2015 was made by Mr. Berglund second by Mr. Asay.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mayor Silver explained that this agreement is for obtaining materials, sewer services and plowing of roads.

Motion to approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget was made by Mr. Asay second by Mr. Berglund.

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mayor Silver stated that the purchase order request for R & R Radar will be held since there are questions regarding this purchase.

Requesting Dept: Police  
Vendor: R & R Radar  
Item/Service: 2 Radar Units

Total: \$3,050.00

Motion to approve the following purchase order was made by Mr. Asay second by Mr. Pillion.

Requesting Dept: Police  
Vendor: Midas Auto Service  
Item/Service: Repairs to Ford F150

Total: \$1,192.97

Roll Call Vote:

Councilmember Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Absent
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

NEW BUSINESS:

Mr. Asay asked if the Borough had a supply of salt due to the weather upon us. Mayor Silver said that is part of the Schedule "C" agreement we have with the County.

OLD BUSINESS:

Mr. Berglund stated that the work was completed on the Bluff Stabilization that was necessary to meet the DEP requirements. The plantings were done by end of year and look nice on the lower side. In the spring we will work on the upper side to make that more aesthetically pleasing. We met the time requirements of the DEP and they have been notified along with being sent pictures of the work.

COMMITTEE REPORTS:

Mr. Asay wanted to thank Officer Geoghan, Island Heights First Aid and Island Heights Volunteer Fire Co. for the excellent job that was done by all on Christmas Day responding to a call at the pavilion for a disturbed individual. He commended them for their time and efforts.



Mr. Pillion stated that the Environmental Committee has a copper sculpture for the Bioswale which was done by a local artist and that it will be installed in the spring.

Ms. Thompson stated that she is happy to be a part of the council.

PRIVILEGE OF THE FLOOR:

Mr. Platt stated that he has had an item placed on the website and will be hanging posters for an Open House at the Ocean County Complex, Building 5 – Cafeteria at 129 Hooper Ave. on February 25, 2015 4pm to 8pm for “Know Your Flood Risk: New FEMA Flood Maps for Ocean County to Review.” Residents can attend and ask questions.

Mayor Silver closed the privilege of the floor.

Motion to adjourn the regular meeting at 7:30PM was made by Mr. Bendel second by Mr. Asay. Unanimous Voice Vote.

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Respectfully Submitted by Wendy J. Prior

NEW BUSINESS:

Approve the minutes from the following meetings: January 20, 2015.

Motion by Mr. Berglund second Ms. Snow.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Abstain		

Accept with regrets the resignation of Richard Morrison from the Planning Board as the Mayor's representative.

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve request(s) for use of the Pavilion:

Applicant:	Monica Napolitano
Date of Event:	August 29 <sup>th</sup> , 2015
Hours of Event:	1:00 PM – 4:00 PM
Cert. of Ins.	Provided

Motion by Mr. Berglund second Mr. Pillion.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Applicant:	Kristen DeGregorio
Date of Event:	October 31 <sup>st</sup> , 2015
Hours of Event:	4:00 PM – 6:00PM
Cert. of Ins.	Provided

Motion by Ms. Snow second Mr. Pillion.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve request from Ocean County Artists' Guild to utilize the portion of Chestnut Avenue directly in front of the Guild for an Outdoor Art Show on Sunday, June 7<sup>th</sup>, 2015 from 10:00 AM to 4:00 PM with the street to be blocked off from 8:30 AM to 5:00 PM.

Motion by Mr. Berglund second Mr. Pillion.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Abstain	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Proposal to create a plan to upgrade our current sewer and water utilities in a systematic approach while keeping the costs under control. A lengthy discussion was held about the condition of the Island Heights Sewer and Water systems. Review of the results found in the O'Donnell, Stanton and Associates study of sewer infiltration. (req. by Mr. Berglund) Mr. Berglund discussed the proposed 5 year plan in detail. The 5 year plan will be brought to the

annual scheduled meeting with Ocean County Engineering in order to coordinate the proposed projects with the plan that the County has for the paving of the County roads.

Approve request from the Marine Science Camp to hold their camp at Summit Ave. Beach on the week of August 3, 2015 to August 7, 2015. Camp would be Monday – Friday 9:00 am to 2:00 pm.

Motion by Ms. Snow second Mr. Berglund.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

OLD BUSINESS:

COMMITTEE REPORTS:

Mr. Berglund – Announced that the Safe Routes to Schools Grant application was approved by the State.

Ms. Snow – reported that she is scheduled to go to a meeting of the Island Heights PTO on February 19<sup>th</sup>, the PTO needs to get programs in place that will work with the Safe Routes to Schools Grant. The Environmental Committee is working with the school to work on the details to hold a program at the school for Earth Day and Arbor Day on April 24<sup>th</sup> and 25<sup>th</sup>. Ms. Snow will be attending the Environmental Committee meeting on February 18<sup>th</sup> to get more details about this event.

Mr. Pillion – No report

Mr. Bendel – No report

Mr. Asay – Absent

Ms. Thompson - Absent

PRIVILEGE OF THE FLOOR:

Extended to the following:

Mr. Beck – Submitted a letter to the governing body which included pictures of property located across the street from his residence, he has made numerous complaints regarding the condition of this property. The property is littered with debris and numerous inoperable vehicles. A lengthy discussion was held regarding property maintenance codes and the Borough Ordinance re: uninsured vehicles.

Doug Platt – asked if there was now a time frame for items to be submitted for placement on the agenda?

Mr. McBurnie – How can the Code Officer issue a summons if the ordinance is invalid? He also mentioned that there is a Keily Construction truck parked on the street outside of his residence, which is in violation of borough ordinance.

Ms. Pendleton – who was in attendance on behalf of Eve Allison who owns 236 Ocean Ave. She and Ms. Allison are in the process of turning property at 236 Ocean Ave. a Bed and Breakfast. Ms. Allison was upset about the phone call she received from Mr. Bendel regarding the utilization of the property for commercial purposes. Ms. Allison wants to open a Bed and Breakfast, not a commercial enterprise. There were vague comments in the Borough Newsletter of October 28, 2014 about the property being used as a commercial property. Ms. Allison and I received many calls from people that were unclear as to the difference between a commercial use and a Bed and Breakfast as a result of those comments. When we find out when the approval has been given for the property to be a Bed and Breakfast, can a retraction be printed?

Adopt Resolution 2015 – 18, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The purpose will be to discuss certain contracts. There will be no formal action as a result of this session  
Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

MEETING RECONVENED:

Motion by Mr. Bendel second Mr. Berglund unanimous voice vote.

ADJOURN:

Motion by Mr. Bendel second Mr. Berglund unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC

Regular Meeting  
Minutes

January 20, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of  
silence.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.*	Borough Attorney	George McGill, Esq.

\*Absent

Adopt Resolution 2015 – 13 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH ASSESSOR/BOROUGH ATTORNEY TO ACT AS AGENT/AGENTS IN FILING PETITIONS OF APPEAL

Motion by Mr. Asay second Mr. Bendel.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Adopt Resolution 2015 – 14 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING THE REPRESENTATIVES FOR THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT.

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Approve the Professional Service proposal from PM Consultants, LLC to provide financial consulting services. The hourly charge for services rendered will be \$125.00 per hour for individuals with the credential of Certified Municipal Finance Officer. Effective February 1, 2015 to December 31, 2015. Mr. McGill advised the Mayor and Council that the law and borough ordinance is specific in who may be appointed as CFO; both refer to the appointee as a person not persons.

Motion by Mr. Bendel second Mr. Berglund to table this matter and that it be discussed in executive session.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes

Mr. Pillion      Absent

O'Donnell, Stanton & Associates re: Approve the award of contract re: Simpson Avenue Road Improvements to Earle Asphalt Co, in the amount of \$125,213.13 pending review of the bid documents by the Borough Attorney, concurrence with the NJDOT and availability of funds.  
Adopt Resolution 2015 – 16 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARING A CONTRACT FOR THE SIMPSON AVENUE ROAD IMPROVEMENTS TO EARLE ASPHALT.

Motion by Mr. Berglund second Ms. Thompson.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget as presented.

Motion by Mr. Asay second Ms. Snow.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

The following will be acted on as a consent agenda:

Approve the following purchase orders:

Requesting Dept:	Computer
Vendor:	CSI
Item/Service:	3 Quarterly Computer Contract Services for Police Dept., Public Works and Boro Hall
Total:	\$3,600.00

Requesting Dept:	Water/Sewer
Vendor:	G.P. Jager & Associates
Item/Service:	24 P/N 71629 Arch Chemicals Constant Chlor Briquettes, 50 lbs.
Total:	\$2,857.44

Motion by Mr. Bendel second Mr. Asay.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

NEW BUSINESS:

Approve the minutes from the following meetings: December 16<sup>th</sup>, 2014, January 6<sup>th</sup> Reorganization and January 6<sup>th</sup>, 2015.

Motion by Ms. Asay second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes*
Mr. Bendel	Yes	Ms. Thompson	Yes**
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

\*Abstains on Jan 6<sup>th</sup> both meetings

\*\*Abstains on Dec. 16<sup>th</sup>, meeting

Approve membership to the Island Heights Fire Co. #1 for the following: Kyle Donnelly

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

OLD BUSINESS:

Mayor Silver asked the Council Members for any old business:

Ms. Thompson – none

Ms. Snow – none

Mr. Bendel – none

Mr. Berglund – none

Mr. Asay asked the status of the study approved re: Sanitary Sewer System Infiltration, Mr.

O'Donnell stated that the report should be presented to the borough within the week.

COMMITTEE REPORTS:

Mr. Bendel: I have no report except to note a liaison change. I'm no longer for the Environmental Commission, that's now Ms. Snow. I'm now on the Newsletter.

Mr. Berglund: My responsibility with Public Works is very interesting. I'm learning the broader scope that our guys are actually working on and it's new to me. I'm going to have to figure out some way that we can get the word out to the public so they can see all of the things that these guys do.

Mr. Asay: No report.

Mr. Pillion: Absent

Ms. Snow: I followed up on the Safe Routes to Schools Grant that Mr. Berglund was working very hard on. I've reached out to the PTO and requested time with them to sit down and perhaps discuss the ways that we can set up the program that we need to institute in order to meet the requirements of the grant. I was unable to attend this month's PTO meeting due to a scheduling conflict, but I sent them an e-mail and am hoping to hear back from them soon.

Ms. Thompson: I've only been in this chair for a short time. I have been meeting with some of the staff here in the Borough offices to learn some of what they do, how they do it and how I can help them. I would like to thank Ellie and Wendy for their time and their openness in sharing how they work. I will continue to work and my goal is to bring information forward to the public and to the Council. Maybe we could provide a link to the NJ State League of Municipalities website on the Borough's website?

Mayor Silver: I attended the O.C. Mayor's Association meeting this morning. William Dressel, the Executive Director of the NJ State League of Municipalities, was a guest speaker. He is going to be retiring from his position at the League. He also talked about blue-ribbon committees that are going to look into the State pension system and the Transportation Fund. Mr. Petracco spoke about the scholarships that are available to students from the Mayor's Association ranging from \$500.00 to \$1,000.00. Interested individuals can go to [ocmayors.com](http://ocmayors.com) to get the applications and requirements for the scholarships. It was an interesting experience. There were present mayors, past mayors, some administrators and representatives from some businesses present.

I would like to recognize Mike Frankovich, Boy Scout Den Leader Todd Adams and the four (4) scouts that are present in the audience tonight. They have been learning about how government works. I met with them last Monday and briefly explained how everything works with all of the departments and now they're here to see it from another perspective.

PRIVILEGE OF THE FLOOR:

There was no public participation.

Adopt Resolution 2015 – 14, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The purpose of which will be the following: Contracts. Action may be taken as a result of this session.

Motion by Mr. Asay second Ms. Thompson.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Meeting reconvened on a motion made by Ms. Snow second by Mr. Asay unanimous voice vote.

Motion to adjourn the meeting made by Mr. Bendel second by Mr. Berglund, unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC



Executive Session

January 20, 2015

The following people were present in Executive Session.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.*	Borough	George McGill, Esq.

\*Absent

A lengthy discussion was held regarding the appointment of a new Chief Financial Officer for the Borough. Some of the items discussed were as follows:

- a) The CFO cannot be a firm, must be an individual.
- b) Hourly or Annual Salary for the new CFO.
- c) Where the position was advertised.
- d) The statutes and ordinances pertaining to the position of CFO.
- e) Contacting two (2) of the applicants for the position and negotiate with them.
- f) Having the current CFO stay until a new CFO is appointed.
- g) The current CFO's salary during the search for a new CFO.
- h) Whether the current CFO's resignation was accepted by the Governing Body.

A discussion was held regarding a request from Joe Pace, a former Borough employee who was a member of the CWA. He was an employee in January and February of last year while contract negotiations were held and is entitled to compensation for the increase in salary from the contract for that time. The payroll clerk is working on it.

A discussion was held regarding the PBA contract negotiations, two (2) officers being out on leave and the Lieutenant's contract.

CLOSE EXECUTIVE SESSION:

Motion by Mr. Asay second by Mr. Bendel. Unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC

Executive Session

February 10, 2015

The following people were present in Executive Session.

Roll Call:

Council President	Sean Asay*	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson*
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

\*Absent

A discussion was held regarding about a proposal from the Mayor to hire Joseph Coco as the Code Enforcement Official on an "as needed" basis and have Ken Anderson as the Zoning Official.

A discussion was held regarding correspondence from the CFO that was received by the Mayor regarding the 2015 Municipal Budget.

A discussion was held regarding raising the water/sewer rate.

A discussion was held regarding the site of the old String Band building and the interest of the Methodist Church in the site.

A discussion was held regarding Lt. Arnold's contract.

A discussion was held regarding correspondence received regarding starting the negotiations for the PBA contract.

A discussion was held regarding the differences between having a Police Chief, an Officer-In-Charge and a Public Safety Director.

CLOSE EXECUTIVE SESSION:

A motion was made by Mr. Bendel second by Mr. Berglund to close Executive Session.  
Unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/CMC

Regular Meeting  
Minutes

February 10, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President	Sean Asay*	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson*
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

\*Absent

Adopt Resolution 2015 – 17 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ISLAND HEIGHTS AND THE OFFICE OF THE OCEAN COUNTY PROSECUTOR FOR POLICE SERVICES-FOR THE PROSECUTOR'S PROGRAM 2015, FORMELY KNOWN AS THE FATAL ACCIDENT SUPPORT TEAM (F.A.S.T.)

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget as amended.

Motion by Mr. Berglund second Mr. Pillion.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve the following purchase order(s):

Requesting Dept:	Police
Vendor:	ACISS Systems, Inc.
Item/Service:	Software Supports & Upgrade Services 1/1/15-12/31/15
Total:	\$3,627.00

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Absent	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Absent
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Executive Session

February 24, 2015

The following people were present in Executive Session.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

A discussion was held regarding the hiring of a Code Enforcement Official to handle the property maintenance issues in town and having Ken Anderson handle the Zoning issues in town, especially building permits.

A discussion was held regarding entering into a Shared Services Agreement with the Township of Toms River for CFO services. The agreement would be a one-year agreement that could be terminated at any time if a new CFO is hired.

A discussion was held regarding the sale of one of the Borough's Bond Anticipation Notes that has come due.

A discussion was held regarding having a property revaluation.

CLOSE EXECUTIVE SESSION:

A motion was made by Mr. Bendel second by Mr. Asay to close Executive Session. Unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/CMC

Regular Meeting  
Minutes

February 24, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

Adopt Resolution 2015-19 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SUBMISSION OF A TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION.

Motion by Mr. Asay second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Adopt Resolution 2015-20 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR THE SIDEWALK HANDICAPPED ACCESS IMPROVEMENTS TO JAK CONSTRUCTIN CORP. T/A DIAMOND CONSTRUCTION.

Motion by Mr. Asay second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Adopt Resolution 2015-22 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO CREATE A COMPREHENSIVE 5-YEAR PLAN FOR THE BOROUGH'S INFRASTRUCTURE.

Motion by Mr. Bendel second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget as presented.

Motion by Mr. Asay second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

The following will be acted on as a consent agenda.

Approve the following purchase order(s):

Requesting Dept:	Police
Vendor:	GTBM Inc.
Item/Service:	Info-Cop Annual Renewal Starts 2/2015
Total:	<b>\$1050.00</b>

Requesting Dept:	Police
Vendor:	The Rodgers Group, LLC
Item/Service:	Online Training Module for Directive Management System 6 Full Time Personnel/3Part Time Personnel
Total:	<b>\$1,452.00</b>

Motion by Mr. Asay second Ms. Thompson.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

**NEW BUSINESS:**

Approve membership in the Island Heights Vol. Fire Co. #1 for the following: Sean M. Kumpf.

Motion by Mr. Asay second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve Special Events Application for the following:

Applicant:	Kiwanis Club of Toms River River to Bay 5 K Race
Date of Event:	May 07 <sup>th</sup> , 2015
Cert. of Ins:	Provided

Motion by Mr. Berglund second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

The following items will be acted on as an agenda item.

Approve the following Application for a Social Affair (ABC):

Applicant: Island Heights Vol. Fire Co. No. #1 Summerbrew  
Date of Event: June 27th, 2015  
Hours of Event: 5:00 PM – 11:00 PM

Motion by Mr. Pillion second Mr. Asay.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Applicant: Shore Acres Yacht Club  
Date of Event: April 26<sup>st</sup>, 2015  
Hours of Event: 4:00 PM – 6:30PM

After a lengthy discussion regarding the location of the event, members of the organization will be asked to attend the next meeting of the governing body which is scheduled for March 10<sup>th</sup> the following action was taken on a motion to table this application.

Motion by Mr. Asay second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve the minutes from the following meetings: February 10<sup>th</sup>, 2015

Motion by Mr. Bendel second Ms. Snow.

Mr. Asay	Abstain	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Abstain
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

#### OLD BUSINESS:

Rotary Club of Toms River re: Sailfest 2015 approve the following request:

Approve the Date: Sept. 12, 2015; the closing of Central Avenue Dock and the upper level of the Central Avenue Pavilion and that a curfew of 8:00 pm for people under the age of 18 is put in place.

Motion by Mr. Asay second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

#### COMMITTEE REPORTS:

Mr. Bendel: Ms. Hyle asked that we set the dates for the two (2) Townwide Yard Sales. The two dates, with rain dates, are June 20, 2015 (Rain Date: June 27, 2015) and September 26, 2015 (Rain Date: October 3, 2015).

Mr. Berglund: Provided a three (3) page document to the Council Members that outlines projects for the proposed 5-Year Plan maintenance plan he asked that the council review the list. Upon the review a determination can be made as to doing certain projects in house and those that will need to be done by contractors. Once this is established cost estimates will be obtained for each item. The plan will be reviewed on an annual basis.

Mr. Asay: No report.

Mr. Pillion: reported that he attended the Emergency Management Meeting with representatives from Emergency Management, Police, Fire, First Aid and Public Works to go over emergency plans.

Ms. Snow: I have meetings rescheduled with the Island Heights PTO and Island Heights Superintendent to update them and get feedback on the Safe Routes to Schools Grant. I have been approached by some parents regarding the Partnership for Assessment of Readiness for College and Careers (PARCC) testing that will occur in March. The test is replacing the NJ ASK test and the HSPA test. There is controversy regarding the PARCC test. Parents are wondering how it will affect their children, especially if they opt out of the test, and how to opt out of the test. The Environmental Committee meeting for February 18<sup>th</sup> was cancelled due to lack of attendance, but I have kept in touch with the committee with regards to the Arbor Day/Earth Day events. They are still working on plans for the event.

Ms. Thompson: The Tax Collector prepares a report each month regarding Tax Collection and Fee Collection, which I will be sharing. For January 2015 we collected \$441,438.75, which is higher than the amount collected in January 2014. The Council Members have been invited to attend one of six dates in March for a "Public Official Risk Management" seminar. I will be attending the March 3<sup>rd</sup> seminar. I would encourage the Council to attend as the Borough could receive a \$250.00 credit on our MEL assessment for each member who attends the seminar. Our Financial Management program on the staff computers would allow us to do electronic invoicing and electronic approvals. This would cut down on the amount of paper used and the amount of time it takes for vouchers to be signed. We will be looking into utilizing this aspect of the program.

#### PRIVILEGE OF THE FLOOR:

Extended to the following:

Mr. McBurnie – Last meeting there was a discussion about the low-flow fire hydrants in town I question if the hydrant in front of my house was one of them. He also questioned when the hydrants were flushed. He also asked if there would be any going to be any public input with regard to the 5-Year Plan Infrastructure Improvements, and if there could be a location where the public could drop off suggestions. Mr. McBurnie stated that he has had a problem with the property located across the street from his residence he had been told that the property maintenance Ordinance may have to be amended in order to address the remediation of this property. The owner of the property in question just pays the fine and does nothing about cleaning up the property. What about using the BOCA code? Mr. Mc Burnie stated that he has read the ordinance and in his opinion the ordinances just need to be enforced. Mr. Anderson has issued summonses, it is my understanding that the borough has cleaned up other properties in the borough.

Mr. Kempton asked if this ordinance requires an amendment should not the Prosecutor be involved with the amendments. The owner of the property in question just pays the fine and does nothing about cleaning up the property. What about using the BOCA code? I have read the ordinances and the ordinance doesn't need amending, it needs enforcing. I'm trying to sell my house and have had to lower the price due to the condition of the property. Mr. Anderson knows the situation and has issued summonses. The Borough has an ordinance where they went in and cleaned up one of the problem properties.



Mr. Gabriel – I live across the street from another house that is an eyesore. Can my taxes be reassessed to a lower rate because of this house? Does the fine for the property management summons increase if they have multiple summonses? I see we have a new Borough Attorney. I submitted an OPRA request for the professional contracts and I checked the fee for the attorney. Are we paying more for the Borough Attorney? Mr. Berglund, is the First Aid building on your list? Is it a private building or a public building? You mentioned the end of the road where it is degrading badly as one of the projects on your list, did the Borough submit for FEMA aid to repair it?

Adopt Resolution 2015 – 21, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The purpose will be the discussion of contractual agreement; no action will be taken as a result of this session.

Motion by Mr. Asay second Ms. Snow.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to reconvene the meeting made by Mr. Asay second by Mr. Berglund, unanimous voice vote.

Motion to adjourn made by Mr. Bendel second Mr. Asay, unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC

Regular Meeting  
Minutes

March 10, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver at 7pm. The meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President Asay	Present	Councilmember Pillion	Present
Councilmember Bendel	Present	Councilmember Snow	Present
Councilmember Berglund	Present	Councilmember Thompson	Present
		Mayor Silver	Present
		Attorney McGill	Present

Motion to appoint John Bendel as Class III Planning Board Member effective 1/1/15 to 12/31/17 was made by Council President Asay second by Mr. Berglund.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Abstain	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget was made by Mr. Bendel second by Mr. Asay.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve request from Barnegat Bay Partnership for the 18<sup>th</sup> Annual Barnegat Bay Festival date of events is Sunday June 7, 2015; with June 3, 2015 and June 4, 2015 as set up days along with the Barnegat Bay Foundation Gala on June 5, 2015 was made by Ms.

Thompson second by Mr. Pillion.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Discussion was held on the Application for Social Affair Permit (ABC) from Shore Acres Yacht Club with a date of the event as April 26, 2015 4pm – 6:30pm with Pat Tomlinson and Tom Bundy, members of the yacht club. Concerns were raised with parking and if minors would be attending and mostly if the venue would be done with construction to have the event. Ms. Pendleton spoke and stated that the venue would not be done and would be glad to meet with the Shore Acres Yacht Club to view the construction. No action was taken on this matter.

Motion to approve Shared Service Agreement with Township of Toms River for Chief Financial Officer Position effective April 1, 2015 through December 31, 2015 with an amendment that a maximum of 15 hours per week prior to adoption of the budget and after adoption a maximum of 5 hours per week unless authorization from Mayor was made by Mr. Bendel second by Mr. Asay.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve the Use of Pavilion application for Kelly Mercurio for a wedding on Sept. 26, 2015, 3pm-5pm which included a certificate of insurance was made by Mr. Asay second by Mr. Berglund.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve the minutes from February 24, 2015 was made by Mr. Bendel second by Ms. Snow.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Ms. Thompson reviewed the monthly report provided by the Tax Collector for revenue received during the month of February. Ms. Thompson also stated that she is working with staff and speaking to Council on ways to improve efficiency for the Borough such as bringing in more automated systems for the staff. This will help with efficiency, manage workload and track information more efficiently especially where it comes to purchasing.

Ms. Snow stated that she is continuing to work with the Environmental Committee to set up an event for Earth Day/Arbor Day. The last Environmental Committee meeting was canceled and the next one is scheduled for next week so hopefully we can shore up details of the event at that time.

Mr. Pillion reminded everyone that Councilmember Thompson re-circulated the email for the course that we can take for the Ocean County Joint Insurance Fund Risk Management Seminar. We now can get the \$250 credit per person if we take it

online or in person. Mr. Pillion signed up for the March 18<sup>th</sup> in person class in Brick at their town hall in the evening. It is convenient to take it online in order to earn the Borough the \$250 credit.

Mr. Pillion also stated that we need to start thinking about the fees for the solicitors that we get in the summer. In talking to the Mayor I know we are losing revenue for the cell towers. Cell phone antenna's on the new water tower and with consolidation in the industry and new technology has changed and we are losing a lot of revenue in excess of \$50,000. Because some of these cell companies are no longer putting their antenna's up on our water tower. The fees that we charge these ice cream trucks that come through town is like \$10 a year. These trucks are taking business away from a fixed business on Central Ave., the Corner Deli, he pays taxes here and I think we should be encouraging use to his premises and if they still want to buy from the mobile vendors that drive down the streets mainly along the boardwalk, we should be getting more than \$10. I think it is way outdated and we should start thinking about that.

Mr. Bendel reported on an incident over the weekend with an injured and sick raccoon that was wandering through the western part of town. In spite of the Police Department's help in trying to deal with it we were not able to get A-Academy the company we deal with to take the raccoon. That is despite the fact that one of our residents that was involved is a veterinarian and said the animal was very sick and should not be wandering around the neighborhood and should be euthanized. They refused two more calls to come out and take care of it. We have two issues here one of which is we need a new animal control company to deal with and he understands that there is a company more local in Toms River. Mr. Bendel stated that if anyone has any ideas to please let him know. We can deal with someone else on a case by case basis without a contract. Mr. Bendel stated that his understanding of the rules for animal control within the Borough is that if we are talking about wild indigenous animals in people's yards that is not the Borough's responsibility it is the responsibility of the homeowner. On the other hand what animal control is responsible for is domestic pets or domestic stray animals and that is essentially all. What we have here in this particular instance we got involved mainly because that veterinarian called and it turned into an incident. We had other calls from people in the neighborhood and we had a seriously ill animal. Mr. Bendel said he does not know how the Borough can pass off something like that to the homeowner when you have so many homeowners involved and an animal that could be dangerous. Mr. Asay stated that he had a question about animal control tonight and he was advised that our contract with that company is only for domestic animals. Mr. Asay said that maybe it was not their failure to perform it may be the fact that they are not contracted for that service. It sounds like if there was a contract that it handled only domestic animals. Mr. Bendel said there is no contract and they have handled those things in the past and where I got involved with them is with a cat that was living under a rental house that the renters quite logically called the Borough and asked to please help get rid of this cat. Then the renters began calling A-Academy directly and they kept responding and the Borough got a bill for a lot of money so he contacted A-Academy owner and got that under control. Mr. Bendel stated that he wasn't comfortable with A-Academy then and that he is not comfortable with them now. Further discussion held on how to obtain new options from other municipalities and to keep it under control by going through the police department

such as it has been.

Mr. Berglund reported that the County is putting together a six year plan and they asked for input from the various governing bodies within the County. They offered each municipality to come and list the things we saw as needs that the County should be doing for us. We took a list of about a half dozen items that we got principally from the Public Works Department. For instance water backs up from a heavy rain, where it should be flowing from Orchard to this side of Maple and then across West End and then out to the river. De-snagging the flow channel should decrease flooding we are getting in town. For the County roads in town we suggested that they look at Ocean, from River to Central and to see if that would be in their program for resurfacing. There was no commitment, since this is going into their planning and like our five year plan it is budget constrained.

Mr. Berglund also stated that there is a program from NJ Tree Recovery Campaign Partners because so many trees were lost in the State due to Hurricane Sandy. This group of forestry people, nursery people, Soil Conservation districts, Sustainable NJ, Arbor Day Foundation, and commercial sponsors such as Brothers International, BJ's Wholesale, Wyndham Vacation Resorts and FedEx are making available free trees available to the town. They will give each homeowner 5 trees, a bundle of tree seedlings, bare root, 2'-4' high, that are available free of charge. There is no cost on our part but it sounded like something that would fit in nicely with Earth Day/Arbor Day activity. It may be something that fits under the Environmental Committee. Mary Judge said that this is fine and would help them come up with match for our Community Forestry Plan; every hour spent on a project like this can be counted and charged at \$22 per hour towards our required match. Lynn Pendleton asked how the Mayor and Council will be getting the word out about how to get the trees. Mayor Silver said it could go in the newsletter. Mr. Berglund said that the ordering deadline is March 13 so it needs to go faster than that. Discussion was held on how to distribute the word. Mary Judge asked if we can use the Reverse 911 to notify people of the town about events such as this. Mayor Silver said that he would need to reach out to Doug Platt about this. Maria Sessa from JCP&L said that when people are planting they should be mindful of power lines and certain distances from the power lines. Mr. Berglund said that part of the responsibility of the Environmental Committee is to provide planting guidance. Signs will be posted in the Post Office, Library and Municipal Offices with instructions to call or come into Borough Hall to sign up.

Mr. Berglund stated that they have updated the 5 year infrastructure plan and on March 24<sup>th</sup> is deadline to get any comments back to him. The comments that he has received up to date besides typo's is that now you can see the years for each one of the boxes, items that were scratched off have now been lined through. An example is third sheet, the water distribution system we have now added an X for the upgrade to the water distribution system for the 2015 repaving project. Mr. Berglund hand wrote the number in that we are estimating it will take \$30,000 to purchase piping materials. The list now includes shaded boxes which show which projects Public Works feels that they can handle themselves. Nothing is scheduled right now except the first one we see as most important is the Simpson Ave. one. Mayor Silver said that there is one error about shoring up East End Ave. and still have Adams listed and it should be Park. Mr. Berglund stated he will correct that.

Council President Asay mentioned that Metro PCS is terminating their lease with the Borough. Mr. Asay asked if they occupied the new water tower and Mayor Silver said yes. Mr. Asay asked if we knew the loss of revenue just for them. Mayor Silver said in the tens of thousands. Council President Asay also stated that he received a letter and spoke to Mr. Rominski, Superintendent of Ocean County Mosquito Commission about what is done in town to eliminate mosquitoes. Mr. Asay said the he was informed that they do come in town and spray for mosquito larvae especially in the swampy areas of town by setting traps and spraying. Mr. Asay said that Mr. Rominski's position is that most of the mosquitoes in your backyards are mosquitoes that are hatched there. That there are places with standing water and Mr. Rominski gave an example that if he placed a bottle cap of water outside that it would hatch mosquitoes because that is how much little standing water they need. Mr. Rominski is going to forward us some information on this that we can share with residents in the spring on how to keep the mosquito population under control. Mr. Asay said that Mr. Rominski even said they would come out and do inspections in resident's yard to try and help them get rid of breeding grounds. Mr. Asay said that Mr. Rominski stated that some towns such as Barnegat and Stafford do spray for adult mosquitoes in the residential areas. Mr. Rominski informed Mr. Asay that he does not recommend this unless it is absolutely necessary. Mr. Berglund stated that he has seen them spraying the standing water on Lake Ave. Betsy Hyle told Mr. Asay that as an FYI the Mosquito Commission will be at the Barnegat Bay Festival. Mr. Asay said Mr. Rominski was adamant that they are doing all they can and that there are over 40 variety of mosquitoes in New Jersey and that to try to control all of them is nearly impossible no matter what you spray. Mr. Asay said that back 40 years ago we did not have all these varieties of mosquitoes because they have been imported over the years via fruit and other things. Ms. Thompson asked if there was any habitat measure that we can undertake to encourage bird populations or bat populations that feed on mosquitoes. Further discussion on the types of birds, etc.

#### Privilege of the Floor:

Mary Judge of the Environmental Committee reported that she is not available on Saturday, April 25<sup>th</sup> for Earth Day due to work commitment therefore she is asking if they can have the Earth Day/Arbor Day Event at Borough Hall on April 18<sup>th</sup> or Sunday April 26<sup>th</sup> and needs a decision on this to start advertising for the event. Ms. Snow asked which is going to better and if you have more time to get the word out to the general population or is this something doable for the 18<sup>th</sup>. Ms. Judge said that it is doable for the 18<sup>th</sup> we generally do clean up and get a good solid 15 to 20 people out. She said that she and Ms. Hyle put on a bigger day extravaganza one time and it was very successful because it was a rainy day and the parents brought their children out for it. The next year they did another extravaganza and it was a sunny day and nobody really came. Mayor Silver asked if we usually provide you with the trash bags and gloves for this event. Ms. Judge said yes through the Clean Communities grant you do through arrangements with Public Works including them picking up the bags at designated sites throughout the Borough. Ms. Judge said that day would consist of distributing the trees and clean up and we can put out mosquito information as she already has Mr. Rominski's materials. Mayor Silver said that then the day would be April 18<sup>th</sup>? Ms. Judge said yes it would be since she feels that

no one would really come out on a Sunday. Ms. Snow asked her if she needs access to the building. Ms. Judge said yes she would. Ms. Snow said do you have any plans to set up any tables? Ms. Judge said that no but she does have a beautiful sign for the Bioswale that she needs Public Works to put up so she can have a big reveal on Earth Day. Ms. Judge said she also has the art piece for the Bioswale project to reveal and information on the Bioswale that she will discuss that day. Ms. Snow said would you require a brochure for the planting of the trees? Ms. Judge said she has a lot of that stuff at Barnegat Bay.

Ms. Judge stated that the Bioswale Final Report has been submitted and the final check for \$10,000 should have been received by the Borough. Mayor Silver said he will have to look into that with the CFO.

Ms. Judge said that our Community Forestry Plan was distributed to everybody and she received comments from Mr. Asay and she apologized for not getting back to him with specific answers. Ms. Judge did talk to the Community Forestry Group that drafted it and asked him Mr. Asay's questions. Ms. Judge will let know Mr. Asay the answers at another time. Ms. Judge asked if anyone had any questions and that they were expected to read it and sign off on it. Ms. Thompson said she did not receive a copy it and Ms. Judge took down her email address to forward to Ms. Thompson. Ms. Judge said that after she addresses the questions and in case of any changes she will redistribute it. Ms. Judge said then she will need the Mayor's signature so that she send it to Trenton, to the NJDEP for their approval of the plan. Mayor Silver asked if she could please send a copy to the attorney for whom Ms. Judge said she would and obtained the email address for Mr. McGill. Ms. Judge also requested that if they know of anyone who would like to volunteer for the Environmental Committee or the Green Team to please let her know. Ms. Thompson asked for a description of what is involved with the Green Team and Ms. Judge said she would email that to everyone. Ms. Snow asked Ms. Pendleton if she knew of anyone who would be interested and Ms. Pendleton said that she would ask around.

Maria Sessa from JCPL stated that on Wednesday March 25, 2015 at 5PM that an invitation will be sent to local governments that can be shared with emergency personnel in the town to tour the dispatch center in Red Bank to see what is done in storm events.

Betsy Hyle stated that the Ocean County Library system is celebrating its 90<sup>th</sup> Anniversary and on March 23, 2015 at 7:00 pm. Seven (7) of the previous librarians from the Island Heights Branch will be in attendance to mark the anniversary. She encourages those who have not been to the library in awhile to stop in and see all the changes and improvements to the facility.

Charles McBurnie – 36 Garden Ave. – stated that he was here previously and discussed the paving of Simpson Ave. which is to begin in April and the sleeving of the sewer but what happens if we cannot get the sewer done prior to paving. Mayor Silver replied that we have all intentions of taking care of our utilities prior to paving. Mr. McBurnie asked how they get the sleeves on and how do they run the lines to the homes after you sleeve a pipe and is it feasible to still do if we do not get this done prior to paving. Mr. Berglund said yes they have cut the holes for the

inlets but we don't know at this time the status of the sewer on Simpson Ave. and we will have it videoed before we start our excavation over there to know if there is anything we need to do. Mr. Berglund further stated that right now the work on Simpson Ave. that we know we are going to do is a full size main which is the same size that comes out of the tower to service the distribution of the east end of town.

Mr. McBurnie stated that in regards to the rabid raccoon that he does not feel these types of calls are a matter for the Police Department. Mayor Silver said that is why we changed it to strictly Domestic Animals. Mr. McBurnie feels the Police Department should only be involved when it is a matter of public safety.

Mr. McBurnie asked the status regarding the house on Garden Ave. and when will something be done. Mayor Silver responded that we are expediting the process as fast as we can. Mr. McBurnie asked who was responsible for the removal of the truck and Lt. Arnold stated that after the last Council Meeting his officers took care of the matter.

Terry Kempton - 76 River Ave. - asked in regards to dilapidated properties and people who are willing to pay the fines that maybe the fines are not high enough. Mayor Silver stated that all of this will be visited in the near future. Attorney McGill stated that the maximum fine is \$1,000 and everyday is another violation. Mr. Asay stated that when there is non-compliance you can keep citing them, that every day is a new violation. Attorney McGill explained that this is a Municipal Court Judge issue and the Council cannot instruct the Judge on how to impose fines. Further discussion was held on the issue of fines.

A discussion was held about unfinished building projects and how they are assessed for taxes and the Building Permit Extension Act.

Bob MacNeal - 237 Ocean Ave. - asked if the first item on the agenda to replace or in addition to the Construction Official. Mayor Silver stated that it was in addition to and that the Construction Official has had many hats to wear and will now strictly be building permits and new employee would handle Code Enforcement and Zoning.

Mr. MacNeal stated that he has read most the 5-year plan about the infrastructure. However in the past the town has had a Borough Administrator and that vacancy has never been filled. Mr. MacNeal said the role of Mayor and Council is a policy making body not as a line or directing employees, etc. Mr. MacNeal further stated that it seems we do not have someone who is in charge of all our departments and that the town needs someone the Council can hold responsible for things not getting done. Further discussion of the position of Borough Administrator was held. Mr. Asay stated that he does not feel the town has the money to pay a certified Administrator who pulls down a six figure salary nor does he feel there is enough work to support that position. Mr. Bendel feels with the new Mayor and the changes occurring that all we need is time and people will be able to see the differences. Ms. Thompson clarified that the five year plan is strictly the infrastructure not administration or a business plan for the town. Mr. MacNeal stated that maybe a five year business plan is something they should consider in the future.

Mayor Silver closed the public portion of the meeting.



Motion to adopt Resolution 2015 – 23, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION was made by Mr. Asay second by Mr. Bendel.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to adjourn the executive session was made by Mr. Asay second by Ms. Snow.  
Unanimous Voice Vote.

Motion to return to the regular portion of the meeting was made by Mr. Bendel second by Mr. Asay.

Unanimous Voice Vote.

Motion to appoint Joe Cocco as Part Time Code Enforcer not to exceed 20 hours per week @ \$12.50 per hour which includes use of his vehicle for a probationary period of 180 days was made by Mr. Asay second by Ms. Thompson.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Yes	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to adjourn the meeting at 9:30 pm was made by Mr. Bendel second by Mr. Asay.  
Unanimous Voice Vote.

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Respectfully Submitted by Wendy J. Prior

Executive Session

March 10, 2015

The following were present in Executive Session:

Council President Asay  
Councilmember Bendel  
Councilmember Berglund

Councilmember Pillion  
Councilmember Snow  
Councilmember Thompson  
Mayor Silver  
Attorney McGill

Attorney McGill reviewed and explained what a RICE notice is and that you cannot discuss job performance only duties and responsibilities of a position.

Discussion was held on what the new Code Enforcer responsibilities are and what the Construction Official will be responsible and paid for. The new Code Enforcer will be on call for us and work only on an as needed basis along with having hours on Monday Evenings. Mayor Silver will do preliminary findings after a review of the town and Ms. Thompson will work on the process of any findings and having completions take place quicker of issues.

Mayor Silver discussed the tearing down of the old standpipe water tower and that the Borough challenged the terms and calculations of the contractor. The contractor gave us new calculations on scrapping and tonnage. The Borough will not accept any fees for labor from the contractor. After verifying the steel scrapping dollar amounts we have agreed to pay \$14,000 which is much less than the \$25,000 the contractor was asking for. Discussion was held on this matter including if it would be cost effective to have Public Works handle the tearing down which was not agreed on due to the liability involved and cost of rental equipment, etc.

Motion to close the executive session was made by Mr. Asay second by Ms. Snow.  
Unanimous Voice Vote.

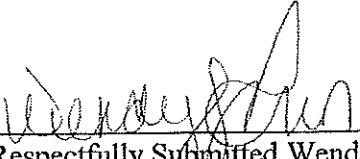
  
Respectfully Submitted by Wendy J. Prior

Executive Session  
March 24, 2015

Mayor Silver discussed the issues with the Water Tower demolishing and the contractor. Mayor Silver personally spoke to Caldwell Tanks project manager and there will be no hold up when we reach an agreement to have the old tank taken down. Once they are notified it may take about one week for the contractor to come in and start the demolition. Jack Behren's is preparing the change order that will be on the next agenda in the amount of \$20,725.44.

Further discussion was held on any legal actions that can be taken against previous engineer due to the design issues of the Water Treatment Plant.

Motion to close the executive session was made by Mr. Asay second by Ms. Thompson.  
Unanimous Voice Vote.

  
Respectfully Submitted Wendy J. Prior

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President Asay	Present	Councilmember Pillion	Present
Councilmember Bendel	Absent	Councilmember Snow	Present
Councilmember Berglund	Present	Councilmember Thompson	Present
		Mayor Silver	Present
		Attorney McGill	Present

Motion to approve Resolution 2015-24 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR AMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2015 MUNICIPAL BUDGET was made by Mr. Asay second by Mr. Berglund.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Attorney McGill stated that he has been in touch with the Administrator for the Township of Toms River regarding the amendment to the shared service agreement for Chief Financial Officer and was informed that they will be taking action on the amended agreement at their next meeting which will be held on April 14<sup>th</sup>, 2015. Attorney McGill further stated that he has a call in to them to see if in the meantime they can still start on April 1<sup>st</sup> but has not heard back.

Motion to approve the introduction and first reading of Ordinance 2015-01 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XVIII (STREETS AND SIDEWALKS) OF THE CODE OF THE BOROUGH TO REVISE THE SCHEDULE OF PERMIT FEES was made by Mr. Berglund second by Ms. Thompson.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve introduction and first reading of Ordinance 2015-02 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO CREATE A NEW CHAPTER XXXIII, TO BE ENTITLED "LANDLORD

RENTAL RESPONSIBILITY” was made by Mr. Asay second by Mr. Pillion.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve obligations chargeable to the 2014 operating budget and the 2015 temporary budget was made by Mr. Asay second by Mr. Berglund.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve Change Order #6 for TKT Construction Co., Inc. re: Water Storage Tank Replacement, which increases the amount of the contract in the amount of \$5,105.87 (increasing the total to \$19,542.55) for providing two (2) 6” diameter line stops was made by Mr. Berglund second by Mr. Asay.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	No
		Mayor Silver	Yes

Mayor Silver stated that no action will be taken on the Comcast Application for Municipal Consent until the letter is received from the State Of New Jersey.

Motion to approve the Town Wide Yard Sale Dates of June 20, 2015 with a rain date of June 27, 2015 and Sept. 26, 2015 with a rain date of Oct. 3, 2015 was made by Mr. Asay second by Ms. Snow.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve correction to Toms River Kiwanis Club 5K date of event from May 7, 2015 to May 2, 2015 was made by Mr. Berglund second by Mr. Asay.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve the use of Memorial Field for the following was made by Mr. Asay second by Mr. Pillion:

- a. Toms River Little League – Marauders – Thursdays from 4:30PM – 7PM, from March 26, 2015 through June 30, 2015 Cert. of Insurance Provided
- b. Toms River Little League – Giants – Tuesdays from 4:30PM – 7PM March 26, 2015 through June 30, 2015 Cert. of Insurance Provided
- c. Toms River Little League – Marlins – Wednesdays from 4pm – 7pm, from April 1, 2015 through July 1, 2015 – Cert. of Insurance Provided

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve request from the Open Door for permission to hold their Annual Walk along the River on Saturday, June 6, 2015, begins at 8:00 AM and finished by noon and a certificate of insurance has been provided was made by Mr. Berglund second by Mr. Pillion.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve request by the Island Heights Methodist Church to have Sunrise services at Camp Meeting on April 5, 2015 @ 7:30AM was made by Mr. Asay second by Mr. Pillion.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve purchase order request from Public Works to HD Supply in the amount of \$13,650.20 for water/sewer materials to be installed prior to paving of Simpson Avenue was made by Mr. Asay second by Ms. Thompson.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve minutes from the March 10, 2015 meeting was made by Mr. Asay second by Ms. Snow.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to approve use of Borough Meeting Hall by the Peto Studio Board of Directors for their meetings on Friday nights for the month of April and the first two Friday's in May was made by Ms. Thompson second by Ms. Snow.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Abstain
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Mr. Berglund stated that they had five people respond for the free trees from the NJ Tree Recovery Campaign by the deadline of March 13<sup>th</sup> and two others who came in late. Due to the overwhelming response throughout the state they are running out of trees. The NJ Tree Recovery Campaign is going to try to honor all requests.

Mr. Berglund reported that March 24<sup>th</sup> is the deadline to get comments back from Council on the five year plan. He has received some comments and has incorporated them into the plan. At this time Mr. Berglund would like to know if there are there any other comments or can we go with what we have. Mayor Silver asked if the plan includes the concrete steps that are falling apart going up to Camp Meeting grounds from the sidewalk. Mr. Berglund said he will include that. Ms. Snow stated that she only had one comment for this plan for the signage for Municipal Hall and needs to obtain information since this is a historical site if any permission is required. Further discussion was held regarding signs that had previously existed in the general area of the complex.

Mr. Asay received a letter from the Ocean County Mosquito Commission with an information sheet that he would like included with the next mailing of the newsletter. Mr. Asay also said that they are still researching the animal control issue and we are staying with who we have at the moment. We have received a lot of information from other towns on what they do for animal control. Mayor Silver said that our current animal control person is on an as needed basis right now. Mr. Asay stated that many of the towns pay by the month to various services whether they use them or not and there is no reason for us to get into it.

Mr. Pillion said that he would like to thank the Knox Family for their donation of time and landscape materials for the northwest corner of the boardwalk. The Knox's cleaned up and replanted shrubs and installed a soaker system that they provide the water for. Mr. Pillion would like to thank them for their donation to the town.

Ms. Snow reported that the Environmental Committee met on March 18<sup>th</sup> and they are planning to purchase a mature tree for the section of the Bioswale that has an issue with severe flooding. The Environmental Committee is also sponsoring an Earth Day Celebration on April 18<sup>th</sup> with a rain date of April 19<sup>th</sup>; 9am-12pm and a flyer will be posted at the usual locations. They are planning the big reveal of the Bioswale, tree planting, town wide clean up at various locations and distribution of the NJ Tree Recovery Campaign trees. The Committee will be also having an art installation on April 17<sup>th</sup> and Mr. Brodbeck will be providing the base for that installation.

Ms. Snow stated that she received a notice for anyone who is interested at Monmouth University on Monday, April 20<sup>th</sup> from 6PM-7:15PM at Wilson Hall Auditorium. They are hosting Dr. Douglas W. Tallamy, Professor and Chair of Entomology and Wildlife at the University of Delaware who will be speaking about bringing nature home and how to sustain wildlife and native plants. It is a free event.

Ms. Snow also said that she was approached by an individual concerned about construction and the issues of trees. Ms. Snow felt this should be an area for the new Code Enforcement Official.

Ms. Thompson stated Ms. April Elley looked into going more paperless and efficient and met with the Auditor and representative from the Division of Local Government Services and apparently there are no provisions for municipalities to be paperless.

Mr. Pillion said that he met Mr. Cocco the new Code Enforcement Officer who is equipped with all the necessary items and seemed very enthusiastic to serve the residents of Island Heights.

Mayor Silver stated that they are looking into new methods to bring in more revenue to the town and some suggestions were a farmer's market, and parking meters along the river. Discussion was held on other methods and the loss of revenue from antenna leases that were withdrawn with the building of the new water tower. Mayor Silver also said that this year they will have three volunteers for badge checking and will not be hiring a badge checker so that will save the Borough some funds.

#### PRIVILEGE OF THE FLOOR:

Fran Brady – 131 Central Ave. – wanted to thank the Council for the landlord ordinance which is a great step in the right direction. Mr. Brady also stated that another means of revenue could be LPR for the police cars. Further discussion on this was held with Lt. Arnold and Council.

Brian Gabriel – 185 Summit Ave. – stated that the town may want to contact the Prosecutor's Office in regards to funding possibilities for the LPR although it may take about a year to get. Mr. Gabriel asked about the procedure for agenda's and how the Mayor and Council go through the agenda and vote before the public has a chance to comment. He suggested to returning the agenda to the format where you do the motion and second; then have your privilege of the floor where the public can comment on the agenda items and then voting. Discussion was held on the format with Council. Mayor Silver said that he will follow up on this.

Mr. Gabriel asked if the new Code Enforcer received a code enforcement book and Mayor Silver replied yes.

Mr. Gabriel stated he was not in favor of parking meters on River Ave. because you would then have parking occurring all along the side streets and residents would not be happy with this.

Mr. Gabriel asked if the road work has been budgeted. Mayor Silver said yes annually we will be doing this.

Mr. Gabriel also brought up his concern with the use of Memorial Field and whether the teams have children of Island Heights on them. Further discussion was held on this matter.

Mr. Gabriel asked how much over budget the projects are for the Water Tower and Water Treatment Plant. Mayor Silver stated that we are approximately 21% over for the Water Treatment Plant and 10% for the Water Tower. Mr. Gabriel asked how this went unnoticed or unchecked by the designers of this project. Mayor Silver explained that it goes back to CMX and Birdsall where we have spent hundreds of thousands of dollars to them for design. Mr. Gabriel asked if there is any action for not designing this correctly. Further discussion was held on this matter. Mr. Gabriel stated that his concern is for the residents and the burden of paying for these errors.

Bob MacNeal – 237 Ocean Ave. – suggested that copies of items on the agenda be available like the agenda's so the public can see what Mayor and Council are discussing and voting on.



Mr. MacNeal also stated that he is in favor of changing the format of the meetings to what was suggested by Mr. Gabriel. Mr. MacNeal also asked when the Code Enforcer was hired. Mayor Silver stated at the last meeting after executive session.

Mr. MacNeal said he was glad that there was going to be a Public Hearing for the Comcast agreement and that Council should see if they can get more for their money such as a town cable channel. Erik Weber stated that Ocean Gate was able to obtain a channel from Comcast for the town.

Mayor Silver closed the privilege of the floor.

Motion to adopt Resolution 2015 – 25, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION for contractual reasons was made by Mr. Berglund second by Ms. Snow.

Roll Call:

Council President Asay	Yes	Councilmember Pillion	Yes
Councilmember Bendel	Absent	Councilmember Snow	Yes
Councilmember Berglund	Yes	Councilmember Thompson	Yes
		Mayor Silver	Yes

Motion to close the executive session was made by Mr. Asay second by Ms. Thompson.  
Unanimous Voice Vote.

Motion to return to the regular meeting was made by Mr. Asay second by Ms. Snow.  
Unanimous Voice Vote.

Motion to adjourn the meeting at 9:45PM was made by Mr. Asay second by Ms. Thompson.  
Unanimous Voice Vote.

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Respectfully Submitted by Wendy J. Prior

Executive Session

April 14, 2015

The following people were present in Executive Session.

Roll Call:

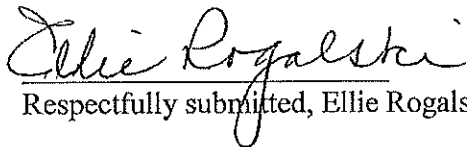
Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

A discussion was held regarding the changes made to the Shared Services Agreement between the Borough and Toms River Township for CFO services. The changes were made under fees that the Toms River personnel cannot work more than 15 hours per week prior to the adoption of the 2015 Municipal Budget of the Borough of Island Heights and not exceed 5 hours per week thereafter except as authorized by the Mayor of Island Heights.

Further discussion was held regarding the appointment of a CFO, whether a resolution is needed to formally appoint Ms. Minolo as CFO and if she is taking over the unexpired term of the prior CFO.

CLOSE EXECUTIVE SESSION:

A motion was made by Mr. Bendel second by Mr. Asay to close Executive Session. Unanimous voice vote.



Respectfully submitted, Ellie Rogalski, RMC/CMC

The following people were present in Executive Session.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council	John Bendel	Council Member	Susan Thompson
Council	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

A discussion was held regarding Resolution 2015-32 which would change the position of Administrative Assistant from full-time to part-time, due to budgetary considerations.

The Borough Attorney sent a RICE Notice to Jennifer Carr about the aforementioned resolution. The Attorney stated that he had received a letter from Ms. Carr in response to this notice that she would be at the meeting to meet with them in Closed Session. The Attorney further stated that he had spoken with Ms. Carr prior to the meeting and explained to her that the statute indicated that she could not appear in Closed Session, it was to allow the discussion to take place either in Closed or Open Session at her discretion. Record will reflect that Ms. Carr is not present at the meeting.

Further discussion was held regarding this matter in the hours she would work and eligibility for benefits, the cost of her salary and benefit, how much money this would save the Borough, how long she has been employed by the Borough, if the individual is in a protected class, whether Administration would be the only department affected, about paper trails for the qualifications and other information about certain positions in the Borough and about other positions that the employees have left and either not been filled or filled with part-timers.

A discussion was held about the change of hours in the Police Department, if it included the Lieutenant, the stipulations in the Police Contract relating to hours worked and overtime, whether it was negotiated with the bargaining unit, whether there was a breach of contract, possible unfair labor practice, that the Borough should gracefully withdraw from the changes, how leave or days off are calculated, that the proposal was not brought before the Governing Body, how long it has been in effect, why it was implemented, if it was in the Lieutenant's purview to do so, the possible need to hire Class II Police Officers, the reasons for the change, the Borough abiding by other terms of the expired contract, how to characterize payments of clothing allowances, to whom the Lieutenant reports, if the two officers out on leave are being paid and how they are being paid, possible use of Class I officers, the need for more police officers, and the submission of monthly reports from the Police Department.

CLOSE EXECUTIVE SESSION:

A motion was made by Mr. Bendel second by Mr. Asay to close Executive Session. Unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/CMC

Regular Meeting

April 14, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President Asay  
Councilmember Bendel  
Councilmember Berglund

Councilmember Pillion  
Councilmember Snow  
Councilmember Thompson  
Mayor Silver  
Attorney McGill

Second reading and adoption of Ordinance 2015-01 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XVIII (STREETS AND SIDEWALKS) OF THE CODE OF THE BOROUGH TO REVISE THE SCHEDULE OF PERMIT FEES.

Motion by M. Asay second Mr. Berglund.

Public Hearing on Ordinance 2015-01

Motion by Mr. Asay second Mr. Bendel to open the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Motion by Mr. Asay second Mr. Bendel to close the Public Hearing on Ordinance 2015-01. Unanimous voice vote.

Roll Call Vote to adopt Ordinance 2015-01.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Second reading and adoption of Ordinance 2015-02 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO CREATE A NEW CHAPTER XXXIII, TO BE ENTITLED "LANDLORD RENTAL RESPONSIBILITY."

Motion by Mr. Berglund second Mr. Bendel.

Public Hearing on Ordinance 2015-02

Motion by Mr. Asay second Ms. Snow to open the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Motion by Mr. Asay second Ms. Thompson to close the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Roll Call Vote to adopt Ordinance 2015-02.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Mayor's Proclamation – National Library Week (April 12, 2015 – April 18, 2015)

Motion by Mr. Bendel second Mr. Pillion.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve Resolution 2015-27, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSAL OF BOROUGH PROPERTY

Motion by Mr. Asay second Ms. Snow.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve Resolution 2015-29, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING WRITTEN POLICIES AND PROCEDURES NEEDED TO ADMINISTER THE SAFE ROUTES TO SCHOOL GRANT

Motion by Mr. Berglund second Ms. Snow.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve obligations chargeable to the 2014 operating budget and the 2015 temporary budget as presented.

Motion by Mr. Asay second Mr. Bendel.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

NEW BUSINESS:

Approve minutes from the regular meeting held on March 24, 2015.

Motion by Mr. Asay second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Abstain	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Discussion of the following items: (requested by Mr. Asay)

- a) Amend Chapter 2, Section 2-43 (Schedule A): Pavilion Rental (Ordinances 2008-02 & 2008-03) to adjust the fees charged for the rental of the Pavilion
- b) Amend Chapter 5 (Peddlers), Section 5-1 (Ordinance 87-3, Ordinance 87-5 and Ordinance 87-9) to add new language, delete a section, amend fees and add a new section
- c) Amend Chapter 5 (Massage Establishments), Section 5-2 (Ordinance 80-11) to amend license fee

Mayor Silver stated that the contractor has started the process for dismantling the old water tower. It could possibly take three (3) weeks. Punch lists have been created for both the site of the new water tower and the site of the old water tower.

#### OLD BUSINESS:

Discussion was held regarding the renewal of Municipal Consent for Comcast.

Robert MacLean – I have a printout of what the Borough is entitled to, as a town, from Comcast, one of the items is a dedicated cable channel. Additional items discussed included the franchise fees, term of lease. The notification of the public hearing will be coordinated with the clerk and attorney.

Mr. Berglund updated the Council on the borough's five-year plan for improvements within the borough. The plan is a "living document" that will allow for changes. Once finalized a determination will be made as to the distribution to the public.

Mr. Berglund inquired if a resolution adopted in 2014 and approved in the minutes in 2015 was adopted for 2015, the attorney will review his question.

#### COMMITTEE REPORTS:

Ms. Thompson – read the Tax Collectors report for March 2015 (\$167,808.00) was consistent with the collections for March 2014 (\$165,808.00). The Tax Assessor has received fourteen (14) Tax Appeals this year, which is two (2) more than received in 2014. Ms. Thompson introduced the new Zoning Officer, Joe Cocco to the public and would like him to give a synopsis of what he's been working on, to date. Mr. Cocco – Thanked the Council, along with the residents for the welcome that I've received. It's been a busy two (2) weeks. I did my first C.O. at the condos on Central Avenue and also met with the president of its condo association. I've had four (4) requests for tree removal permits, two (2) of which I approved and the other two (2) are pending. We're working on modifying some of the forms to simplify them and make them easier for the public to access. The forms will be on the common drive on the office computers and also maybe have them put on the website. We've temporarily adopted a form for the tree permit on

green paper so that it stands out from a regular building permit. I'm looking into some positive P.R. ideas for tree removals and will meet with the Environmental Commission to get their input. I had a representative from Conza Builders come in with regard to the properties on Siddons Court. They would like a possible "zoning change" for their site a multi dwelling zone. The change would provide for the development of that property for condominiums. The number of unit could range from 20 to 40 units, with the current house being used as a club house. Mr. McGill advised that this was not the forum to discuss this possible application for a zoning change based on the possibility of the role that the council may be faced with. Mayor Silver stated that Mr. Cocco was working on other issues and that use of his services is available Monday through Friday and even on weekends.

Ms. Snow – Just a quick update on the Arbor Day/Earth Day celebrations that are scheduled on April 18, 2015 from 9:00 am through 12:00 noon. Council President Asay will speak at the dedication; Mr. Bendel has graciously agreed to be the photographer. Mr. Berglund has been caring for the seedlings that will be distributed to the people who signed up to receive them. Preparation has also been completed for the art sculpture for the swail. A request from the Environmental Commission that a flyer about crabbing that they have provided, along with a map showing the areas that can be utilized for crabbing be handed out as we are selling badges. With regards to the Safe Routes to School grant, I reached out to the school for their feedback to set up the metrics to track and follow the progress. This is the season where we'll see more people walking/biking to and from school.

Mr. Pillion – The Mayor, Councilman Asay and I had a brief discussion about the requirements from the NJ Supreme Court for Municipal Court facilities. We are looking into sharing services or facilities in an effort to reduce costs and thereby reduce taxes.

Mr. Bendel – No report.

Mr. Berglund – Public Works has initiated Shared Services with Seaside Heights for use of the equipment used to install line stops. The agreement is that we help them and they help us. We buy the supplies for our line stops and they'll provide the equipment.

Mr. Asay – No report.

Mayor Silver – Council should have received a copy of an FYI document regarding the Transparent Tax Act of 2015. This is intended to provide clarity to the local taxpayers and to share, proportionally, the burden of tax assessment and tax appeal refunds between all taxing authorities. I would like a resolution prepared for the next meeting.

**PRIVILEGE OF THE FLOOR:**

Extended to the following:

Don Roberts –suggested that Tree Ordinance be made available online to enable the public to have access.

Brian Gabriel – This is a follow-up on an agenda item suggestion. You're voting on agenda items before the public can speak on them. You should make it clear that any the comments made should only be on the agenda item under discussion.

Don Roberts – With the beach badges, pricing is the same for residents and a non-residents? Is it a legal thing? Does the same hold true for the crabbing license? With the crabbing on the river, the part of the boardwalk that faces the Toms River Yacht Club has been designated for crabbing. Has it changed at all? There is an area at the bend where crabbers and pedestrians get crowded together.

Brian Gabriel – The crabbers put out chairs, umbrellas, etc. that take over the boardwalk.

Don Roberts – Do we know, with the crabbing license, who is a resident and who isn't? I know there's a business in Toms River that has many licenses and they send their people down here to crab. Can the crabbing license be split off from the recreation badge?

Further discussion was held regarding crabbing licenses, badges and crabbers leaving their nails and leftover bait.

Adopt Resolution 2015 – 28, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The items to be discussed in this session will include the following: 1. Contracts (employee) formal action will be taken.

Motion by Mr. Bendel second Ms. Thompson.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

MEETING RECONVENED:

Motion by Mr. Asay second by Mr. Bendel to reconvene the regular session of the meeting, unanimous voice vote.

Motion to memorialize Resolution 2015 – 26 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF TOMS RIVER FOR THE PURPOSES OF SECURING THE SERVICES OF A CHIEF FINANCIAL OFFICER, and authorize the execution of the agreement by the Mayor and Borough Clerk.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to adjourn Made by Mr. Bendel second Mr. Asay, unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC



The Regular Meeting of the Mayor and Council of the Borough of Island Heights will be called to order by Mayor Silver. He will then read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

Adopt Resolution 2015 – 30 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING THE TRANSPARENT TAX ACT OF 2015.

Motion by Mr. Bendel second Mr. Asay.

Councilmember comment(s).

Mr. Bendel – This is about recouping the money from other tax entities?

Mr. Pillion – This is the one is if there’s a tax appeal and we have to return money because the person appealing wins, the money is coming out of the Borough’s pocket. We don’t get anything back from the other taxing entities, like the school. It’s a net loss for the Borough.

Mayor Silver – Looking when the property tax appeal process goes through that the disbursement comes back in from the other entities, not just the Borough.

Mr. Pillion – So they’ll pay their own share of what they have to refund. We won’t be left on the hook.

Mayor Silver – As has been done to all municipalities for decades.

Ms. Thompson – So this resolution is supporting the Assembly Bill’s passage. It’s not within our jurisdiction to make the change. We’re only supporting the passage in the State Legislature.

Public Comment (s) on resolution.

There were no Public Comments on Resolution 2015-30.

Roll Call Vote on adoption Resolution 2015-30.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

The following resolution was held for Executive Session: Adopt Resolution 2015 – 32 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ELIMINATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A FULL-TIME POSITION AND CREATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A PART-TIME POSTION.

Adopt Resolution 2015 – 33 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE PF NEW JERSEY PROVIDING FOR AMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2015 MUNICIPAL BUDGET.

Motion by Mr. Asay second Mr. Pillion.

Councilmember comment(s).

Mr. Pillion – Is it accurate to say that the amount of the Temporary Budget is half of the prior year's budget?

Mayor Silver – It's supposed to be half of the prior year's budget and supposed to carry us until the final budget is in place.

Mr. Pillion – The reason that we're doing it this way is that our former CFO resigned during the budget process, which would've been completed in mid-February, to take a full-time job in Howell, NJ.

Mayor Silver – We had some difficulty finding a replacement on short-notice and what we wound up doing was having a shared services agreement with Toms River and we have their whole Finance Department. I'll be meeting with Christine Minolio tomorrow. They'll be present at the meetings during the budget process.

Mr. Pillion – Does she have a ballpark of when the budget will be ready for introduction and to be acted upon?

Mayor Silver – By June. Hoping to have something in place by mid-May.

Mr. Asay – I would like to hear Ms. Minolio's opinion on the Borough taking the opportunity to switch to a Fiscal Year that would start July 1<sup>st</sup>. The Temporary Budget covers us until June 30<sup>th</sup>. If we went on a Fiscal cycle, as the State is, our budget would be July 1<sup>st</sup> and we'd budget for a year instead of six (6) months. The first advantage of this is that it would take us off a budget cycle that's tied to the election cycle. So that as a Council, we would be able to do our budget and have it in on time. Then the State would probably say that it's due on April 30<sup>th</sup> and we, as a Council, with the election behind us, and put together a budget that starts in July. I don't know if we're too late to do that and I don't know how much notice the DCA has to have.

Mr. Pillion – Since Toms River is on a calendar year, as we currently are, if we switch, it would take us off the same cycle as Toms River.

Public Comment (s) on resolution.

There were no public comments on Resolution 2015-33.

Roll Call Vote on adoption Resolution 2015 -33.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget as presented.

Motion by Mr. Asay second Mr. Mr. Berglund.

Councilmember comment(s).

There were no Councilmember comments on this item.

Public Comment (s) on resolution.

There were no public comments on this item.

Roll Call Vote on adoption.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve O'Donnell, Stanton & Assoc.re: Water Treatment Plant Replacement, OSA#11047.00, Contract Modification No. 13, for purchase of Confined Spaces Entry Contractor's Kit in the amount of \$3,919.05, increasing the project modification percentage to 21.47%, and increases the total contract to \$2,181,520.06.

Motion by Mr. Asay second Mr. Berglund

Councilmember comment(s).

Mayor Silver – This provides for the purchase of confined space entry equipment for our Public Works crew that is required by OSHA for service in the pit in the new water plant.

Mr. Berglund – There's a pit in the water plant and it has the potential for chemical vapors in it. So this confined entry kit provides for harnesses, ropes, the things that are necessary to be able to extract a person

should they succumb. It also, by OSHA standards, requires you to train with your own equipment. So, you can't just borrow the next town's equipment and get your people certified because there's enough difference between each of the kits that you potentially could put your people at risk. This is our kit and our people will be trained on it and it will be used every time that it's required to go into a confined space.

Mr. Bendel – Is this also applicable anywhere else, in other street work, for example?

Mr. Berglund – Absolutely. If you have a deep manhole, you can vent all you want, but you still have the potential for getting people out.

Mr. Pillion – This is being recommended by a TKT Construction Company based out of Williamstown, NJ?

Mayor Silver – They're the company that is the contractor who is building our water plant. This is something that we negotiated with them to provide through the project.

Mr. Pillion – Is it typically this late in the project that this equipment is purchased?

Mayor Silver – No.

Mr. Pillion – Is there some explanation?

Mayor Silver – It was an oversight. During the course of the project it was something that was supposed to be put in, but somehow got astray.

Mr. Pillion – But the responsibility for having put this into play was TKT Construction Company?

Mayor Silver – Yes, because it's... It was a trade-off for some of our services to help him with some of the construction process and the equipment was actually... during construction there is always this mark-up they call it because it's the nature of the project so we did some negotiations with them to get the material actually at cost. There was no mark-up involved from the contractor. As everything else goes along with the project, there's always there's all this mark-up that takes place. I know it's the end of the project here but it actually came through from the manufacturer that would be the cost and then rolled the dollar amount into the project instead of paying for it separately.

Mr. Pillion – So we saved about twenty percent (20%) it looks like.

Mr. Berglund – Saved about \$800.00.

Mr. Asay – My concern would be that this is \$4,000.00 and I don't know our budget picture in terms of equipment for Public Works, but by adding this to the project we're paying for this \$4,000.00 over fifteen (15) or twenty (20) years over the life of our debt. Whereas, if we have the \$3,900.00 available in our operating or equipment budget for Public Works, we could purchase this outright and not pay interest on it.

Mayor Silver – Right, but I'm just saying that if we need to do the math on it to add another \$4,000.00 to the cost of the project, it was just part of the project and got rolled into the cost.

Mr. Berglund – There was some other discussion that took place along those lines and going by what Councilman Asay said, we looked into buying this equipment ourselves and we couldn't get it for anywhere near the price that the contractor could get it just because we don't buy that many of them. So, we were delighted to get it down to this price.

Mr. Asay – So the price will probably make up for the interest. So, we'll come out ahead or at least break even.

Public Comment (s) on resolution.

Mr. Kunz – Who's going to write the procedures?

Mayor Silver – That is something that the DEP stresses for the project that there has to be a procedure manual for everything that's going on there. So part of it is before the project can be closed out, it has to be part of the procedure manual on how to...

Mr. Kunz - ...do Confined Space. But you should also bring that over into the township with the manholes. You should've had the equipment already to do a safe rescue from a manhole and have the procedures already written for that, separate from the water tower.

Mayor Silver – I know that this is something that's been haunting us for quite some time and it's something that finally we're able to acquire it and now we can utilize it. We were getting outside contractors for a lot of confined situations out here. If we can do it in-house, we're going to do it in-house. We have the gear now to do so.

Mr. Berglund – It also came to a head during our last OSHA inspection where they said you can have contractors come in and do it but the one time that you have to send your people into that confined space... And that was the end of it, they just stopped it right there. And they said you get your own.

Brian Gabriel – Who’s doing the training for the confined space are we going to have to pay for the training? There are specific classes that have to be taken.

Mayor Silver – I don’t know if we’re getting something.

Mr. Berglund – Didn’t we approve that one or two sessions ago?

Mayor Silver – I know that Jon has connections with other municipalities.

Brian Gabriel – It has to be someone who is certified to teach confined space training. That’s one question that you guys can figure out. My second question is about three or four meetings ago and it relates to the water treatment plant and the water tower, I asked you how much over budget you were and it took me three times to get me the answer I was looking for, which was a dollar amount, which you finally gave me at the meeting. Yet, in the previous newsletter that came out about that meeting, you referred to the percentages instead of the dollar amount. The people of this town do not know what 21% or whatever the percentage overage is on the water tower equates to in dollars.

Mayor Silver - \$2,181,000.00

Brian Gabriel – Give them the number. That’s why I specifically asked you at the meeting because I’ll tell you why. Because at the meeting before that, not to get off the subject here, is I complained about a resident in town, across the street from my house and verbatim in the newsletter it said, “Brian Gabriel, 185 Summit Ave., complained about his neighbor’s house being a dump or nuisance.” Real good for my neighbor relations. So, if you’re going to put that in the newsletter verbatim, I suggest and I urge you to put the \$900,000.00 number that we’re over budget on the water treatment plant and the water tower in the newsletter so the residents of this town understand that we’re a million dollars in the hole. Not a percentage, they’re not going to do the math.

Mayor Silver – Brian, this is only the water treatment plant dollar amount.

Brian Gabriel – You know where I’m going with this, Mayor. I want both numbers, the dollar amounts, in our newsletter so the residents of this town know how much this project has been mismanaged from the beginning and how much we’re going to have to endure in pain in dollars. People don’t know what the percentage is in dollars. They’re not going to sit there and break their calculator out. So, please, I’m asking whoever is doing the newsletter from the minutes, please put how much we are over budget, in the newsletter, for the water treatment plant and the water tower so the residents of this town know how much over budget we are. It’s annoying. They need to know.

Mayor Silver – Will do. We’ll run the math for you.

Roll Call Vote on approval of Modification #13.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve Shared Services Agreement between the Borough and the Ocean County Health Department for Animal Facility Services. (term of contract January 1, 2015 through December 31, 2019)

Councilmember comment(s).

Mr. Asay – Is that right, four (4) years?

Clerk Rogalski – It’s a five (5) year plan.

Mr. Asay – We discussed this before the last meeting, Mayor. This is just a continuing agreement and by agreeing to this we something like fifty (50) free housing days a year for animals the Borough has taken to the facility. There’s no reason not to adopt it, even if we don’t use it. In my memory, we’ve never exceeded the free days they give us.

Mayor Silver – But that’s if our outside animal service company responds.

Mr. Asay – And if they bring the animal to this facility.

Mr. Bendel – Are they available weekends?

Mr. Asay – Theoretically, yes. But I’m going to have more on that later.

Motion by Mr. Asay second Mr. Bendel.

Public Comment (s) on resolution.

Bob MacLean – Councilman Asay is talking about going to a Fiscal Year. Would we want to commit to five (5) years on a calendar year? If we go to a Fiscal Year, would this modify the contract so that it would make your job budgeting easier?

Mayor Silver – The agreement to the Health Department, like the Council President was saying, is something like the first fifty (50) animals are of no cost to us. We haven't exceeded that figure in a long time.

Mr. Asay – What happens is that they basically give you fifty (50) free housing days per year for stray animals. Then they bill us per animal for any other costs, such as a vet bill. It's not a budget item in the sense that we're giving them anything every month or every year. We get billed if we exceed what's out there.

Mayor Silver – I know you did a recap of animal services that came in for the last twelve (12) months and they only responded out about five (5) times.

Mr. Asay – I have received a proposal from Toms River to go into Shared Services for Animal Control. I met with them and I'm reviewing it now and then I'll get it out to the Mayor and Council and we'll discuss it. But it won't have any impact on this.

Roll Call Vote on approval of the Shared Service Agreement.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

#### NEW BUSINESS:

Approve the minutes from the April 14, 2015 Meeting.

Motion and second to adopt the minutes as presented.

Motion by Mr. Asay second Ms. Thompson.

Councilmember comment(s).

There were no Councilmember comments on this item.

Public Comment (s) on resolution.

There were no Public Comments on this item.

Roll Call Vote on adoption.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve request(s) for use of the Pavilion:

Applicant:	Marian Zirkel
Date of Event:	May 1, 2015
Hours of Event:	6:00 PM – 8:00 PM
Cert. of Ins.	Provided

Councilmember comment(s).

Mr. Pillion – I have a question about limits on the certificate of insurance. The application has a copy of it on the back and the amount of liability is \$500,000.00. I'm not sure, but it seems like that might be light.

Clerk Rogalski – We're required by our insurance company to set any additional certificates of insurance at that limit of liability.

Mr. Pillion – At some point in the future if we wanted to require more than \$500,000.00, I would suggest it. I don't think that's enough coverage.

Mr. Asay – So, Ellie, you're saying our insurance company says that's the minimum or that's the amount they want?

Clerk Rogalski – That's the amount that's acceptable.

Mr. Pillion – We'll look at the policy.

Public Comment (s) on resolution.

Brian Gabriel – What type of event is it?

Mayor Silver – It's a wedding for Marian.

Motion by Mr. Asay second Ms. Thompson.

Roll Call Vote on adoption.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Approve Application for Special Permit for Social Affair (ABC)

Applicant: Barnegat Bay Foundation  
 Date: Friday, June 5, 2015  
 Time: 5:30PM – 9 PM

Motion by Mr. Berglund second Mr. Bendel.

Councilmember comment(s).

There were no Councilmember comments on this item.

Public Comment (s) on resolution.

There were no Public Comments on this item.

Roll Call Vote on adoption.

Mr. Asay	Yes			Ms. Snow	Yes	No	Absent
Mr. Bendel	Yes	No	Absent	Ms. Thompson	Yes	No	Absent
Mr. Berglund	Yes	No	Absent	Mayor Silver	Yes	No	Absent
Mr. Pillion	Yes	No	Absent				

Approve the following Raffle License:

Applicant: Barnegat Bay Foundation # R2015-01  
 DOE: June 5, 2015

Motion by Mr. Asay second Mr. Berglund.

Councilmember comment(s).

Mr. Bendel – The number that comes after the Barnegat Bay Foundation, does that refer to a State permit?

Clerk Rogalski – The identification number, 107? Yes, that is their State permit, the other is our number assigned to them for that raffle.

Public Comment (s) on resolution.

There were no Public Comments on this item.

Roll Call Vote on adoption.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

OLD BUSINESS AND COMMITTEE REPORTS:

Mr. Bendel – No report

Mr. Berglund – I approved a requisition for cleaning up our wood pile at Public Works. The wood is available to residents. Some people have abused that and have discarded tree stumps and smaller trees instead of waiting for the dumpster to be available, it was easier to put them there. It became trashy. It cost the Borough \$500.00 to clean it up. We're going to start over with the wood pile, but it was a resident complaint that we took seriously. I found out later he likes to park his private cars there on weekends for his guests and so forth. There may have been some ulterior motives for it, but regardless, we paid for the clean-up. We'll see if we can watch the use of that for the next year or so. We'll see that it's handled better.

Ms. Snow – I seem to remember that last year we had a similar situation with paint being dropped off at Public Works that we had to dispose of. Where do we stand with the security cameras at Public Works?

Mayor Silver – The digital video recorder is back in place. The cameras need some adjustments. It's almost ready to go back online.

Mr. Berglund – It does work. They have used it on occasion, like when people "borrowed" stones from around the flagpole.

Mr. Asay – We discussed Animal Control already and I want to thank Toms River for everything, including the tour of their new facility located near the Toms River Police Department. It's a beautiful facility. The old facility off of Whitesville Road will be demolished. They're going to be adding a surgical suite so they can spay/neuter all of the animals who need it that come through their facility, thanks to an endowment. They sent us a proposal to cover our Animal Control needs. I followed up about not making the County's list for residential document shredding sites. I spoke to someone at Ocean County Solid Waste Management. He said that this year's schedule is done, but our residents could bring their items to be shredded to any of the shredding dates and sites. Next year, he'll put us on the list and bring the truck to our Recycling Center. Mr. Pillion and I have been working on the bulkhead issue down at Dillion's Creek Canal where the Toms River side wasn't repaired after SS Sandy. I spoke to Toms River's Engineer and he advised me that it's not part of the current plans that have been submitted by the Gilford Park Yacht Club, although he believes that it's Gilford Park Yacht Club's responsibility. He didn't know why it wasn't already a part of their plans. He's going to raise it to the level of the administration and told me that if they're not going to plan on it, it's going to become a Code Enforcement issue, in his opinion. He'll get back to me next week as to what the Administrator wants to do about it. They're going to lean on Gilford Park because it should have been part of their plans.

Mr. Pillion – Councilman Asay and I were also scheduled to meet with the Communication Center for the County about a week ago, but they had an emergency and had to cancel the meeting. The purpose of the meeting was to continue monitoring how our First Aid Squad is responding to calls. It was an issue brought to the Council's attention via a letter from Lt. Arnold. Councilman Asay is going to reschedule the meeting with the County Communications Center.

Ms. Snow – On April 18<sup>th</sup>, the Environmental Committee had their Earth Day/Arbor Day event. Thank you to the Mayor and Council Members who were in attendance. Thank you to Council President Asay for an excellent speech and dedication. It was a success. During the event, there was a clean-up of some of the public areas. Council Member Thompson and I cleaned up the areas by the Boat Ramp and Boy Scout Island. With regard to the Safe Routes to School Grant, Superintendent Fuhring and the teachers are working on putting a system in place to track the students' mode of transportation to and from school. I updated her about the sidewalk work being done on Simpson Avenue. Superintendent Parlapanides of the Central Regional School District sent us an update of what is new and exciting there. There's a new agreement with the American Honors Program affiliated with Mercer Community College. The graduating seniors are going to participate in the 1<sup>st</sup> Annual Central Regional Day of Service on Tuesday, June 16<sup>th</sup>, where they go out and perform community service. They want to know if Island Heights has any special tasks that we would like to have done. The new track will be dedicated on Saturday, May 2<sup>nd</sup>. They will also be having tours of the campus again this year and any municipality in the sending districts can call and make arrangements for a tour of the campus.

Ms. Thompson – The Earth Day event was great. The boat ramp was spotless that day, but when I went back a few days later, there was a lot of debris that looked to be leftover from SS Sandy. We may want to keep an eye on the areas where debris like that can wash up. The Department of Education sent the Equalized Valuation Table, which is a report on how much the Borough pays to the Central Regional School District.

Mayor Silver – There is new artwork installed at the Bio-Swale, a sailboat wind ornament. There's a pedestal by the Post Office that describes what a Bio-Swale is and what it does. The County is upgrading their communication system from a 500 MHz system to a 700 MHz system due to interference from television providers utilizing the same bandwidth.

#### PRIVILEGE OF THE FLOOR:

Extended to the following:

Jeff Palmer – My fiancée and I recently got engaged and would like to submit a request to have our wedding and reception at Wanamaker Field on June 16, 2016. We would also like to know what other requirements there are.

A discussion was held regarding the use of Wanamaker Field for weddings.

Bob MacLean – The compost pile at Public Works is empty. Are we going to get more?

Mr. Berglund – It depends on the County making it available to us.

Bob MacLean – Have the Public Hearing for the Comcast refranchising been scheduled?

Borough Attorney – It needs to be set up with Comcast to see when they're available.

Brian Gabriel – Did we ever determine if the original Engineer had to put up a bond for the new water treatment plant, so we can go after them for mismanagement?

A discussion was held regarding possible legal courses of action that could be taken against the engineer of the water treatment plant and also the revenue lost from the loss of a couple of cellular antenna leases, possible tax increases and budget cuts.

Brian Gabriel – Talked about enforcing beach badges a couple of meetings ago. Fishermen have taken over the boardwalk the past few days and I can't believe that they all have badges. How are we enforcing them?

A lengthy discussion was held regarding the enforcement and sale of beach badges, use of the boardwalk and the areas for fishing and crabbing.

Adopt Resolution 2015 – 31, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The purpose of this session: Personnel formal action may be taken as a result of this session.

Motion and second to adopt resolution 2015 - 31. Councilmember comment(s). Public Comment (s) on resolution. Roll Call Vote on adoption Resolution 2015 – 31.

Motion by Mr. Bendel second Mr. Asay.

Mr. Asay	Yes	No	Absent	Ms. Snow	Yes	No	Absent
Mr. Bendel	Yes	No	Absent	Ms. Thompson	Yes	No	Absent
Mr. Berglund	Yes	No	Absent	Mayor Silver	Yes	No	Absent
Mr. Pillion	Yes	No	Absent				

Motion by Mr. Bendel second Mr. Asay to reconvene the meeting, unanimous voice vote;

The following action is a result of the executive session:

Adopt Resolution 2015 – 32 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ELIMINATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A FULL-TIME POSITION AND CREATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A PART-TIME POSTION as amended. The resolution was amended to include the number of work hours per week to 18 hours not to exceed 22 hours per week. The schedule will become effective May 4<sup>th</sup>, 2015.

Motion by Mr. Asay second Ms. Thompson.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to adjourn made by Mr. Bendel second by Ms. Thompson, unanimous voice vote.

Respectfully submitted, Ellie Rogalski, RMC/MMC



Regular Meeting

May 12, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights will be called to order by Mayor Silver. He will then read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President	Sean Asay	Council Member	Sandra Snow*
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.*	Borough Attorney	George McGill, Esq.

- Absent

Approve obligations chargeable to the 2014 operating budget and 2015 temporary operating budget as presented.

Motion by Mr. Asay second Mr. Berglund.

No Council comments were offered.

No Public Comments were offered.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Absent
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

NEW BUSINESS:

Approve the minutes from the April 28, 2015 Meeting.

Motion Mr. Bendel second Mr. Asay adopt resolution.

Council Comments:

Mr. Asay inquired if there were any amendments to the April 28, 2015 minutes.

No Public Comments were offered.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Absent
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Approve the hiring of the following summer employees:

Alexandra Wickel, Head Guard at \$10.50 p/h; Sean McKee and Christine McKee; Lifeguard at \$10.00 per hour (pending certification) and approve reimbursement of the cost of Red Cross Lifeguard Certification. (approx. cost of certification \$280.)

Motion Mr. Asay second Mr. Bendel.

Council Comments:

Ms. Thompson – asked if the borough normally supports the cost of their lifeguard certification, and if this has been done in the past. The Clerk responded that this started last year when the borough was unable to find certified guards. Ms. Thompson asked if the same problem existed this year. Mr. Bendel noted that Wendy called me and said that she found out that these people were available. Ms. Thompson

questioned their ability to obtain certification on their own, and is it not the practice to look for certified guards. Mr. Bendel stated that he did not realize the candidates were not certified, discussion continued on the difficulty in finding lifeguards.

Public Comments were offered.

Mr. MacLean asked if any of this group had their certifications paid by the borough last year, it appears that we pay for their certification and then the following year find employeent elsewhere.

Borough Clerk – I can actually tell you who we paid for last year. I have last year's pay sheet. We paid for Jamie Prior last year and we paid for Sean McKee.

Bob MacLean – We paid for Sean McKee last year? Why would we be...

Ms. Thompson – It should continue.

Borough Clerk – That I can't answer, I don't oversee the lifeguards, anymore.

Mayor Silver – So, it's just for Christine?

Borough Clerk – I can't answer that.

Ms. Thompson – So we should be sure that Wendy follows-up and gets confirmation as to who actually needs certification and that it will be completed in time for the season.

Mayor Silver – And that starts on Memorial Day?

Borough Clerk – No, our beaches open June 22<sup>nd</sup> by ordinance.

Mayor Silver – And then we go through until Labor Day. We'll have some answers by the next meeting.

Mr. Bendel – I'm going to make a wild guess and say that if you took the money that we pay for the certification and prorated it across the summer that they were here, they go someplace else that's going to pay them more. We don't pay that much to begin with.

Ms. ?? – I think that they probably start here. If they can't get a big job, this is a nice starting ground.

One thought, too, is that I know for a lot of sailing programs you have to be a US Sailing certified instructor. What they do to encourage younger kids that might choose Island Heights rather than over at the beach is they offer half one year and if they come back, they'll pay the second half.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Absent
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Absent		

Approve the hiring of the following part-time public works employees for 120 days @\$12.50 p/h: Jason Cannella, Kyle Donnelly.

Motion by Mr. Berglund second Mr. Bendel.

Council comments:

Mr. Asay – Even if there are funds available, we don't intend for them to be employed after the end of the summer?

Mayor Silver – Yes, that's why the 120 day thing is in there.

Ms. Thompson – Could I get clarification on how many full-time Public Works employees we have now and are all of the positions filled?

Mayor Silver – We have four full-timers and I currently have two part-timers. During the summer, we always pick up a couple extra part-timers.

Ms. Thompson – So we have six... four full-time and two part-time and seasonally we have two additional.

Mayor Silver – We had six full-time guys, but a couple of them found a better place and I don't have funding to fill in those full-time positions. So, currently, we're keeping it a part-time position.

No Public Comments were offered.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Absent
Mr. Bendel	Yes	Ms. Thompson	Yes

Mr. Berglund Yes  
Mr. Pillion Absent

Mayor Silver Yes

Approve the following purchase order(s):

Requesting Dept:	Public Works Water/Sewer
Vendor:	Deckman Electric
Item/Service:	Rebuild Hydromatic Pump, Model No. HPGHX300CD
Cost:	\$2,200.00 – cost is based on “sight unseen”
Item /Service:	New: 2” Disconnect Cast Iron Ball Check Valve
	Part No: QDV200
Cost:	\$316.02
Item/Service:	New: Hydromatic Pump, Model No: HPGHX300CD
Cost:	\$5,525.00 – plus freight
<b>Total:</b>	<b>\$8,041.02</b>

Motion by Mr. Berglund second Mr. Bendel.

Council comments:

Mr. Berglund – When we were in discussion with the Toms River Sewerage Authority and we looked at the various lift stations that we had in town, this one was noted as the one that was most problematic because it only had the one pump. We never put the second one in. So we were sitting there asking for a problem to shut us down and what happened, we got four years out of the last rebuild but we still had to go out and try to find something that would get us still working during the period when the rebuilding of this one takes place. So we went out and found a submersible trash pump that would pass a one-inch cylinder and we could use one of our guys with the submersible, instead of having to send two guys out when they used the pump that was up on the surface.

Mayor Silver – It was a gasoline-powered trash pump that was very heavy and bulky to move around.

Mr. Berglund – And because of its location, it required two people to operate it. So, my logic in buying the submersible pump was that we could save the overtime on that second person in the length of time that it takes to rebuild the primary pump.

Mayor Silver – It’s going to be two to three weeks on the rebuild, if nothing goes wrong.

Mr. Berglund – This has happened to us a couple of times in recent years as I recall.

Mr. Asay – Who’s doing the work at the site, our guys?

Mayor Silver – And then we have to hire an electrician for the high-voltage connection.

Mr. Asay – How does this pump get to Pennsylvania to be repaired?

Mayor Silver – One of our guys puts it in a truck and drives it out there.

Ms. Thompson – I notice that we’re paying freight for the new pump.

Mayor Silver – That’s to get it from the manufacturer to the distributor, which is Deckman Electric in Pennsylvania.

Mr. Asay – If we install a second pump in that pit, then how would the second pump be triggered if the first one goes down?

Mr. Berglund – That will be set up during the electrical work. One will operate so many cycles and then the other one will turn on.

Mr. Asay – We can’t put in a temporary pump there like we did by the boatyard last year?

Mayor Silver – That was still an above-ground thing and it was expensive compared to the electric pump being about \$890.00. It’s been out since last Monday.

Ms. Thompson – This will cost about \$8,000.00. Where is the money coming from to pay for it?

Mayor Silver – Our CFO has gotten us funds from another project, which would be the pump station that we did over on West End. There’s a balance there and the balance should just cover the cost of the repair, labor and the electrician.

No Public Comments were offered.

Roll Call Vote:

Mr. Asay Yes  
Mr. Bendel Yes

Ms. Snow Absent  
Ms. Thompson Yes

Mr. Berglund Yes  
Mr. Pillion Absent

Mayor Silver Yes

#### OLD BUSINESS:

Discussion on the request from Jess Pomeroy for the use Wanamaker Field, for June 11, 2016 wedding. (carried from the meeting of April 28<sup>th</sup>, 2015.)

Among the items discussed were the need to adopt or amend the ordinance, "Hold Harmless" agreements, insurance policies, availability of the site to the public, clean up of the site after the events, use of other Borough sites and restriction of use to Borough residents only. The Borough Attorney will have a draft ordinance prepared for the next meeting. Further discussion of this item is tabled to the next meeting.

#### COMMITTEE REPORTS:

Mayor Silver – At the last meeting, we were talking about the crabbing and fishing along River Avenue and I'm making up the template for the stencil for "No Crabbing & Fishing". It's going to be painted on the bulkhead from Pavilion and west to the stone area. They're fishing everywhere and I want to make it clear where they're supposed to be. I'm making up ID's for the Public Works Department and also for the Tax Assessor, the Building Official and the Code Enforcer. I met with Cindy Randazzo from the DEP who is going to assist us in the FEMA claim for the pump stations in order to partially or fully fund our rehab there. I've been looking to revamp our Borough website. Joseph Kostecki, the South Toms River Clerk, is a certified web designer and will work with us in his free time to give us some direction for our website. I signed up for notification of when residential accounts in town are disconnected from Jersey Central Power & Light.

Mr. Bendel – Brian Gabriel had asked that we have the numbers in terms of money that has been spent on the Tower and the Water Treatment Plant. I just wanted to read those numbers into the record so that they're there and are part of the newsletter. They are for the Water Tower – 1,320,000.00, the Water Treatment Plant - \$2,240,000.00, Engineering costs - \$435,000.00. The total is \$3,995,000.00 and the bonded money we have available is \$4,720,000.00. The other thing I wanted to mention is that I'm not sure how this starts, but it may need to start with the Planning Board and I'll bring it up there tomorrow night. Our Code as it stands allows fences and retaining walls. There are no restrictions on them. They can be put on the property line. Most of the time there's no problem. People two doors away from me now have a seven foot retaining wall. The lot is filled in and there's a seven foot retaining wall that she's looking at. It's not right on her property, but it could be. I think there's a little hole in our Code there and I'd like to at least talk about it with some people. We may be able to do something about it, we may not. A lot of this town is on hills and it's possible it could happen again. The builder is not doing anything illegal. He's totally within the Code and this would have no impact on what's going on there now. It's something we need to look at and it is something the Council would have to approve.

Mr. Berglund – In response to Bob's question last time about the compost...the next morning I went down and asked for them to fill a truck and it was there the next day. You all followed us through as we rehabbed the bluff where it was caving in and starting to go towards the first house that was east of the bluff. We spent quite a few thousand dollars for backfill and then before the end of the year, we laid mesh down and we planted grass through that and planted several hundred dollars' worth of shrubs there. The day after the last meeting I got a call from Public Works saying that kids had been down there and pretty much destroyed what we built. They were building a tree house, were jumping and sliding down on the mesh, and were tearing out the plantings and the shrubs. So, after it stabilizes this spring, we'll go down and find out how much we have to rebuild. It bothers me to waste money like that. Our police were notified but they haven't found anyone who might have been responsible for it. The next thing is a modification to the five-year plan, but I have to thank Councilwoman Thompson for it. Because she pointed out that there was a hole developing near the catch basin on Lake Avenue. It was just before the 5K and she wanted to make sure there was no safety issue there. We got out and patched it and so forth. There was a second, much smaller hole that she pointed out thirty feet away from the original hole. I went down to Public Works and they said oh yeah, there's a drain line that connects the catch basins and feeds into Dillon's Creek. It was built with a steel corrugated culvert. They ran a camera down it a few

years ago and found out that it's collapsing. So replacement of that from Oak to probably over to Jaynes has been added to the five-year plan.

Mr. Asay – Follow-up on the bulkhead at the Dillon's Creek mouth. I spoke again to Toms River's Engineer this week who told me that he had determined that it was the responsibility of the Gilford Park Yacht Club. He referred it to the Township Administrator who referred it to Code Enforcement who said that they were sending a Code Enforcement Officer out there to serve notice on the Yacht Club that they needed to take action to repair this or they could be cited because it's a safety and environmental issue. Related to the website issue, I came upon this looking up something different, in our ordinances there is a chapter that allows for a company called "Official Payments Corporation" to collect taxes, fees that were due the Borough. I don't know if that was ever implemented. It authorizes "convenience fees" to be collected so that there's no cost to the Borough. This might be something we can implement when we update our site. If there is any cost, it goes to the user. You could use a credit or debit card or a direct payment from your bank account.

A discussion was held regarding problems in starting to use the online payment system, utilizing the online payment system to be used to purchase badges, what the restrictions were regarding this in the ordinance and how the badges could be acquired after purchase.

Mr. Asay – Our retired police car is stripped, is it being advertised? Will it be an onsite auction?

Mayor Silver read the Notice that the Public Hearing for the Renewal of Municipal Consent for Comcast would be held at the Borough Hall on May 26, 2015 at 7:00 pm.

Mr. Pillion -- Absent

Ms. Snow – Absent

Ms. Thompson – The Collector's report for the month of April is \$413,911.00 in collections, which is about \$35,000.00 higher than last April.

Mr. Asay read the April 2015 Police blotter for the Borough's Police Department.

Ms. Thompson stated that residents who read the newsletter should be encouraged to follow the Police Department's Facebook page.

#### PRIVILEGE OF THE FLOOR:

Extended to the following:

Scott Zimmerman – I'm here in regards to the cars in the Fire Department parking lot. It's just about a year ago they were snuck in overnight and the Council and Mayor weren't informed at that time. Who really owns that property? When the President of the Fire Company was here, he said that the Fire Department owns the grounds.

Mr. Asay – At the time, I was the liaison to the Fire Department. I was notified in writing by the President of the Fire Department that due to issues with their fundraising, they had entered into an agreement to park new vehicles from Lester Glenn on their property in return for a rental fee. The property is owned by the Island Heights Fire Company, which is a non-profit corporation.

Scott Zimmerman – Is this a permanent thing? We were told that it was a yearly thing and that we would look into it at the end of the year. Has it been looked into? Has the Mayor and Council been informed that this would carry over for this year? It's really not a good thing. You see those cars there... There are 120 cars parked in the middle of town.

Mr. Asay – I don't speak for the Fire Company. I'm not their liaison any more. I can just tell you that of course the cars will be moved for their summer event, like they were last year.

Scott Zimmerman – And they were brought back. It creates noise and traffic. I can't tell you how many times I walk by there and I see a car pulling out, I see a car pulling in and I see a car pulling out. It just adds extra traffic. What about the safety and liability issues? Who is liable?

Ms. Thompson – Wouldn't this be a commercial use of a non-profit property. I don't know if it's zoned

for that type of a commercial use?

Mayor Silver – Didn't he give us a time-window of how this was going to play out?

Mr. Asay – No, they indicated that they enter into an annual agreement with Lester Glenn. The Fire Company is also anticipating, sometime in the not too distant future, beginning a construction project on that site to either renovate or completely demolish and build a new firehouse. I doubt that the vehicles will be on the site during that construction. But that's a ways off yet, they don't have a start date for that. They have a preliminary proposal and plans for such a building. I'm sure that would have an impact on the vehicles being on the lot. But, as I recall, the issue was vetted with our Code Enforcement Officer at that time who found it not to be an issue.

Scott Zimmerman – The Mayor was furious at the time. Has anything been heard about them renewing?

Mr. Asay – No, and I couldn't tell you when that agreement started.

Borough Clerk – We have a copy of that agreement on file.

Mayor Silver – We'll have some answers for you at the next meeting.

Scott Zimmerman – Am I about to ask you a personal question... Whether you like those cars there or not?

Mayor Silver – Personally, I don't. It's a sore subject. I know they're doing it as a fundraiser for the volunteer fire department and the rebuilding of their firehouse and everything like that. We'll get some communications as to their intent as to continuing to use Lester Glenn as a revenue maker or not. June is their Summerbrew.

Scott Zimmerman – We're all in a tough spot and if my house catches on fire, I'm going to call them. Everybody's in a tough spot, but...

Mr. Bendel – There hasn't been any official discussion, but the subject of increased town support of the Fire Department has been mentioned.

Scott Zimmerman – Could the Council, in fact, say get them out of there?

Mr. Bendel – Could the Council? The Council could do anything, but it doesn't mean necessarily that we have the power to do that. We could say anything, but does that make it legal? I don't know. I doubt it. If it's not our property, I don't see how we can do that. We could pass a resolution and say do that, but where's the enforcement if it's not legally binding?

Mayor Silver – We'll get updated information from the fire house.

Adopt Resolution 2015 – 34, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. There being no items for executive session, therefore this resolution was not acted on.

Motion by Mr. Bendel second by Mr. Berglund to adjourn, unanimous voice vote.

Respectfully submitted, Ellie Rogalski, RMC/MMC

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
JULY 21, 2015, 7:00 PM**

**MOMENT OF SILENCE & FLAG SALUTE  
STATE OF PUBLIC NOTICE**

This meeting of the Mayor and Borough Council was called pursuant to the December 20, 2014; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

**ROLL CALL:**

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver
Present			x	x	x	x	x
Absent	x	x					

**PRESENTATION:**

Mayor Silver read the Proclamation setting Sailfest curfew for minors

**SAILFEST PROCLAMATION**

July 21<sup>st</sup>, 2015

No one under the age of 18, unless accompanied by an adult, will be permitted on the streets after the hour of 8:00 PM on September 12, 2015

This prohibition does not apply if the juvenile is: Engaged in, or traveling to or from, a business or occupation which the laws of the State of New Jersey authorize a juvenile to perform; engage in an errand involving a medical emergency; attending religious services, extracurricular school activities sponsored by a religious or community organization or other cultural, educational or social events or is in direct transit to or from such events (Ord No. 94-09).

Be it so proclaimed by Jeffrey M. Silver, Mayor.

**APPOINTMENTS:**

Mayor Silver provided the Swearing-in of Joseph Kostecki as Municipal Clerk

**PUBLIC COMMENTS**

The Municipal Clerk stated that the Borough Council held a hearing on the 2015 Municipal Budget but did not close the meeting. He further stated that this is to close the Public Hearing to the Municipal Budget and carry the Budget hearing to the August 18, 2015 meeting at 6:30pm at which a new, amended Budget will be presented with a new Public Hearing as per State Statute.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The Municipal Clerk opened the Public Hearing for the Comcast renewal and introduced Robert Clifton.

Mr. Clifton read the following statement: We are nearing the end of a three-year federally mandated process, which began when I submitted a "626" letter to the Borough, and basically that is section 626 of the FCC Code which governs Franchise renewals. The current Certificate of Approval will expire on December 11<sup>th</sup> of this year. The Certificate of Approval is a document that a cable company needs in order to operate a cable television system here in New Jersey. The Board of Public Utilities issues it after Municipal Consent and the cable company's application has been reviewed for compliance with Federal requirements. On March 11<sup>th</sup> of this year, we filed the application, which I believe that you've all seen and the attorney has a copy of,

and that basically shows our technical capabilities here in the municipality, as well as our Financials, Board of Directors, channel line-up and general information about the company's operations. Upon the close of the Public Hearing, the town would have thirty days to issue a Consent Ordinance or a Resolution of Denial. Now this timeframe is flexible and is only put in there if neither party is willing to sit down to talk. So, when the Public Hearing is closed tonight, we don't have to do it in thirty days, we just have to be able to talk. The Board of Public Utilities doesn't even ask for a formal request to extend that period of time. It's only enforced when either the municipality or the cable company goes to the BPU and says that the other party refuses to sit down and negotiate, and at that point they would step in and bring us together to talk. The Consent Ordinance which we would like is a simple "Right-of-Way". It is not a contract that obligates the town to do anything except allow us to run our plants along your rights-of-way. It is non exclusive, meaning that any other cable provider can come in at any time and seek the rights to offer service. The municipality must, however, consider our application on its own merits and not compare it to another provider. Back in 2006, this process changed dramatically when the State of New Jersey passed legislation that was signed into law that allowed for a statewide cable franchise and what that is that a cable operator can, instead of coming here, providing an application and negotiating with the municipality, they can send an application to the Board of Public Utilities and have them approve a cable operator's ability to operate here in New Jersey. That is the method that Verizon has chosen and they're operating here in Ocean County under that where they've gone to the State to get their franchise. We also have that option, if we so chose, but for the nine years that it's been an option, we have not done that. We have good relationships with our municipalities and we believe that every municipality's cable needs are different and we like to negotiate face-to-face with the municipalities. The Governing Body must judge our application (and this is under State and Federal law) on four criteria: 1) Has the cable operator substantially complied with the terms of the existing franchise? 2) Has the quality of the operator's service been reasonable in light of the community's needs? 3) Does the operator have the financial ability and technical ability to provide the services? 4) Is the franchise renewal proposal reasonable to meet the future cable-related needs of the community? There are two areas (and this is from the State and Federal Statutes) that you cannot judge our application on: 1) our rates (they are governed by the State and Federal Governments) and 2) our channel lineup (channel line-ups are like newspaper content and protected under First Amendment rights to set up our channels as we see fit). That, however, is 99% of the questions we get asked are in rates and channel issues. So I have no problem answering any questions regarding those questions you might have. The next point would be for me to sit down with whomever the Council designates as a negotiator, whether it's a committee, or members of the administration, the Mayor or members of the Council, to discuss renewal of the franchise. The franchise has become very boilerplate, most of which is included within it has been prescribed by State or Federal law, such as the amount of bond we must post, the amount of insurance we must carry to operate here in town. There are two areas that are negotiable. One is the length of the term – how long the town is willing to give us. The other is what we can provide to the town in terms of free cable service or technology grants. Those are the things that we can negotiate with the committee. At this point, I'll answer any questions that you may have.

Mayor Silver asked what the average length of the contract?



Mr. Clifton stated that the average length in New Jersey is twenty-two year. The automatic tenure kicks in after a review by the town; usually three years before the contract ends, longest contract is 15 years. Therefore, the contract would be fifteen years and a ten year automatic renewal extension. If Comcast met all of the franchise agreement, they would be granted the ten year extension. The larger the contract, the larger the grant amount provided to the municipality by Comcast. Under the statewide franchise, which they've never used, is when neither party can come to an agreement, and the contract is for seven years; with no grant money. Comcast provides 2% franchise fees of every residence of basic cable. Once Verizon is able to provide for 60% of community, then the franchise fees would equal there, equaling 3.5%. Mr. Clifton assumes that Verizon is at the 60% capability; however he would have to check on that. The incumbent would stay at the rate until the 60% threshold was achieved.

Mayor Silver: when you talked about the length of term, what was past practice from other municipalities?

Clifton will send examples after going through neighboring municipalities.

Mayor Silver asked about the proof of performance, and Mr. Clifton stated that this is if there was an automatic renewal, which there is not. About three years before the expiration of the contract, the letter would be sent out stating they believe they have met all criteria. Mayor Silver also stated that the grants are related to the size of the municipality, and there is a resident in the audience interested in a public access channel. Mr. Clifton stated that this is something the Borough would negotiate based on the contract.

Councilmen Pillion: What are the pros and cons about having a public access channel?

Mr. Clifton: From the Comcast side, it's expensive to build the infrastructure but it's built into the cost of doing business. From the municipality side, it's maintaining it. Other towns have a line-item of \$350,000 to just maintain it. Others have mobile vans to broadcast events. Other towns have even had Comcast build a channel and it sits with a dark screen Comcast will build it but does not maintain it. The line goes to Comcast and it's sent out by Island Heights. A computer, DVD and character generator is all that is needed from the town to start

Councilmen Pillion: Are there requirements to provide content to town regardless of what the content may be?

Mr. Clifton: no, all the cable provider has to provide is least access. You just can't sell anything and no profanity. We have the capability to monitor the content but most likely it would be in reaction of a complaint. There are companies that provide content, with PBS type content as an option to the town.

Mayor Silver: what's the timeframe for negotiations?

Mr. Clifton: As long as we're talking, the Board of Public Utilities doesn't get involved, and I'm willing to meet at your convenience. Most of the contract is boiler plate mandated by BPU.

Councilman Pillion: my biggest concern is the loss of service, which occurs so often, it's frustrating.

Mr. Clifton explained that the CEO is shifting their focus towards customer service.

Councilman Pillion asked if performance benchmarks have ever been built into contracts?

Mr. Clifton stated BPU wouldn't allow it.

**Public Hearing for Comcast Renewal**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Following the closing of the Public Hearing, Mayor Silver appointed the following individuals to a committee to oversee the negotiations of the contract renewal:

Stephen Berglund, Sean Asay, and John Bendel.

Executive Session was moved to the end of the Agenda to accommodate the public.

**APPROVAL OF MINUTES**

Resolution 2015-65

Approving the minutes of June 23 Council Meeting and Executive Session

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**ORDINANCES**

**Ordinance 2015-05 Amending Ordinance 2005-08, 2006-11A, 2007-03, and 2013-05, Fixing and Determining Annual Salary and hourly wage of certain officers of the Borough of Island Heights (Second Reading)**

The Municipal Clerk opened up for a Public Hearing

Brian Gabriel, 185, asked what salaries were being presented, and the Borough Attorney read the three employees that pertained to the Ordinance.

**ORDINANCE 2015-05**

**ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING ORDINANCE 2005-08, 2006-11A, 2007-03 AND 2013-05, FIXING AND DETERMINING ANNUAL SALARY AND HOURLY WAGE OF CERTAIN OFFICERS OF THE BOROUGH OF ISLAND HEIGHTS**

BE IT ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows, until a subsequent salary ordinance is adopted:

Section 1. The maximum salary ranges per annum for the following officers and employees of the Borough of Island Heights shall be as follows:

TITLE	TOTAL BASE SALARY NOT TO EXCEED
F. Deputy Clerk/Acting Municipal Clerk	\$9,000.00
QQ. Assistant Chief Financial Officer	\$5,000.00

Section 2. All ordinances or parts of ordinances heretofore adopted in connection with the aforementioned subject matter are hereby repealed.

Section 3. If any part of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining parts thereof.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, held on the 23<sup>rd</sup> day of June, 2015 and was passed on second reading and final passage at a regular meeting of said governing body after a Public Hearing, held on the 21<sup>st</sup> day of July, 2015 at 7:00 PM at the Island Heights Municipal Building, Island Heights, New Jersey.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Ordinance 2015-06 Amending and Supplementing Chapter V (General Licensing) of the Borough Code to Regulate the Practice of Neighborhood Canvassing (First Reading)**

Council Member Thompson asked if there was already a canvassing ordinance in the Borough and if there were any redundancies?

The Municipal Clerk stated that there currently is a canvassing ordinance, however this includes a new section pertaining to the solicitation of Real Property, and which also parallels Toms

River's canvassing ordinance for the solicitation of Real Property. This also addresses a Do No Knock list.

**BOROUGH OF ISLAND HEIGHTS  
ORDINANCE 15-06**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER V (5-1 ), OF THE BOROUGH CODE TO REGULATE THE PRACTICE OF NEIGHBORHOOD CANVASSING**

**PURPOSE TO REGULATE THE PRACTICE OF REAL ESTATE CANVASSING AND SOLICITING IN BOROUGH NEIGHBORHOODS**

NOTICE IS HEREBY GIVEN that the ordinance was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, NJ, held on July 21, 2015 at 6:30pm. It will be considered for final passage at a public meeting to be held on August 18, 2015 at 6:30pm or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Borough Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

Joseph Kostecki  
Borough Clerk

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson		X		
X		Mayor Silver	X			

**Ordinance 2015 Authorizing the exchange of Real Property between First United Methodist Church (discussion)**

The Municipal Clerk stated that this will be an Executive Session discussion, and is not up for Governing Body consideration

**RESOLUTIONS**

**Resolution 2015-42 Authorizing the Solicitation of Request For Proposals for Special Projects Engineer Services**

Council Member Thompson asked what defines a Special Project, does it restrict O'Donnell and Stanton from submitting an RFP, do they have to submit an RFP, and why the Borough is soliciting this Request For Professionals?

The Mayor stated O'Donnell and Stanton is our Borough Engineer and they have done an excellent job; this only provides the Borough with an option for services on Special Projects, in addition to providing healthy competition.

The Municipal Clerk stated that this does not restrict the Borough Engineer from being used for any project and does not remove them from their current professional services contract. Furthermore, this RFP provides for a pool of all those firms whom submit an RFP, and the Governing Body can utilize any firm within that pool. He further added that the current Borough Engineer should submit also. Additionally, although there currently is not a definition of what defines a Special Project, due to recent emergency road projects and other unforeseen projects, the Borough would have the ability for options on specialized projects.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-43 Authorizing the appointment of Joseph Kostecki as Registrar**

Councilman Pillion requested the Municipal Clerk explain the duties relating to the Registrar.

The Municipal Clerk stated that this person oversees all records of Vital statistics, from Marriage Licenses to Birth and Death Certificates.

Councilman Pillion asked about who can apply for marriage licenses?

The Municipal Clerk stated that at least one of the two people looking to apply for a marriage license must be a resident of the municipality.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-44 Appointing Joseph Kostecki as Safety Coordinator**

Mayor Silver and Council Member Thompson asked the Municipal Clerk provide an overview of this role.

The Municipal Clerk stated this person is assigned by the Governing Body to facilitate new safety policies implemented and mandated by the Ocean County Joint Insurance Fund. The role also coordinates safety meetings with Department Heads to ensure each department carries out the requested safety policies.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
X		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**Resolution 2015-45 Appointing Wendy Prior as Deputy Municipal Clerk**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-46 Appointing a Fund Commissioner and Alternate Fund Commissioner to the Ocean County Municipal Joint Insurance Fund and Excess Fund for Calendar Year 2015**

The Municipal Clerk provided an overview on this role at the request of the Governing Body, explaining that this also is under the umbrella of the Joint Insurance Fund and is primarily associated with the yearly Community Development Block Grants, and that the Alternate Fund Commissioner is generally the Municipal Engineer. The Alternate Fund Commissioner is amended to include the firm of O'Donnell and Stanton.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-47 Authorizing signatures on the Borough Checks pursuant to N.J.S.A 40A:5-16**

The Governing Body asked who is authorized to sign Borough Checks.

Mayor Silver stated that there are four employees authorized to sign checks, and this amends this to include Joseph Kostecki as an authorized signer.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
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The Municipal Clerk stated that this does not restrict the Borough Engineer from being used for any project and does not remove them from their current professional services contract. Furthermore, this RFP provides for a pool of all those firms whom submit an RFP, and the Governing Body can utilize any firm within that pool. He further added that the current Borough Engineer should submit also. Additionally, although there currently is not a definition of what defines a Special Project, due to recent emergency road projects and other unforeseen projects, the Borough would have the ability for options on specialized projects.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

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The Municipal Clerk stated that this person oversees all records of Vital statistics, from Marriage Licenses to Birth and Death Certificates.

Councilman Pillion asked about who can apply for marriage licenses?

The Municipal Clerk stated that at least one of the two people looking to apply for a marriage license must be a resident of the municipality.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-44 Appointing Joseph Kostecki as Safety Coordinator**

Mayor Silver and Council Member Thompson asked the Municipal Clerk provide an overview of this role.

The Municipal Clerk stated this person is assigned by the Governing Body to facilitate new safety policies implemented and mandated by the Ocean County Joint Insurance Fund. The role also coordinates safety meetings with Department Heads to ensure each department carries out the requested safety policies.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
X		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**Resolution 2015-45 Appointing Wendy Prior as Deputy Municipal Clerk**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-46 Appointing a Fund Commissioner and Alternate Fund Commissioner to the Ocean County Municipal Joint Insurance Fund and Excess Fund for Calendar Year 2015**

The Municipal Clerk provided an overview on this role at the request of the Governing Body, explaining that this also is under the umbrella of the Joint Insurance Fund and is primarily associated with the yearly Community Development Block Grants, and that the Alternate Fund Commissioner is generally the Municipal Engineer. The Alternate Fund Commissioner is amended to include the firm of O'Donnell and Stanton.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-47 Authorizing signatures on the Borough Checks pursuant to N.J.S.A 40A:5-16**

The Governing Body asked who is authorized to sign Borough Checks.

Mayor Silver stated that there are four employees authorized to sign checks, and this amends this to include Joseph Kostecki as an authorized signer.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
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		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-48 Amending Temporary Budget of the Borough of Island Heights**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
X		Snow	X			
		Thompson	X			
	X	Mayor Silver	X			

**Resolution 2015-49 Establishing a Dedicated Escrow Account under N.J.S.A for the purposes of a potential Area of Rehabilitation on Block (61) Lot (3.01)**

The Municipal Clerk stated that this is in connection with Executive Session discussion. However, since there will be additional discussions necessary, this should be tabled until a later date. The motion is to **TABLE**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

No action was taken on the following resolutions

**Resolution 2015-50 Authorizing the Borough Attorney to draft a Memorandum of Understanding for the purposes establishing a potential Redeveloper for Block (61) Lot (3.01)**

**Resolution 2015-51 Authorizing the Municipal Auditor to draft a letter to the Local Finance Board and represent the Borough of Island Heights in regards to Block (61) Lot (3.01)**

**Resolution 2015-52 Approving the hiring of Jennie Wainwright as a part-time Public Works employee for 120 days at \$12.50/hr**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**Resolution 2015-54 Memorializing and Authorizing the Acceptance of a Shared Services Agreement with the Borough of South Toms River for the purposes of securing the services of a Municipal Clerk**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-64 Accepting a Medical Leave extension for Officer Dominique D'Amico**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The following resolution was presented as a walk-on resolution:

**RESOLUTION 2015-65 Appointing Margaret Gorman as CFO**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			

		Mayor Silver	X			
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**CONSENT AGENDA/PERMISSION**

The below listed items are considered to be routine by the Borough of Island Heights and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

**Resolution 2015-53 Approving Save-The-Date-Request for 19th Annual Barnegat Bay Festival**

- a. June 1st & 2nd, 2016 Tent Set-up 8am-8pm
- b. June 3rd, 2016 BBF Gala 10am-10pm
- c. June 4th, 2016 Set-up for Festival 8am-8pm
- d. June 5th, 2016 Festival 6am-5pm

**Resolution 2015-55 Approving obligations chargeable to the 2014 Operating Budget and the 2015 Temporary Operating Budget**

**Resolution 2015-56 Approving Raffle License 2015-( ) for Island Heights Fire Co. #1, DOE: 9/25/15**

**Resolution 2015-57 Approving a change-in-date to use the Pavilion from July 21 to August 27 for the Pines at Whiting Senior Retirement Community**

**Resolution 2015-62 Accepting the resignation of Jennifer L. Carr with regret and good standing.**

**Resolution 2015-63 Authorizing the advertisement for part-time Administrative Assistant**

**Resolution 2015-66 Authorizing a Raffle for the Ocean County Artists' Guild**

**Resolution 2015-67 Authorizing a Raffle for the Rotary Club of Toms River**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**BILL LIST**

**Resolution 2015-58 Approving the following Purchase Order Request**

Vendor: Delage Landen Financial Services  
 Item: Copier Lease Agreement for Borough Hall - 1 year  
 Amount: \$3,960.00

The following vote was approved contingent that satisfactory information is provided to the Governing Body regarding the cost and performance of the current copier, as requested by Council Member Thompson

**Resolution 2015-59 Approving the following Purchase Order Request**

Vendor: Cradle Brothers  
 Item: Paving in front of water tower on Van Sant Ave

Amount: \$5,215.50

**Resolution 2015-60 Approving the following Purchase Order Request**  
Vendor: National Water Main Cleaning Co.  
Item: Central Ave Sewer Emergency Repair  
Amount: \$3,780.00

Councilman Berglund brought the following walk-on Purchase Order request that is contingent on available funds:

**Resolution 2015-66 Approving the following Purchase Order Request**  
Vendor: Mark Woszczak  
Item: 15" Sanitary Sewer Replacement of Central Ave  
Amount: \$10,893.57

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The following resolution was removed from the agenda for consideration at next month's meeting:

**Resolution 2015-61 Approving the following Purchase Order Request**  
Vendor: ALVA Plastics  
Item: Beach Badges  
Amount: \$1,200.00

**COMMITTEE AND COUNCIL LIAISON REPORTS**

**NEW BUSINESS**

National Council on Aging

The Municipal Clerk stated that this agency has the ability to assist the Borough with workers who fit specific criteria of age and income. The National Council of Aging will pay people directly for general office assistance to work in the Borough while alleviating the Borough of taxpayer money.

**EXECUTIVE SESSION**

**Resolution 2015-67 For the purposes of Attorney-Client privilege, property acquisition and personnel**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			

		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Mayor Silver motioned to enter into public session, seconded by Council Member Thompson, with full council consent

The following resolutions were acted upon:

**Resolution 2015-69 Approving a Tax Appeal for Block 27.04, Lot 3, Docket No. 003642-2015 and Docket No. 004410-2015**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
	X	Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-70 Approving a medical extension for Officer Burns until the next August Council Meeting, at which time the Council will review for further consideration**

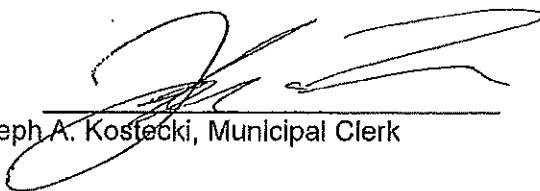
MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
	X	Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**ADJOURNMENT at 10:35pm**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Approved

\_\_\_\_\_  
Jeffrey Silver, Mayor

  
\_\_\_\_\_  
Joseph A. Kostecki, Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
JULY 21, 2015, 7:00 PM**

**MOMENT OF SILENCE & FLAG SALUTE  
STATE OF PUBLIC NOTICE**

This meeting of the Mayor and Borough Council was called pursuant to the December 20, 2014; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

**ROLL CALL:**

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver
Present			x	x	x	x	x
Absent	x	x					

**PRESENTATION:**

Mayor Silver read the Proclamation setting Sailfest curfew for minors

**SAILFEST PROCLAMATION**

July 21<sup>st</sup>, 2015

No one under the age of 18, unless accompanied by an adult, will be permitted on the streets after the hour of 8:00 PM on September 12, 2015

This prohibition does not apply if the juvenile is: Engaged in, or traveling to or from, a business or occupation which the laws of the State of New Jersey authorize a juvenile to perform; engage in an errand involving a medical emergency; attending religious services, extracurricular school activities sponsored by a religious or community organization or other cultural, educational or social events or is in direct transit to or from such events (Ord No. 94-09).

Be it so proclaimed by Jeffrey M. Silver, Mayor.

**APPOINTMENTS:**

Mayor Silver provided the Swearing-in of Joseph Kostecki as Municipal Clerk

**PUBLIC COMMENTS**

The Municipal Clerk stated that the Borough Council held a hearing on the 2015 Municipal Budget but did not close the meeting. He further stated that this is to close the Public Hearing to the Municipal Budget and carry the Budget hearing to the August 18, 2015 meeting at 6:30pm at which a new, amended Budget will be presented with a new Public Hearing as per State Statute.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The Municipal Clerk opened the Public Hearing for the Comcast renewal and introduced Robert Clifton.

Mr. Clifton read the following statement: We are nearing the end of a three-year federally mandated process, which began when I submitted a "626" letter to the Borough, and basically that is section 626 of the FCC Code which governs Franchise renewals. The current Certificate of Approval will expire on December 11<sup>th</sup> of this year. The Certificate of Approval is a document that a cable company needs in order to operate a cable television system here in New Jersey. The Board of Public Utilities issues it after Municipal Consent and the cable company's application has been reviewed for compliance with Federal requirements. On March 11<sup>th</sup> of this year, we filed the application, which I believe that you've all seen and the attorney has a copy of,

and that basically shows our technical capabilities here in the municipality, as well as our Financials, Board of Directors, channel line-up and general information about the company's operations. Upon the close of the Public Hearing, the town would have thirty days to issue a Consent Ordinance or a Resolution of Denial. Now this timeframe is flexible and is only put in there if neither party is willing to sit down to talk. So, when the Public Hearing is closed tonight, we don't have to do it in thirty days, we just have to be able to talk. The Board of Public Utilities doesn't even ask for a formal request to extend that period of time. It's only enforced when either the municipality or the cable company goes to the BPU and says that the other party refuses to sit down and negotiate, and at that point they would step in and bring us together to talk. The Consent Ordinance which we would like is a simple "Right-of-Way". It is not a contract that obligates the town to do anything except allow us to run our plants along your rights-of-way. It is non exclusive, meaning that any other cable provider can come in at any time and seek the rights to offer service. The municipality must, however, consider our application on its own merits and not compare it to another provider. Back in 2006, this process changed dramatically when the State of New Jersey passed legislation that was signed into law that allowed for a statewide cable franchise and what that is that a cable operator can, instead of coming here, providing an application and negotiating with the municipality, they can send an application to the Board of Public Utilities and have them approve a cable operator's ability to operate here in New Jersey. That is the method that Verizon has chosen and they're operating here in Ocean County under that where they've gone to the State to get their franchise. We also have that option, if we so chose, but for the nine years that it's been an option, we have not done that. We have good relationships with our municipalities and we believe that every municipality's cable needs are different and we like to negotiate face-to-face with the municipalities. The Governing Body must judge our application (and this is under State and Federal law) on four criteria: 1) Has the cable operator substantially complied with the terms of the existing franchise? 2) Has the quality of the operator's service been reasonable in light of the community's needs? 3) Does the operator have the financial ability and technical ability to provide the services? 4) Is the franchise renewal proposal reasonable to meet the future cable-related needs of the community? There are two areas (and this is from the State and Federal Statutes) that you cannot judge our application on: 1) our rates (they are governed by the State and Federal Governments) and 2) our channel lineup (channel line-ups are like newspaper content and protected under First Amendment rights to set up our channels as we see fit). That, however, is 99% of the questions we get asked are in rates and channel issues. So I have no problem answering any questions regarding those questions you might have. The next point would be for me to sit down with whomever the Council designates as a negotiator, whether it's a committee, or members of the administration, the Mayor or members of the Council, to discuss renewal of the franchise. The franchise has become very boilerplate, most of which is included within it has been prescribed by State or Federal law, such as the amount of bond we must post, the amount of insurance we must carry to operate here in town. There are two areas that are negotiable. One is the length of the term – how long the town is willing to give us. The other is what we can provide to the town in terms of free cable service or technology grants. Those are the things that we can negotiate with the committee. At this point, I'll answer any questions that you may have.

Mayor Silver asked what the average length of the contract?

Mr. Clifton stated that the average length in New Jersey is twenty-two year. The automatic tenure kicks in after a review by the town; usually three years before the contract ends, longest contract is 15 years. Therefore, the contract would be fifteen years and a ten year automatic renewal extension. If Comcast met all of the franchise agreement, they would be granted the ten year extension. The larger the contract, the larger the grant amount provided to the municipality by Comcast. Under the statewide franchise, which they've never used, is when neither party can come to an agreement, and the contract is for seven years; with no grant money. Comcast provides 2% franchise fees of every residence of basic cable. Once Verizon is able to provide for 60% of community, then the franchise fees would equal there, equaling 3.5%. Mr. Clifton assumes that Verizon is at the 60% capability; however he would have to check on that. The incumbent would stay at the rate until the 60% threshold was achieved.

Mayor Silver: when you talked about the length of term, what was past practice from other municipalities?

Clifton will send examples after going through neighboring municipalities.

Mayor Silver asked about the proof of performance, and Mr. Clifton stated that this is if there was an automatic renewal, which there is not. About three years before the expiration of the contract, the letter would be sent out stating they believe they have met all criteria. Mayor Silver also stated that the grants are related to the size of the municipality, and there is a resident in the audience interested in a public access channel. Mr. Clifton stated that this is something the Borough would negotiate based on the contract.

Councilmen Pillion: What are the pros and cons about having a public access channel?

Mr. Clifton: From the Comcast side, it's expensive to build the infrastructure but it's built into the cost of doing business. From the municipality side, it's maintaining it. Other towns have a line-item of \$350,000 to just maintain it. Others have mobile vans to broadcast events. Other towns have even had Comcast build a channel and it sits with a dark screen Comcast will build it but does not maintain it. The line goes to Comcast and it's sent out by Island Heights. A computer, DVD and character generator is all that is needed from the town to start

Councilmen Pillion: Are there requirements to provide content to town regardless of what the content may be?

Mr. Clifton: no. all the cable provider has to provide is least access. You just can't sell anything and no profanity. We have the capability to monitor the content but most likely it would be in reaction of a complaint. There are companies that provide content, with PBS type content as an option to the town.

Mayor Silver: what's the timeframe for negotiations?

Mr. Clifton: As long as we're talking, the Board of Public Utilities doesn't get involved, and I'm willing to meet at your convenience. Most of the contract is boiler plate mandated by BPU.



Councilman Pillion: my biggest concern is the loss of service, which occurs so often, it's frustrating.

Mr. Clifton explained that the CEO is shifting their focus towards customer service.

Councilman Pillion asked if performance benchmarks have ever been built into contracts?

Mr. Clifton stated BPU wouldn't allow it.

Public Hearing for Comcast Renewal

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Following the closing of the Public Hearing, Mayor Silver appointed the following individuals to a committee to oversee the negotiations of the contract renewal:

Stephen Berglund, Sean Asay, and John Bendel.

Executive Session was moved to the end of the Agenda to accommodate the public.

**APPROVAL OF MINUTES**

Resolution 2015-65

Approving the minutes of June 23 Council Meeting and Executive Session

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**ORDINANCES**

**Ordinance 2015-05 Amending Ordinance 2005-08, 2006-11A, 2007-03, and 2013-05, Fixing and Determining Annual Salary and hourly wage of certain officers of the Borough of Island Heights (Second Reading)**

The Municipal Clerk opened up for a Public Hearing

Brian Gabriel, 185, asked what salaries were being presented, and the Borough Attorney read the three employees that pertained to the Ordinance.

**ORDINANCE 2015-05**

**ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING ORDINANCE 2005-08, 2006-11A, 2007-03 AND 2013-05, FIXING AND DETERMINING ANNUAL SALARY AND HOURLY WAGE OF CERTAIN OFFICERS OF THE BOROUGH OF ISLAND HEIGHTS**

BE IT ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows, until a subsequent salary ordinance is adopted:

Section 1. The maximum salary ranges per annum for the following officers and employees of the Borough of Island Heights shall be as follows:

TITLE	TOTAL BASE SALARY NOT TO EXCEED
F. Deputy Clerk/Acting Municipal Clerk	\$9,000.00
QQ. Assistant Chief Financial Officer	\$5,000.00

Section 2. All ordinances or parts of ordinances heretofore adopted in connection with the aforementioned subject matter are hereby repealed.

Section 3. If any part of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining parts thereof.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, held on the 23<sup>rd</sup> day of June, 2015 and was passed on second reading and final passage at a regular meeting of said governing body after a Public Hearing, held on the 21<sup>st</sup> day of July, 2015 at 7:00 PM at the Island Heights Municipal Building, Island Heights, New Jersey.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Ordinance 2015-06 Amending and Supplementing Chapter V (General Licensing) of the Borough Code to Regulate the Practice of Neighborhood Canvassing (First Reading)**

Council Member Thompson asked if there was already a canvassing ordinance in the Borough and if there were any redundancies?

The Municipal Clerk stated that there currently is a canvassing ordinance, however this includes a new section pertaining to the solicitation of Real Property, and which also parallels Toms

River's canvassing ordinance for the solicitation of Real Property. This also addresses a Do No Knock list.

**BOROUGH OF ISLAND HEIGHTS  
ORDINANCE 15-06**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER V (5-1), OF THE BOROUGH CODE TO REGULATE THE PRACTICE OF NEIGHBORHOOD CANVASSING**

**PURPOSE TO REGULATE THE PRACTICE OF REAL ESTATE CANVASSING AND SOLICITING IN BOROUGH NEIGHBORHOODS**

**NOTICE IS HEREBY GIVEN** that the ordinance was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, NJ, held on July 21, 2015 at 6:30pm. It will be considered for final passage at a public meeting to be held on August 18, 2015 at 6:30pm or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Borough Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

Joseph Kostecki  
Borough Clerk

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson		X		
X		Mayor Silver	X			

**Ordinance 2015 Authorizing the exchange of Real Property between First United Methodist Church (discussion)**

The Municipal Clerk stated that this will be an Executive Session discussion, and is not up for Governing Body consideration

**RESOLUTIONS**

**Resolution 2015-42 Authorizing the Solicitation of Request For Proposals for Special Projects Engineer Services**

Council Member Thompson asked what defines a Special Project, does it restrict O'Donnell and Stanton from submitting an RFP, do they have to submit an RFP, and why the Borough is soliciting this Request For Professionals?

The Mayor stated O'Donnell and Stanton is our Borough Engineer and they have done an excellent job; this only provides the Borough with an option for services on Special Projects, in addition to providing healthy competition.

The Municipal Clerk stated that this does not restrict the Borough Engineer from being used for any project and does not remove them from their current professional services contract. Furthermore, this RFP provides for a pool of all those firms whom submit an RFP, and the Governing Body can utilize any firm within that pool. He further added that the current Borough Engineer should submit also. Additionally, although there currently is not a definition of what defines a Special Project, due to recent emergency road projects and other unforeseen projects, the Borough would have the ability for options on specialized projects.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-43 Authorizing the appointment of Joseph Kostecki as Registrar**

Councilman Pillion requested the Municipal Clerk explain the duties relating to the Registrar.

The Municipal Clerk stated that this person oversees all records of Vital statistics, from Marriage Licenses to Birth and Death Certificates.

Councilman Pillion asked about who can apply for marriage licenses?

The Municipal Clerk stated that at least one of the two people looking to apply for a marriage license must be a resident of the municipality.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-44 Appointing Joseph Kostecki as Safety Coordinator**

Mayor Silver and Council Member Thompson asked the Municipal Clerk provide an overview of this role.

The Municipal Clerk stated this person is assigned by the Governing Body to facilitate new safety policies implemented and mandated by the Ocean County Joint Insurance Fund. The role also coordinates safety meetings with Department Heads to ensure each department carries out the requested safety policies.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
X		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**Resolution 2015-45 Appointing Wendy Prior as Deputy Municipal Clerk**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-46 Appointing a Fund Commissioner and Alternate Fund Commissioner to the Ocean County Municipal Joint Insurance Fund and Excess Fund for Calendar Year 2015**

The Municipal Clerk provided an overview on this role at the request of the Governing Body, explaining that this also is under the umbrella of the Joint Insurance Fund and is primarily associated with the yearly Community Development Block Grants, and that the Alternate Fund Commissioner is generally the Municipal Engineer. The Alternate Fund Commissioner is amended to include the firm of O'Donnell and Stanton.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-47 Authorizing signatures on the Borough Checks pursuant to N.J.S.A 40A:5-16**

The Governing Body asked who is authorized to sign Borough Checks.

Mayor Silver stated that there are four employees authorized to sign checks, and this amends this to include Joseph Kostecki as an authorized signer.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
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		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-48 Amending Temporary Budget of the Borough of Island Heights**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
X		Snow	X			
		Thompson	X			
	X	Mayor Silver	X			

**Resolution 2015-49 Establishing a Dedicated Escrow Account under N.J.S.A for the purposes of a potential Area of Rehabilitation on Block (61) Lot (3.01)**

The Municipal Clerk stated that this is in connection with Executive Session discussion. However, since there will be additional discussions necessary, this should be tabled until a later date. The motion is to **TABLE**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

No action was taken on the following resolutions

**Resolution 2015-50 Authorizing the Borough Attorney to draft a Memorandum of Understanding for the purposes establishing a potential Redeveloper for Block (61) Lot (3.01)**

**Resolution 2015-51 Authorizing the Municipal Auditor to draft a letter to the Local Finance Board and represent the Borough of Island Heights in regards to Block (61) Lot (3.01)**

**Resolution 2015-52 Approving the hiring of Jennie Wainwright as a part-time Public Works employee for 120 days at \$12.50/hr**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**Resolution 2015-54 Memorializing and Authorizing the Acceptance of a Shared Services Agreement with the Borough of South Toms River for the purposes of securing the services of a Municipal Clerk**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
	X	Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-64 Accepting a Medical Leave extension for Officer Dominique D'Amico**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The following resolution was presented as a walk-on resolution:

**RESOLUTION 2015-65 Appointing Margaret Gorman as CFO**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			

		Mayor Silver	X			
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**CONSENT AGENDA/PERMISSION**

The below listed items are considered to be routine by the Borough of Island Heights and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

**Resolution 2015-53 Approving Save-The-Date-Request for 19th Annual Barnegat Bay Festival**

- a. June 1st & 2nd, 2016 Tent Set-up 8am-8pm
- b. June 3rd, 2016 BBF Gala 10am-10pm
- c. June 4th, 2016 Set-up for Festival 8am-8pm
- d. June 5th, 2016 Festival 6am-5pm

**Resolution 2015-55 Approving obligations chargeable to the 2014 Operating Budget and the 2015 Temporary Operating Budget**

**Resolution 2015-56 Approving Raffle License 2015-( ) for Island Heights Fire Co. #1, DOE: 9/25/15**

**Resolution 2015-57 Approving a change-in-date to use the Pavilion from July 21 to August 27 for the Pines at Whiting Senior Retirement Community**

**Resolution 2015-62 Accepting the resignation of Jennifer L. Carr with regret and good standing.**

**Resolution 2015-63 Authorizing the advertisement for part-time Administrative Assistant**

**Resolution 2015-66 Authorizing a Raffle for the Ocean County Artists' Guild**

**Resolution 2015-67 Authorizing a Raffle for the Rotary Club of Toms River**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
X		Pillion	X			
		Snow	X			
		Thompson	X			
		Mayor Silver	X			

**BILL LIST**

**Resolution 2015-58 Approving the following Purchase Order Request**

Vendor: Delage Landen Financial Services  
 Item: Copier Lease Agreement for Borough Hall - 1 year  
 Amount: \$3,960.00

The following vote was approved contingent that satisfactory information is provided to the Governing Body regarding the cost and performance of the current copier, as requested by Council Member Thompson

**Resolution 2015-59 Approving the following Purchase Order Request**

Vendor: Cradle Brothers  
 Item: Paving in front of water tower on Van Sant Ave



Amount: \$5,215.50

**Resolution 2015-60 Approving the following Purchase Order Request**  
 Vendor: National Water Main Cleaning Co.  
 Item: Central Ave Sewer Emergency Repair  
 Amount: \$3,780.00

Councilman Berglund brought the following walk-on Purchase Order request that is contingent on available funds:

**Resolution 2015-66 Approving the following Purchase Order Request**  
 Vendor: Mark Woszczak  
 Item: 15" Sanitary Sewer Replacement of Central Ave  
 Amount: \$10,893.57

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

The following resolution was removed from the agenda for consideration at next month's meeting:

**Resolution 2015-61 Approving the following Purchase Order Request**  
 Vendor: ALVA Plastics  
 Item: Beach Badges  
 Amount: \$1,200.00

**COMMITTEE AND COUNCIL LIAISON REPORTS**

**NEW BUSINESS**

National Council on Aging

The Municipal Clerk stated that this agency has the ability to assist the Borough with workers who fit specific criteria of age and income. The National Council of Aging will pay people directly for general office assistance to work in the Borough while alleviating the Borough of taxpayer money.

**EXECUTIVE SESSION**

**Resolution 2015-67 For the purposes of Attorney-Client privilege, property acquisition and personnel**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			

		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Mayor Silver motioned to enter into public session, seconded by Council Member Thompson, with full council consent

The following resolutions were acted upon:

**Resolution 2015-69 Approving a Tax Appeal for Block 27.04, Lot 3, Docket No. 003642-2015 and Docket No. 004410-2015**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
	X	Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**Resolution 2015-70 Approving a medical extension for Officer Burns until the next August Council Meeting, at which time the Council will review for further consideration**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
		Berglund	X			
		Pillion	X			
	X	Snow	X			
		Thompson	X			
X		Mayor Silver	X			

**ADJOURNMENT at 10:35pm**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				X
		Bendel				X
	X	Berglund	X			
		Pillion	X			
		Snow	X			
		Thompson	X			
X		Mayor Silver	X			

Approved

\_\_\_\_\_  
Jeffrey Silver, Mayor

  
\_\_\_\_\_  
Joseph A. Koslecki, Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
AUGUST 18, 2015, 7:00 PM**

**Mayor Silver opened the meeting by reading the STATE OF PUBLIC NOTICE**

This meeting of the Mayor and Borough Council was called to order pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting was sent to the Asbury Park Press on December 20, 2014; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

Mayor Silver led the Flag Salute

**ROLL CALL**

	Asay	Bendel	Berglund	Pillon	Snow	Thompson	Mayor Silver
Present	x		x	x	x	x	x
Absent		x					

**SCHOOL BOARD PRESENTATION**

Presenters: Loren B. Fuhring, Superintendent; Frank Frazee, School Business Administrator; Steven Segal and James Houston of Spiezele Architectural Group.

Frank Frazee spoke to those in attendance regarding the upcoming Bond referendum for the School Board, for the purpose of building improvements. The total 2.4million, the overall referendum is \$4.2 million. The State will pay for 40% of the budget if the referendum passes.

Lauren Fuhring presented aspects of what she feels "makes" Island Heights. She discussed the CHOICE program, which allows other students to attend the school, and is funded by the State. The school currently has 13 students and receives \$165,000.00 from the State. This has resulted in more programs, funding and overall, completely benefited the school. The average class size is 16, which is significantly less than other schools. This is the only CHOICE school in Ocean County. Students are more advanced in Spanish than other schools. Other aspects include Character Education programs; technology is provided to the students such as Chromebooks, laptop centers, and interactive whiteboards. She spoke additionally on the follow powerpoint information:

"NJ School Choice Program, "Small class size, "Highly qualified teachers, "Recognized as a reward school from the NJ Department of Education, "Full year Spanish for all grade levels, "Music, Art and Physical Education Programs, "Enrichment program for all grade levels, "5<sup>th</sup>/6<sup>th</sup> Middle School Preparation programs. After school activities for grades 2-6, Band, Homework Club, Sports, Running Club, Integrated STEM programs, Character Education Programs, New Basic Skills Program through Title I, Technology, One-to-One Chromebooks for grades 4-6, Chromebook cart, iPad cart, and Laptop Centers within the classrooms.

Frank Frazee spoke on the school budget with the following Powerpoint:

Local Tax Levy	\$ 1,838,925	
State Aid	120,413	2013-14 -- \$119,507
State School Choice Aid	178,010	2014-15 -- \$285,708
Revenue from another LEA	40,000	2015-16 -- \$298,423
Maintenance Reserve	10,000	
Miscellaneous	5,452	
Grants	32,598	
Debt Service Tax Levy	77,958	
<b>Total Revenue</b>	<b>\$ 2,303,356</b>	

Steven Segal of Spiezele Architectural Group: States that patchwork costs much more in the long run instead of replacing with new facilities and less maintenance costs. Primarily the needs are mechanical and HVAC, communication upgrades for life-safety aspects, and how best to secure the building; roofing replacements to keep out mold; door replacements that are in need of repair; the bathrooms are the same as when the parents when to school; ADA compliance issues; windows, boilers; emergency lights; compressors that are 50-60 years old. Some of these replacements will lead to reduced energy costs. The overall upgrades can only be done if the referendum passess, and the school can capture the 40% State share. It will 3.89% interest on the 20 year bond. The estimated

tax impact is \$16/month based on the average assess home. The school compiled this list of needs based on the highest school priorities and critical needs. The application was sent to the State in April, and within 30 days, the application was approved and is allowed for the September referendum. If approved, the bid would go out in February. The debt service is 40% and supported by the State.

**Public Questions:**

Frank Mayone, Central Ave: Have anyone drawn up budget to dissolve the school rather than restore the school? There is already a problem with the water,

Steven Segal of Spiezle Architectural Group: The concept for having your own school know is the advantages of having small class size.

Frank Franzee: There are programs in place such as Senior Tax Freeze. The requested upgrades, and the programs in place are in the best interests of the children. Seaside park looked into dissolving and that failed, and Island Heights is part of that school system.

Attendee: The cost per student is about \$15,000. \$1.5 million is what it costs just for the kids, and that's without special needs or transportation, without any additional costs..

Fran (Attendee): was the kindergarten teacher and secretary. During her time, they learned a lot and was always worrying about the superintendent. One of her classes had 65 at Saint Joseph's, and all learned. She feels that the education at St. Joes is less and has a better education.

Frank Franzee: The Superintendent is a requirement of every school. The school is not in support of all state mandates but these are requirements. The class size is state regulation and we abide by the law.

Attendee, 1 River avenue: has there been any evaluation on the expected growth and size of the school? In ten years, there may be more CHOICE students than Island Heights students?

Council Member Thompson: How do you determine the amount of CHOICE students?

The Superintendent responded stating that the number is determined by the State, which currently stands at 13. More students may be expected since the number of those students is fund-driven by the State.

Brian Gabriel, 185 Summit: My entire family went to the school. Besides coming on the heels with water and sewer in the town. This referendum notice was sent out with the students. It would be nice to have this sent to all residents for them to digest it.

Steven Segal of Spiezle Architectural Group: The School did advertise and the Board approved the referendum. This is available on the website, handed out to students as well to save costs.

Brian Gabriel, 185 Summit: why weren't any of these projects addressed as a Capital project?

Frank Franzee: The Board have been conscious of the tax rate. The current law does not allow more than 2%, and that is about \$35,000. Special education costs, and others are feeling the burden of health benefits, which eat up that 2%. The funding in the town is different, and the school's capital projects is included in the 2%.

Brian Gabriel, 185 Summit: Maybe, maybe not; I don't know and that's a good point. What is the surplus of the school budget?

Frank Franzee: It's below the maximum. The \$250,000 is the maximum. There was money set aside for some capital projects, and utilizing \$22,000 will not do anything substantial for maintenance needs.

Brian Gabriel, 185 Summit: interrupted Mr. Franzee and asked how much we spend on maintenance?

Frank Franzee: about \$341,000 on the upkeep on the building.

Brian Gabriel, 185 Summit: Is the school being mandated for ADA noncompliant issues or something we are trying to get in compliance?

Steven Segal of Spiegle Architectural Group: Its both. The doors are not ADA compliant but they are also 60 years old and are not up to fire code.

Brian Gabriel, 185 Summit: There's no way to determine how many kids are coming to town, and I believe it will be less. A lot of homes up for home, which can be considered affordable but these families can't afford to live here. We have a demographic problem. When does it become unaffordable?

Bob Snedden, 169 Van Sant: Does reflects an increase of \$200 year, for how long?

Frank Franzee: 20.

Steven Segal of Spiegl Architects: The breakdown of costs was provided at the June School Board meeting.

Doug Bailey, 192 Central Avenue: Is there a projection of enrollments? I assume this CHOICE program can be eliminated ?

Lauren Fuhring: We've been stable in our numbers, but we don't have a projection.

Council Member Thompson: Asked for projection clarification.

Lauren Fuhring: 116 - 122, our enrollment hasn't dropped but the projection is based on who's having children and it's tough to project.

Council Member Thompson: We have a proposed project in absence of an enrollment projection?

Frank Franzee: Its one of the requirements to have a long-range projection plan but enrollment is not part of this. There's an enrollment section .

Steven Segal of Spiegle Architectural Group: every 5 years there's a long range projection which includes funding, and a section on enrollment but mainly addresses the needs of building, critical needs, and enrollment assessment. Right now, the state section for enrollment is not open. Currently, we enter a cohort based on birth rate projections over the last five years. This looks consistent, but it's not done for a specific demographic.

Council Member Pillion: What is your role and have you looked at the Census Data?

Steven Segal of Spiegle Architectural Group: We just use the forms provided by the State. You can request a demographic study but this costs money that is not funded by the State.

Council Member Thompson: we have a great ocean county planning department, and requests the board speak with them to see if they can provide projects and so that we can get a handle of the projection.

Frank Franzee: If the referendum is rejected, the board can go out again for another referendum, and after that the school can petition the State Commissioner, who can arbitrarily make it a mandate.

Brian Gabriel, 185 Summit: are we still paying for the addition on the school

Frank Franzee: There is approximately \$77,00 per year, starting in 2005, and the balance is \$533,000 minus \$60,000.

Resident: prior to the referendum, will there be a chance for public questions?

Frank Franzee: any member of the public can come to a board of education meeting . The next is September 9, 2015.

Council Member Thompson: can these materials be made available to the public and for council? Can I see a detailed budget?

Frank Franzee: These are made available on the School website. The audit provides all funding available to the public as well, in addition to the user friendly public.

Council Member Berglund: You addressed a cut-off of five years, but did not take into consideration anything outside of five years? why didn't you take 3 years? If an item has a payback in two years you do it now. Everything in this budget, the school feels it has to be done now?

Frank Franzee: Five years is the State requirement. We broke it down into priorities. Yes, the school feels these are priorities. The state is giving us \$1.6 million, and they are covering 40% of our needed costs.

Council Member Berglund: Why not go for \$5 million now?

Frank Franzee: We only look at critical safety issues.

Resident: how much would it cost to close the school and send everyone elsewhere?

Frank Franzee: That would be a negotiated cost. It's \$15,000 average cost per student, not including special needs and other costs.

Council Member Pillion: What number will be on the referendum? \$4million?

Frank Franzee: yes

Council Member Thompson: is the facility currently flood compliant?

Frank Franzee: we added flood doors and vents from Sandy money with a temporary berm to prevent another flood.

Council Member Thompson: If it's not flood compliant, and if you invest more than 50% of the property, then you have to make the entire property flood compliant.

Frank Franzee: I do know that our flood insurance did a flood certification, but I don't want to answer you on that since i'm not 100% sure.

Council Member Asay: We talked. Is there a cost to the Island Heights' parents of the CHOICE program? This comes out of the schools budget from where they come from. What is the build capacity?

Superintendent: 170.

The Mayor asked that the School Board send information over to the Clerk based on the requests of Council Member Thompson.

Mayor Silver motioned for a short recess, seconded by Council Member Asay, and unanimous Council consent.

Mayor Silver motioned to come back into Public Session, seconded by Council Member Asay, and unanimous Council consent.

#### APPROVAL OF MINUTES

Resolution 2015-68 Approving the minutes of July 21 Council Meeting

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay			x	
		Bendel				x
		Berglund	x			
		Pillion	x			
		Snow	x			
	x	Thompson	x			
x		Mayor Silver	x			

#### ORDINANCES

## ORDINANCE 15-06

## ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER V (5-1), OF THE BOROUGH CODE TO REGULATE THE PRACTICE OF NEIGHBORHOOD CANVASSING

BE IT ORDAINED by the Borough Council of the Borough of Island Heights, Ocean County, New Jersey, as follows:

- 1: Chapter 5 (General Licensing) of the Borough Code is hereby amended and supplemented to establish the following provisions:

## CHAPTER V

## Canvassing and Soliciting for Real Estate

## 5-1.1. Definitions.

For the purposes of this article, the following words and phrases are defined as follows:

**CANVASSING** - Door-to-door soliciting or solicity by the use of circulars, visitations, or any other means, where the canvasser or his or her employer has not been invited or requested by the owner (as defined below), to obtain a listing of real property or to confer with the owner regarding a real estate transaction.

**OWNER** - The lessee, sublessee, assignee, managing agent or other person having the right of ownership or possess or to sell, rent, or lease any real property.

**PURCHASER** - Any occupant, prospective occupant, lessee, prospective lessee, buyer, prospective buyer, or any agent thereof.

## 5-1.11. License and notice requirements.

- A. Any person, corporation, partnership, limited liability company, or other institution or entity that canvasses in order to obtain listings of real property, or to bring about the sale, lease, or purchase of real property, must provide advance written notice to the Borough Clerk before engaging in such activities. The advanced notice must provide the following information:
  - a. The names and addresses of the persons engaging in the canvassing or soliciting
  - b. The names and addresses of the individuals or companies by which such persons are employed.
  - c. A listing of the street or streets in the Borough in which the canvassing or soliciting will take place
  - d. The starting and ending dates in which the canvassing or soliciting will take place.
- B. The notice required hereunder must be filed with the Borough Clerk no less than 14 business days prior to the scheduled start date.
- C. Provided the notice requirements have been satisfied, the Borough Clerk shall issue a permit allowing the canvassing or soliciting to take place. This permit shall be valid for a period not to exceed 30 days from the date of issuance. Once expired, the permit must be renewed following the same notice requirements.

## 5-1.12 Do not knock registry.

- A. Any owner of real property within the Borough who refuses to be canvassed or solicited for the sale or rental of their property may enroll in the Borough's "No Knock" registry established pursuant to ORDINANCE 15-06 and this said portion, the provisions of which are incorporated herein.

- B. Current "no knock" registrants are protected against the canvassing or soliciting activities regulated by this article without having to re-register.
- C. The unauthorized canvassing or soliciting of property owners who are valid "no knock" registrants constitutes a violation of this article.

#### 5-1.13. Prohibited discrimination

No person shall engage in the following acts:

- A. Promote, influence, or attempt to promote or influence a property owner, occupant, or tenant to list for sale, sell, or remove from a lease real property by referring to race, color, sexual orientation, ethnicity, or religious affiliation of neighbors, prospective buyers or other occupants or prospective occupants of real property.
- B. Induce directly or indirectly, or attempt to induce or directly or indirectly, the sale or listing for sale of real property by representing that the presence or anticipated presence of persons of any particular race, religion, or national origin in the area has resulted or may result in:
  - (1) The lowering of property values
  - (2) A change in the racial, religious, or ethnic composition of the block, neighborhood, or area in which the property is located.
  - (3) An increase in criminal or antisocial behavior in the area.
  - (4) A decline in the quality of the schools serving the area.
- C. Make any representation (or misrepresentation) concerning the listing or sale of the anticipated listing for sale or the sale of any real property in any residentially zoned areas for the purpose of inducing or attempting to induce the sale or listing for sale of other real property in such area.
- D. Make any representation to any prospective purchaser that any block, neighborhood or area has, will, or might undergo an adverse change with respect to the religious, racial, or ethnic composition of the block, neighborhood or area for the purpose of discouraging the purchase of property in a particular area.
- E. Place a sign purporting to offer for sale any property that is not in fact offered for sale.
- F. Advertise for sale or rental property which is non-existent or which is not actually for sale or rental.
- G. Engage in or hire or conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest, create or play upon fear with the purpose of inducing or attempting to induce the sale or listing for sale of real property.
- H. To solicit or canvass any owner whose name and property address is included on the list maintained by the Borough Clerk of persons requesting that they not be canvassed or solicited.
- I. To engage in any economic reprisal or any other form of intimidation against any person because that person has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under the terms of this article.
- J. To aid, abet, incite, compel or coerce any person to engage in any of the practices forbidden by this article or to obstruct or prevent any person from complying with the provisions of this article.
- K. Refer, directly or indirectly or by implication, to race, color, creed, ethnicity, or sexual orientation in any advertisement or other solicitation offering real property for sale or rental.
- L. Solicity or attempt to solicit the sale or rental or the listing for sale or rental of real property without furnishing in written form to the owner or occupier of such real property the name of the person or organization soliciting such sale, rental or listing.

M.

#### 5-1.14 Exemptions

This article does not apply to real estate that is publicly advertised for sale or to "open houses," sponsored by the owner or listed real estate agent for a specific home on a specific day.

1. All other parts of Chapter 5 remain in full force and effect.
2. All ordinance or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
3. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.



4. This ordinance shall take effect following its final passage by the Borough Council, and twenty days after publication as required by law

Joseph Kostecki  
Borough Clerk

The Borough Clerk opened the Public Hearing on Ordinance 2015-06

Seeing no comments or questions, Council Member Asay motioned to close public hearing, seconded by Council Member Pillion, and full Council consent.

Council Member Thompson: Did you confirm that there are no redundancies within our code?  
Municipal Clerk confirmed in the affirmative

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
		Bendel				x
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
x		Mayor Silver	x			

Ordinance 2015-07 Amending Ordinance 2009-04

ORDINANCE NO. 2015-07

BOND ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, NEW JERSEY, AMENDING ORDINANCE NO. 2009-04 OF THE BOROUGH FINALLY ADOPTED JULY 28, 2009 TO PROVIDE FOR AN AMENDMENT OF THE PURPOSE SET FORTH IN SECTION 3(a) AND THE USEFUL LIFE IN SECTION 6(b) THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3(a) of Bond Ordinance No. 2009-04 ("Bond Ordinance") of the Borough of Island Heights, in the County of Ocean, New Jersey (the "Borough"), finally adopted July 28, 2009, is hereby amended in its entirety to read as follows:

"(a) Purpose. the rehabilitation and repair of the sanitary sewer system (root treatment) and the repair/replacement of sewer pumps, and including all work and materials necessary therefore or incidental thereto, as more fully described on a list on file in the Borough Clerk's office

Appropriation and Estimated Cost: \$20,000  
Amount of Bond or Notes: \$19,000  
Amount of Down Payment: \$1,000  
Period or Average Period of Usefulness: 10 years"

Section Two. Section 6(b) of the Bond Ordinance is hereby amended in its entirety to read as follows:

"6(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance is 10 years.

Section Three. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available for public inspection.

Section Four. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of the bond ordinance.

Section Five. After final adoption of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions, and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section Six. This ordinance amends Bond Ordinance No. 2009-04 of the Borough finally adopted July 28, 2009. Any inconsistencies shall be resolved by reference to this amending ordinance. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section Seven. This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by Section Four hereof and the Local Bond Law, N.J.S.A. 40A:2-1, et seq.

The foregoing ordinance is hereby approved:

Date: September \_\_\_\_\_, 2015

\_\_\_\_\_  
Jeffrey B. Silver, Mayor

Municipal Clerk: These are all ordinance amending old ordinance and utilizing left over money for other projects.

Council Member Thompson: Are the amounts reflected in the bond?

Municipal Clerk: These are what's left in the bond

Council Member Pillion: has these been reviewed by the CFO?

Municipal Clerk: Yes but drafted by the Auditor. These are the left over on the original amount.

Mayor Silver: We also changed the verbiage to utilize these for other projects.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			

		Bendel				x
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
	x	Mayor Silver	x			

Ordinance 2015-08      Amending Ordinance 2009-08  
ORDINANCE NO. 2015-08

BOND ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, NEW JERSEY, AMENDING ORDINANCE NO. 2009-08 OF THE BOROUGH FINALLY ADOPTED OCTOBER 29, 2009 TO PROVIDE FOR AN AMENDMENT OF THE PURPOSE SET FORTH IN SECTION 3(a) AND THE USEFUL LIFE IN SECTION 6(b) THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3(a) of Bond Ordinance No. 2009-08 ("Bond Ordinance") of the Borough of Island Heights, in the County of Ocean, New Jersey (the "Borough"), finally adopted October 29, 2009, is hereby amended in its entirety to read as follows:

"(a) Purpose.      the replacement of pump stations and the repair or replacement of water and sewer lines, and including all work and materials necessary therefore or incidental thereto, as more fully described on a list on file in the Borough Clerk's office

Appropriation and Estimated Cost:	\$70,000
Amount of Bond or Notes:	\$66,500
Amount of Down Payment:	\$3,500
Period or Average Period of Usefulness:	16.65 years"

Section Two. Section 6(b) of the Bond Ordinance is hereby amended in its entirety to read as follows:

"6(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance is 16.65 years.

Section Three. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available for public inspection.

Section Four. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of the bond ordinance,

Section Five. After final adoption of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions, and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section Six. This ordinance amends Bond Ordinance No. 2009-08 of the Borough finally adopted October 29, 2009. Any inconsistencies shall be resolved by reference to this amending ordinance. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section Seven. This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by Section Four hereof and the Local Bond Law, N.J.S.A. 40A:2-1, et seq.

The foregoing ordinance is hereby approved:

Date: September \_\_\_\_\_, 2015

\_\_\_\_\_  
Jeffrey B. Silver, Mayor

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Ordinance 2015-09      Amending Ordinance 2010-06  
ORDINANCE NO. 2015-09

BOND ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, NEW JERSEY, AMENDING ORDINANCE NO. 2009-04 OF THE BOROUGH FINALLY ADOPTED APRIL 27, 2010 TO PROVIDE FOR AN AMENDMENT OF THE PURPOSE SET FORTH IN SECTION 3(a) AND THE USEFUL LIFE IN SECTION 6(b) THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3(a) of Bond Ordinance No. 2010-06 ("Bond Ordinance") of the Borough of Island Heights, in the County of Ocean, New Jersey (the "Borough"), finally adopted April 27, 2010, is hereby amended in its entirety to read as follows:

"(a) Purpose. Repair and/or replacement of water distribution facilities, including, but not limited to the repair and or replacement of 76 fire hydrants and the repair and/or replacement of water and sewer lines, including all work and materials necessary therefore or incidental thereto, as more fully described on a list on file in the Borough Clerk's office

Appropriation and Estimated Cost:      \$275,860  
Amount of Bond or Notes:                      \$275,860  
Period or Average Period of Usefulness:    20.53 years"

Section Two. Section 6(b) of the Bond Ordinance is hereby amended in its entirety to read as follows:

"6(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance is 20.53 years.

Section Three. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available for public inspection.

Section Four. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of the bond ordinance.

Section Five. After final adoption of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions, and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section Six. This ordinance amends Bond Ordinance No. 2010-06 of the Borough finally adopted April 27, 2010. Any inconsistencies shall be resolved by reference to this amending ordinance. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section Seven. This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by Section Four hereof and the Local Bond Law, N.J.S.A. 40A:2-1, et seq.

NOTICE OF PENDING BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, New Jersey, held on August 18, 2015. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Borough Council to be held in the Borough Hall, One Wanamaker Municipal Complex, Island Heights, New Jersey on September 22, 2015 at 7pm, and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Borough Clerk's office in the Municipal Complex Offices to the members of the general public who shall request same.

Joseph Kostecki, MPA,RMC,QPA,CMR  
Municipal Clerk

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			

		Pillion	x			
		Snow	x			
		Thompson	x			
	x	Mayor Silver	x			

**RESOLUTIONS**

**Resolution 2015-69 Resolution to Amend Approved 2015 Budget**

The Municipal Clerk stated that this amends the sewer budget. Resolution 2015-78 amends the overall budget.

Brian Gabriel: Will the public get a chance to comment?

Mayor Silver: yes.

Municipal Clerk: The public comment is allowed on the second reading of ordinances.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-78 Resolution Amending the Temporary Budget for the year 2015**

Brian Gabriel: are we spending money on the temporary budget based on what is still not approved?

Municipal Clerk: It's an operating temporary budget.

Brian Gabriel: are we paying those costs based on projections?

Municipal Clerk: There's nothing projected for 2016 so we are paying bills on 2015. This is not a five year plan, this is a temporary budget.

Council Member Thompson: How does this year's spending compare to last years?

Mayor: I would say we are in a equal or better so staff costs have come down dramatically.

Council Member Pillion: Year to date we've spent less this year.

Roll Call

Municipal Clerk stated the following:

2015 Budget Amendments:

Grants: Expenditures are offset by the revenues. (State grants)

Sheet 9 & 24: Clean Communities - \$4,932.58

Sheet 9 & 24: Alcohol Education Rehabilitation - \$176.80

Changes in Expenditures: (Over 10% - that is why a budget hearing has to be held.)

Inside CAP:

Sheet 12: General Administration OE – reduce \$2,000

Sheet 12: Municipal Clerk's Office S&W – reduce \$20,000 (Retirement of clerk)

Sheet 12: Municipal Clerk's Office OE – increase @2,000 (Codification of all Ordinances 2014-4 to present. Estimate)

Outside CAP:

Shared Services:

Sheet 22: Toms River Township – Financial Services – reduce \$20,000 (Agreement ended July 31, 2015)

Net difference in the 2015 budget is an increase of \$5,109.38 from the 2 grants.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
	x	Mayor Silver	x			

Resolution 2015-70 Approving a Change in FY 2014 Municipal Aid project, removing the re-paving of Maple Ave

Council Member Asay: this is the one we removed Maple and just going to do Jaymes.

Council Member Thompson: The revised budget is \$110,000. On the agenda, we have public comment before Roll Call?

Mayor Silver: We can arrange for that. I just don't want the Council to be influenced by the public comment. It's to listen to your comments.

The Municipal Clerk: Roberts's rule governs the rules and procedures of public meetings for Governing Bodies. Based on state statute, you are mandated to have one public comment per public meeting. Every governing body can have public comment after every vote, but it is only mandated to have one for the entire meeting. Also, for greater clarification, Privilege of the Floor is the authority given to a person under the Public Comment portion. So just because you don't see privilege of the floor listed, it does not mean that it doesn't exist.

The votes on all agenda items, previously used to be that the public comment portion was done after the votes were taken.

Mayor Silver: Are you referring that based on past practice under the Biggs administration?

Brian Gabriel: That is correct. The public has the right to comment on every agenda item. The Municipal Clerk is correct, as he so aptly stated according to Roberts Rules.

Council Member Pillion: I would prefer to have public comment on every agenda item before we vote.

Mayor Silver: We have public comment for each agenda item.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
	x	Berglund	x			
		Pillion	x			

		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-71 Appointing Margaret Gorman as CFO**

Council Member Asay: for clarification, our agreement with Toms River Township is dissolved? We have not hired a Deputy to her?

Mayor Silver: I know you missed a couple of meetings. She's been the Deputy for a while and there will not be a Deputy once she is appointed as CFO.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
		Bendel				x
		Berglund	x			
x		Pillion	x			
	x	Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-72 Certification of the 2014 Annual Audit Report**

Council Member Pillion: Just to let the public know, we met with the Auditors, and with our CFO and April Elley. We went over this.

Mayor Silver: Yes, and they found no deficiencies.

Council Member Thompson: Is the made available ?

Municipal Clerk: This is made available, advertised, and place on website as per state statute.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**CONSENT AGENDA/PERMISSION**

The below listed items are considered to be routine by the Borough of Island Heights and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Resolution 2015-73 Approving a Raffle License Application 2015-6 for Community Medical Center Auxiliary Association

Resolution 2015-74 Approving a Raffle License Application 2015-7 for Island Heights Cultural and Heritage Association

Council Member Pillion: Do we charge a fee?

Municipal Clerk: no, only state fees are charged.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
--------	--------	------	------	------	---------	--------



x		Asay	x			
		Bendel				x
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**PURCHASE ORDER REQUESTS**

Resolution 2015-75 Approving the following Purchase Order Request  
 Vendor: HD Supply  
 Item: 8" Valve & 2 Megalug kits  
 Amount: \$1,350.00  
 Council Member Berglund confirmed that this is for Simpson Ave.

Resolution -2015-76 Approving the following Purchase Order Request  
 Vendor: Midas Auto Service Experts  
 Item: Police Vehicle Maintenance  
 Amount: \$1,557.47.00  
 Mayor Silver stated this is vehicle number is 1007.

Resolution 2015-77 Approving the following Purchase Order Request  
 Vendor: ALVA Plastics  
 Item: Beach Badges  
 Amount: \$1,200.00

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Council Member Asay: If we buy daily beach badges that are all one color, how does a badge check know?

Mayor Silver: The checker rights it directly on the badge.

**COMMITTEE AND COUNCIL LIAISON REPORTS**

Berglund: I received correspondence from Congressman McCarthy on Flood insurance. If you want to be reviewed, you have until September 15.

Asay: Everything I have has been covered mayor, thank yo.

Pillion: I met with the Fire Company and certified their Length in Service Awards Program to our CFO - LOSAP. Emergency Management will have a drill out of OEM/Police Department in mid September.

Snow: We had an active of vandalism at the Post Office. We reviewed the footage and the person has been identified. We are in the process of getting a new sign up and we thank the Police Department.

Asay: Was this a juvenile? The Lt Arnold confirmed that it was.

Thompson: Everything was covered, thank you.

Mayor Silver: We were presented with a plan for the new facility at the Firehouse and it's in review.

Brian Gabriel: I won't speak on behalf of the Fire Company but this plan will go in front of the Planning Board. The FEMA thing that Mr. Berglund pulled up, there were some things were not accounted for in town? Is there anything the town can address?

Mayor Silver deferred to the Municipal Clerk.

Municipal Clerk stated that the Town is working with Doug Platt and the State OEM to address insurance coverage and full coverage of ongoing costs.

Brian Gabriel: Do ice cream trucks have permits to operate in town?

Mayor Silver: Yes, to an extent. We will address this in the coming year.

#### EXECUTIVE SESSION

**Resolution 2015-83 For the purposes of Attorney-Client privileges, Personnel and Collective Bargain negotiations.**

Ron Totems, 248 Summit Avenue: you and I had a discussion about garbage. You stated you would address it. Is something being done?

Mayor Silver: Action is being taken with letters. This is a property maintenance issue and Joe Cocoa is on the case.

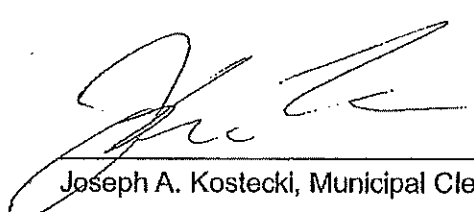
Ron Totems: Say no more, thank you.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel				x
		Berglund	x			
		Pillion	x			
	x	Snow	x			
		Thompson	x			
		Mayor Silver	x			

#### ADJOURNMENT

Approved

\_\_\_\_\_  
Jeffrey Silver, Mayor

  
\_\_\_\_\_  
Joseph A. Kosteck, Municipal Clerk

MINUTES OF A CLOSED SESSION  
MEETING OF COUNCIL OF THE  
BOROUGH OF ISLAND HEIGHTS

A Closed Session Meeting of Council of the Borough of Island Heights was held at the Borough Hall on August 18, 2015.

Those present were Mayor Silver; Council Asay, Berglund, Pillion, Snow, and Thompson.

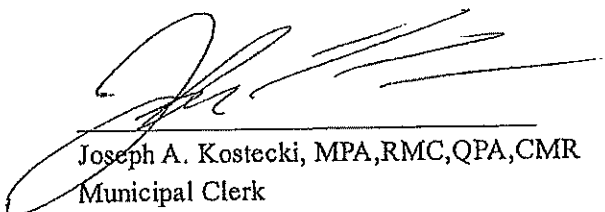
Also present: Solicitor George McGill.

A discussion was held regarding Personnel (Lt. Kevin Arnold), Contract Negotiations and pending litigation

Respectfully submitted by Municipal Clerk

Approved

\_\_\_\_\_  
Jeffrey Silver, Mayor

  
\_\_\_\_\_  
Joseph A. Kostecki, MPA, RMC, QPA, CMR  
Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
SEPTEMBER 22, 2015, 7:00 PM**

**Mayor Silver opened the meeting by reading the STATE OF PUBLIC NOTICE**

This meeting of the Mayor and Borough Council was called to order pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting was sent to the Asbury Park Press on December 20, 2014; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

Mayor Silver led the Flag Salute

Mayor Jeffrey B. Silver called to order the Regular Meeting of the Mayor and Council of the Borough of Island Heights, and proceeded to read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Mayor Jeffrey B. Silver proceeded with leading the Pledge to the flag.

**Roll Call:**

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver
Present	x	x		x	x	x	x
Absent			x				

**Mayor Silver read the following proclamation:**

**BOROUGH OF ISLAND HEIGHTS  
OFFICE OF THE MAYOR  
HALLOWEEN & TRICK-OR-TREAT  
PROCLAMATION  
September 22<sup>nd</sup>, 2015**

No one under the age of 18, unless accompanied by an adult, will be permitted on the streets after the hour of 8:00 PM on Friday, October 24 through October 31, 2015.

It is hereby proclaimed that the ghosts and goblins are hereby permitted to Trick-Or-Treat between the hours of 3pm and 8pm Friday October 30.

This prohibition does not apply if the juvenile is: Engaged in, or traveling to or from, a business or occupation which the laws of the State of New Jersey authorize a juvenile to perform; engaged in an errand involving a medical emergency; attending religious services, extracurricular school activities sponsored by a religious or community organization or other cultural, educational or social events or is in direct transit to or from such events (Ord No. 94-09).

Jeffrey M. Silver, Mayor

**PUBLIC COMMENT**

Seeing no public comments, Council Member Pillion motioned to close Public Comment, Seconded by Council Member Asay, and full Council consent.

**APPROVAL OF MINUTES**

Resolution 2015-92 Approving the Executive Session minutes of August 18, 2015 Council Meeting.  
Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel			x	
		Berglund				x
		Pillion	x			
		Snow	x			
		Thompson	x			
	x	Mayor Silver	x			

Bob asked if Executive Session minutes are ever made public.

The Borough Clerk stated that Executive Session minutes are maintained in their confidentiality until the matter is no longer considered confidential .

The Borough Attorney concurred that the minutes are kept confidential until such matter is resolved.

Council Member Bendel stated there was previous "brue-ha-ha" in the past over Executive Session minutes when Jim Biggs was elected to Council. They should be made public at some point, and between Mayor Biggs and Mayor Dave that going forward they would, between the two of them, look at the issues, and put forward subsequently.

**ORDINANCES:**

Ordinance 2015-10 ,was presented as Walk-on consideration, and read by Title only:

**ORDINANCE 15-10**

**AN ORDINANCE OF THE BOROUGH OF SOUTH TOMS RIVER  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING  
AND SUPPLEMENTING CHAPTER 12 OF THE  
BOROUGH CODE ENTITLED "PROPERTY MAINTENANCE"**

Council Member Thompson: to be clear, we are amending ordinance to substitute one appeal process for another process-

Borough Attorney: The Borough has adopted the International Property Code Maintenance, and no municipality that I know of, has an Appeal Board for Code violations. So what we are doing is supplementing our ordinance and removing this provision.

Council Member Bedel stated that there historically at one point had residents on it, specifically Joe Burt, but I don't believe they ever met.

Borough Attorney: having residents review Code Enforcement actions would possibly be an arbitrary and capricious standard. The matter would go to municipal court. The Appeal Board is unnecessary and I don't believe I could find a Case in New Jersey.

Council Member Thompson: copies will be provided to the public

Council Member Asay: I'm not comfortable the Council is voting on something they haven't seen.

Council Member Bendel: Is there anything time-sensitive that is driving this?

Mayor Silver: It is just to speed up the process. If George is comfortable with this, then.

Council Member Thompson: There is no pending deadline or window. But this allows our Code Enforcement to be enforced in a fair and streamlined process. Right now, there are no parameters on

what is acceptable. It places the Board in a poor position and currently not a fair process.

Council Member Pillion: It seems that this is cutting out a costly and lengthy step.

Diane Cullen: I don't imagine how you can vote on first passage.

Clerk: It is allowed by State Statute.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x		x	
		Bendel				
		Berglund				x
		Pillion	x			
		Snow	x			
	x	Thompson	x			
x		Mayor Silver	x			

### RESOLUTIONS

Resolution 2015-89  
Block 61 Lot 3.01

Authorizing the Borough Clerk to solicit quotes for an appraisal of Park Ave,

Councilmember comment(s):

Council Member Asay: This is part of Park Avenue that is collapsing into the bay. The Borough will have it appraised and see if they are going to sell it.

Council Member Snow: It is not a conforming lot, so I assume the only people interested in purchasing this are the neighboring property owners.

Public Comment (s).

Bob asked about rehabilitating the bulkhead, and plan B if the property doesn't sell.

Council Member Bendel: The first step is to find the value.

Council Member Snow: expressed that the property holds a limited number of people who may be interested due to its size.

A resident in attendance expressed interest on how the lot could potentially be subdivided.

Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund				x
		Pillion	x			
		Snow	x			
		Thompson		x		
		Mayor Silver	x			

Resolution 2015-93 Authorizing a Shared Services Agreement for Drug Recognition Expert Callout Program

Councilmember comment(s): none

Public Comment (s): none

Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund				x
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-94**                      **Waiving municipal fees related to the Fire House Building Improvements**  
 Motion and second.  
 Councilmember comment(s): none

Public Comment (s)  
 Bob, is there a building permit?  
 Mayor Silver: Is has gone over to the Code/Zoning Official. No permits have been issued.

Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
x		Bendel	x			
		Berglund				x
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-95**                      **Authorizing the Municipal Clerk to apply for the Federal Surplus Property Program**

Motion and second.

The municipal clerk stated this is a way for the Borough to obtain resources at no expense to the taxpayer. This is federal property no longer needed and the municipality requests the item.

Councilmember comment(s):  
 Council Member asked for a Humvee for when the Borough floods.  
 Council Member Thompson thanked the Mayor and Clerk for bringing the program to the Borough.  
 Public Comment(s): none  
 Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund				x
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**PURCHASE ORDER REQUESTS**

**Resolution 2015- 88**

**Approving the following Purchase Order Request**

Vendor: R&R Radar, Inc  
 Item: Radar Unit: Python II dual antenna  
 Amount: \$1,625.00  
 Motion and second. Councilmember comment(s). Public Comment (s). Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
		Bendel	x			
		Berglund				x
x		Pillion	x			
		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

**Resolution 2015-96**

**Approving the following Purchase Order Request**

Vendor: Edmunds & Associates, Inc  
 Item: Software for finances (Tax collection, Financial Accounting, Utility Billing)  
 Amount: \$7,829.00  
 Motion and second. Councilmember comment(s). Public Comment (s). Roll Call Vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund				x
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**COUNCIL REPORTS**

Council Member Bendel: no report

Council Member Asay: acknowledged the police department and First Responders for the job at Sailfest. Changes were implemented to secure the perimeter, and no problems were reported. We had good crowd control and thanked the Sheriff's Office. Doug Platt provided OEM updates and the upcoming drill, in addition to the Oyster Creek drawdown. He further mentioned that the Borough should prioritize with that in-mind. A vote is forthcoming this Tuesday for the School Bond Referendum.

Council Member Pillion: joined Asay for the work done at Sailfest and thanked the local Police Department and all those who participated. Requiring minors with parents contributes to a better event. The Rotary are very helpful and are a positive impact on the community.

Council Member Snow: School referendum coming up on the 29th. Prior to last school board meeting, the Board provided a tour to Council Members. The school is in bad condition, and how this is handled is in the voters; and further encouraged all to go out and vote.

Council Member: The architects provided a great tour and accommodated with a lot of information on the building. There are a lot of deferred maintenance, and encouraged all to go out and vote. She thanked the School Board for their time. Please keep Council Member Berglund in everyone's thoughts. The Ocean County Board of



Taxation set their rates,; this year's rate was 1.775 and for next year is 1.804. This equates to about \$100,000.

Mayor Silver: Road cutting around town and 9 sewer systems being worked on (simpson and west end) Simpson will commence October 5th. The water town project is winding down. The backup generator continually has issues and the contractor has been notified to correct the deficiencies.

#### **PUBLIC COMMENT**

Bob McNeil, 237 Ocean Ave: The \$100,000, is that in addition to what we are already paying? Council Member Thompson stated that this is in addition

Diane Cullen 231 Van Sant: The First Aid Squad was also at the Sailfest as well.

Rob Totems, 248 Summit Ave: Why do we have a broken down police car on Lake Avenue?

Mayor Silver stated that there is an electrical problem with the car. Additionally, there wasn't a title for the car, which Council Member Pillion stated that the Mayor went and got the title on behalf of the Borough.

The Borough Clerk stated that the car can be auctioned at public auction.

Rob Totems, 248 Summit Ave: Why don't we letter-up the car and put it in service? Why aren't our police vehicles maintained by us?

Mayor Silver: They are not certified mechanics. They will do general maintenance Also, there are insurance reasons.

Council Member Pillion: They will do simple stuff, not sophisticated tasks.

Council Member Thompson: Is there a Fleet Management plan?

Mayor Silver stated that yes and Officer Curtis provides that tracking.

Diane Cullen: is an opra request needed for a police report? When is it due?

Municipal Clerk: yes. 7 business days is allowed to produce the record unless additional time is needed.

The Council wanted clarification on how to obtain police reports.

Borough Attorney stated that towns or police departments can choose to request an OPRA request for police reports. Pending investigations however, police reports are not released.

Maria Sessa (JCP&L): updated the council on a Thermal Vision inspection of \$264 million capital improvements. Infrared inspections were completed on 300 circuits, and 100 locations corrections were completed. The outage numbers are down by 17%, and JCP&L continually makes investments. Monthly tours are provided at the Distribution Control Center. We share our storm response plans and utilization of all First Energy companies and employees. All those resources are available. She further encouraged the public to report street lights, especially now that Halloween is approaching.

The Code Enforcement officer asked if there was a specific line for him to call for certain encroachments within the Borough. Ms. Sessa stated that they should call direct to the call center or go report these issues online. The forestry department will provided a response.

Council Member Thompson asked about any long-range plans to place utilities underground?

Maria Sessa (JCP&L) the ones you see underground, they may have been a zoning or code for underground service, and she is unaware of any future plans. The repairs underground also take a longer time. Certain residents have the option for above or below ground during the construction phase.

Bob McNeil: asked about the agenda and stated it was not provided online.

Seeing no other Public Comments, Mayor Silver motioned to close public comment, seconded by Council Member

Snow and with unanimous consent.

**EXECUTIVE SESSION**

**Resolution 2015-97 For the purpose of contract negotiations.**

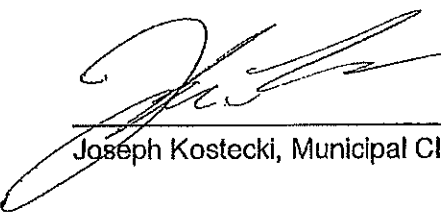
MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund				x
		Pillion	x			
		Snow	x			
		Thompson	x			
x		Mayor Silver	x			

Council Member Bendel motioned, and Council Member Pillion Seconded to exit Executive Session, with full Council consent.

Mayor Silver directed the Borough Clerk to send send the PBA contract to the PBA representative for approval.

**ADJOURNMENT @ 9:20pm**

Respectfully submitted



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Joseph Kostecki, Municipal Clerk

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Jeffrey B. Silver, Mayor

MINUTES OF A CLOSED SESSION  
MEETING OF COUNCIL OF THE  
BOROUGH OF ISLAND HEIGHTS

A Closed Session Meeting of Council of the Borough of Island Heights was held at the Borough Hall on September 22, 2015.

Those present were Mayor Silver; Council Asay, Bendel, Pillion, Snow, and Thompson.

Also present; Solicitor George McGill.

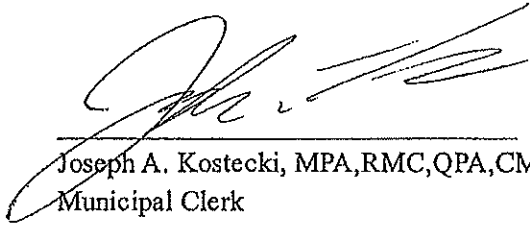
A discussion was held regarding Contract Negotiations and Attorney-Client Privilege.

Respectfully submitted by Municipal Clerk

Approved

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Jeffrey Silver, Mayor



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Joseph A. Kostecki, MPA, RMC, QPA, CMR  
Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING MINUTES  
OCTOBER 13, 2015**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver. Mayor Silver read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

After the pledge to the flag and a moment of silence roll call was taken.

Council President Asay	Present	Councilmember Snow	Present
Councilmember Bendel	Present	Councilmember Thompson	Present
Councilmember Berglund	Present	Mayor Silver	Present
Councilmember Pillion	Present	Attorney O'Connell	Present

Betsy Hyle introduced the new librarian Christine Maloney. Ms. Maloney explained the different programs and resources that are available at the Library and how helpful the Friends of the Library are with raising money to provide items that are needed.

Mayor Silver read the Proclamations for Friends of Libraries Week; National Health Education Week October 19-23; Month of October as Domestic Violence Awareness; Month of October as National Breast Cancer Awareness and the Week of October 23-31 as Red Ribbon Week. A Motion was made to accept these Proclamations by Mr. Bendel second by Mr. Berglund. Unanimous Voice Vote.

Motion to approve the minutes from September 8, 2015; Resolution 2015-98 was made by Mr. Asay second by Mr. Bendel.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve the minutes from September 22, 2015 both Regular and Executive Session; Resolution 2015-99 was made by Mr. Asay second by Mr. Bendel.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Public Hearing for second reading of Ordinance 15-10, AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 12 OF THE BOROUGH CODE ENTITLED "PROPERTY MAINTENANCE" was opened on a motion by Mr. Asay second by Mr. Pillion. Unanimous Voice Vote.

Mr. Platt asked what exactly the change to this ordinance is. Mayor Silver stated that they are removing the Appeals Board section.

Motion to close the Public Hearing for Ordinance 15-10 was made by Mr. Bendel second by Mr. Asay. Unanimous Voice Vote.

Motion to approve second reading and adoption of Ordinance 15-10 was made by Ms. Thompson second by Mr. Asay.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Mr. Asay stated that Resolution 2015-100, Certifying Review of the 2015 Best Practices Checklist, that he was emailed but he had questions and some items were not completed. Mr. Asay felt that it should be tabled until the next meeting. Motion to table Resolution 2015-100 was made by Ms. Thompson second by Mr. Asay. Unanimous Voice Vote.

Motion to approve Resolution 2015-101, Authorizing the Solicitation of Request for Professionals for 2016 was made by Mr. Bendel second by Mr. Asay. Mr. Pillion had two changes to the actual RFP's; one was to change the wording of benefits to clarify exactly what they were and the second was to change the wording from annual salary to hourly salary.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-102, Authorizing the hiring of Gary Dye and Jennifer Wainwright as permanent part-time employees, not to exceed 28 hours a week effective September 27, 2015, at a rate of \$12.50/hour was made by Mr. Asay second by Mr. Berglund.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-103 Authorizing a Shared Services Agreement, Driving While Intoxicated Enforcement Program was made by Mr. Asay second by Mr. Bendel. Lt. Arnold explained that this allows Island Heights Police Officers to go and work at DUI checkpoints outside of town such as Route 37 or Fischer Blvd. to aid the County. Mr. MacNeal asked if there is any expense to the Borough. Lt. Arnold said it is covered by the County. Ms. Thompson asked if this is in addition to hours worked at the Borough and not OT. Lt. Arnold said yes it is paid for out of the DDEF Fund and there is no disruption to the Police Department Schedule.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-104, Raffle License #2015-08 for the Island Heights Grade School PTO date of event is November 3, 2105 was made by Mr. Asay second by Ms. Snow.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-105, Authorizing a Dedication by Rider for Donations – Wanamaker Playground (Construction and Maintenance) as required by NJS 40A:5-29 was made by Mr. Asay second by Mr. Berglund. Mr. DeFonzo asked who is the Director of Local Finance and Mr. Asay explained that is was at the State level in the Division of Local Government Services. Ms. Thompson asked if this will comply with all insurance regulations and Mayor Silver said yes.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-108 to increase the Schedule C allocation by \$15,000 was made by Mr. Asay second by Mr. Pillion.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-106 a Purchase Order Request for G.P. Jager & Associates for 71629 Longza Constant Chlor Briquettes 50# Pail in the amount of \$2,857.44 was made by Mr. Berglund second by Mr. Asay. Mr. MacNeal asked if they could not find a cheaper vender. Mayor Silver explained that due to the warranty we had to go with this specific briquette but now that the warranty is done we will be looking for a cheaper vendor. Mr. MacNeal asked if the bid threshold is being followed. Mayor Silver said yes that in this case it is a sole source due to the warranty.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to approve Resolution 2015-109, October 13, 2015 Bill List was made by Mr. Asay second by Mr. Berglund.

Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

#### Committee Reports

Mr. Bendel had none.

Mr. Berglund stated that they would need to research the bidding of Jaynes Ave. process since we only have two meetings left to get the Resolution done. Further discussion was held on whether or not the money needed to be in the 2015 budget in order to go to bid.

Mr. Asay stated that he spoke to Toms River Code Enforcement regarding the bulkhead by Dillon's Creek which Gilford Park Yacht Club has signed a contract with a contractor and have submitted the permits to get the work done hopefully by the spring.

Mayor Silver stated that the paying for Simpson Avenue from Ocean to River Avenue's will start on October 15<sup>th</sup>, 2015. Mr. MacNeal asked how far down on Simpson it will go. Mr. Berglund stated it would stop about 20-30 feet from the new fire hydrant. Mayor Silver said the next project will be the area that floods down there with the raising of the road and boardwalk.

Mr. Pillion stated that the Island Heights Fire Dept. had a successful 50/50 with both winners being local

residents of Island Heights; first place to Nick Durovich and second to Linda Palladino. Mr. Pillion said that the EOC had a successful live FEMA exercise on September 29, 2015 regarding an attack on the Power Plant. Mr. Platt stated that they do exercises every year in September with the State Police and every other year it is with FEMA.

Ms. Snow stated that the school referendum did not pass and encourages everyone to attend the next Board of Education meeting to see how they are going to proceed. Ms. Snow reminded everyone that the fundraiser Spaghetti Dinner is November 3, 2015, 4:30PM-7:30PM at the Island Heights Grade School Gymnasium to benefit the 6<sup>th</sup> Grade Class Trip. Ms. Snow said she is still waiting to hear if the PTO will be doing the Trunk or Treat here at the parking lot.

Mayor Silver stated that assistance should be given to the School to find funding from alternate sources such as other grants similar to the ones in the Asbury Park Press article. Melissa Wudzki of 108 Jaynes Ave. explained that those grants in the article are the same as the one that they had received but due to the referendum not passing will not be receiving. Mayor Silver said CDBG is also available to schools and Ms. Hyle has volunteered to help research for other grants and monies. Ms. Thompson stated that after the tour of the school there are improvements that are needed and some classes have the smell of mold. It would be productive to find other sources of funding.

Ms. Thompson asked residents to be mindful to keep storm drains clear since it is Fall and there are many leaves falling. It complicates flooding issues when the storm drains are blocked.

Privilege of the Floor:

Ms. Wudzki stated that she thought she would be too late to get permission to have the Trunk or Treat which is sponsored by the PTO.

Motion to approve Resolution 2015-110 allowing Trunk or Treat in the municipal parking lot the last week of October was made by Mr. Asay second by Mr. Pillion. Unanimous Voice Vote.

Motion to approve Resolution 2015-111 to enter into Executive Session for contractual discussion was made by Mr. Asay second by Ms. Thompson.

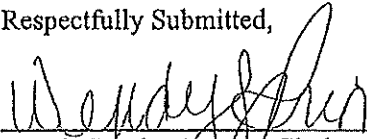
Roll Call Vote:

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Motion to enter the regular meeting was made by Mr. Asay second by Mr. Bendel. Unanimous Voice Vote.

Motion to adjourn the meeting was made by Mr. Bendel second by Mr. Berglund. Unanimous Voice Vote.

Respectfully Submitted,

  
\_\_\_\_\_  
Wendy J. Prior, Deputy Clerk

MINUTES OF A CLOSED SESSION  
MEETING OF COUNCIL OF THE  
BOROUGH OF ISLAND HEIGHTS

A Closed Session Meeting of Council of the Borough of Island Heights was held at the Borough Hall on October 27, 2015.

Those present were Mayor Silver; Council Asay, Bendel, Berglund, Pillion, Snow, and Thompson.

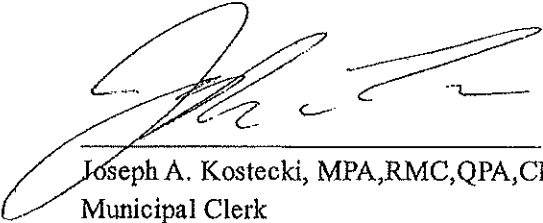
Also present: Solicitor Michael O'Connell.

A discussion was held regarding Personnel and Attorney-Client Privilege.

Respectfully submitted by Municipal Clerk

Approved

\_\_\_\_\_  
Jeffrey Silver, Mayor

  
\_\_\_\_\_  
Joseph A. Kostecki, MPA, RMC, QPA, CMR  
Municipal Clerk



**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
OCTOBER 27, 2015, 7:00 PM**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights will be called to order by Mayor Silver. Mayor Silver will then read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014 notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President Asay	Councilmember Snow
Councilmember Bendel	Councilmember Thompson
Councilmember Berglund	Mayor Silver
Councilmember Pillion	Attorney O'Connell

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver
Present	x	x	x	x	x	x	x
Absent							

**APPROVAL OF MINUTES:**

**Resolution 2015-116 Approval of Minutes of October 13 Council Meeting and Executive Session.**

Requested to amend and approve September 22, 2015 Minutes with a correction on vote by Councilman Berglund. The Clerk advised that this vote was corrected previously at his request.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
x		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**RESOLUTIONS**

**Resolution 2015-100                      Approving the 2015 Best Practices Checklist**

Public Comment

The Council agreed to move it to the end of the agenda so that it could be reviewed in detail by the Council.

Motion to move the Resolution to the end of the meeting: First: Councilman Pillion Second: Bendel, and unanimous Council consent.

**Resolution 2015- 110    Amending Resolution 2015-108 to Increase Schedule C Road Department Allocation to \$40,000.00**

Public Comment: none

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
x		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015- 111** Authorizing the Mayor to sign and Clerk to Attest to a Shared Services Agreement with the Borough of Lavallette for use of the Island Heights Municipal Court retroactive to January 1st to December 31st, 2016, for a fee of \$250 a month

Public Comment:

Council Member Thompson stated clarification of the terms of cost and length, retroactive to January 2015

Councilman Pillion asked if the Mayor is amenable to this?

Mayor Silver stated that we had a verbal agreement with the Administrator  
Asay stated this allows them to use our facility through all of next year? I can't believe they will spend another 15 months working on their own building, and use our facility for all of 2016.

Council Member Thompson requests an amendment to the Resolution to include "a period of up to 24 months"

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
	x	Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-112** Authorizing the Borough Engineer to Solicit Bids for 2014 Municipal Aid for Jaynes Avenue Improvements

Public Comment

Melissa Woodsky, 108 Jaynes Ave, wants to know what is going to be done at Jaynes Avenue.

Mayor Silver: mostly asphalt

Jeff Totum 248 Summit, has anyone researched the utilities before paving the street?

Mayor Silver: right now, we are authorizing the road resurfaced.

Asay, asked for clarification on the scope of work (modernizing water distribution), which should be omitted.

This resolution was changed at the Council Meeting by Council Members Asay and Berglund from Jaynes Avenue to Maple.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Resolution 2015-113                      Approval of Bill List**  
Public Comment

Councilman Pillion asked for clarification on the Bill List of who prepares it, reviews and certifies it before presenting it for approval.

Mayor Silver stated each department is overseen by specific Council Members.

Councilman Pillion: do we have a copy of the details requested so that the Borough isn't exceed the budget.

Who oversees the bill list? If they were getting close to the budget, who would they notify? Having Council Members sign-off on the Purchase Orders is great practice but in effect, it's a delegation of the CEO, which is the Mayor, which we accept to help out.

Mayor Silver: the departments can't purchase anything without approval by Council.

Municipal Clerk: we can't expend funds that we don't have. The CFO provides certification of funds, and the purchase order has a certification of funds.

Further discussion ensued on the billing process.

Councilman Asay wanted clarification on page 10 regarding engineering fees, bluff and bulkhead.

Jeff Totum 248 Summit: How come a small municipality can't put together a purchasing system without constant paper shuffling? I understand the fear of paying for something we didn't get, but that's part of purchasing. There's got to be a simple system.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			

	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

## COMMITTEE REPORTS

BENDEL: None

BERGLUND: Simpson was paved last period. On Beach and Summit, the manhole casting brok. We have to buy the rim and cover to fit the rim, and we have to go out for bid. Starting to purchase items for summer months maintenance.

ASAY: none

PILLION: IH Police is having 17th Annual Toys for Tots event. They list items they need and please drop off at Police Department. Canned and non-perishable items are requested. He further provided the status, age and condition of all police vehicles. He further added that the First Aid Squad is asking the Borough pay for two radios that one was lost, and the other was reportedly stolen. They were provided with their yearly budgetary allocation and the Borough hasn't decided whether they would reimburse them or not.

Discussion ensued on radio availability and frequencies.

SNOW: followed up on the IH Grade School and defeated referendum. Previously reported that Council members visited the school to see the condition, and attended the last School Board meeting. She also reached out to Betsy Hyle to see if the School would like assistance with funding, and she is willing to help. She also reached out to the Board President to work together on how to make the repairs to the school happen. If the school is agreement, then she requests a Committee made by the Council to work with the school. During the last Environmental Committee meeting, they discussed the Seaside Park developed a bayside garden and IH may develop something similar. Thursday night is Trunk Or Treat at the parking lot at Borough Hall. Arrive at 5pm and registration is still available, and forms are available at the Post Office. She had concerns of lighting, and bathroom access (the mayor stated the Borough could accommodate that). The Spaghetti dinner is Election Night

THOMPSON: requests meeting minutes to be mailed out and include number of Borough Hall encouraging residents to call and request to be on the email newsletter. Asks the Bill List include the amount approved by Department, Amount expended by Department, year to date and percentage of budget. She believes this format will help others understand our Budget.

Councilman Pillion stated that the CFO used to come to all, if not, one meeting a month, and would like the CFO at these meetings.

Councilman Bendel asked if Edmunds does this type of financials?

The Municipal Clerk stated there are modules that Edmunds provides assistance with. So yes, depending on what you are requesting. However, certain people use other functions that are not modules of Edmunds.

Maureen Desantos Scott, asked about summer recreation program. There is no parade this year, and there are things that separate Island Heights from other towns. She was advised that the Halloween Parade didn't happen because of a wedding.

Council Member Snow; The recreation committee has been hard pressed with volunteers.

After discussion ensued, the Borough Council agreed that the Borough would be able to coordinate a last-minute Halloween Parade on October 31, at 10:30am.

**Resolution 2014-114 Authorizing October 31, 2015 as a Halloween Parade at 10:30am.**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
x		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

Maureen de Santos stated that her neighbor on Laurel Avenue is looking for clarification on meter reading, and a strong chlorine smell.

Mayor Silver stated that he followed-up with the Public Works Supervisor in addition to speaking with Council Member Thompson that the meter readings were all okay. He will follow up with the DPW supervisor on Laurel ave.

Councilman Pillion. There are stories in the newspapers that certain schools are not permitted to celebrate Halloween in school. Has this been the issue in Island Heights?

Further discussion ensued between Council and residents on coordination with the Recreation Committee and those involved, and Council Member Snow will be following up for coordination.

**PUBLIC COMMENT**

Jeff Totum, I agree having the CFO in attendance, and why don't we have a representative of the DPW at the meetings? He continued to read a letter that he stated he received a threatening letter, and forwarded to the Police.

Councilman Berglund stated that taking a police vehicle to make it a patrol vehicle would cost \$5,000.00 to 8,000.00 to retrofit it with appropriate electronics.

Councilman Asay stated he disagreed with this cost.

Officer Ringle: new law states that any new vehicles requires a dash camera

Councilman Asay: If it's used for traffic enforcement

Officer Ringle: negative

Council Member Snow: stated we are speculating on numbers. We need cost estimates.

Council Member Thompson: requests a cost to retrofit the vehicle.

MAYOR SILVER

**EXECUTIVE SESSION**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund	x			
x		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**ADJOURNMENT @ 9:50PM**

MINUTES OF A CLOSED SESSION  
MEETING OF COUNCIL OF THE  
BOROUGH OF ISLAND HEIGHTS

A Closed Session Meeting of Council of the Borough of Island Heights was held at the Borough Hall on November 12, 2015.

Those present were Mayor Silver; Council Asay, Bendel, Berglund, Pillion, Snow, and Thompson.

Also present: Solicitor Michael O'Connell.

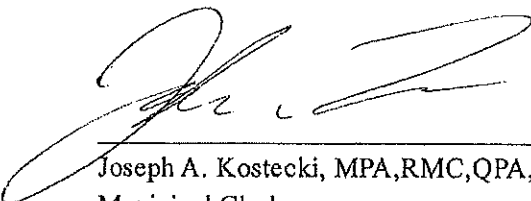
A discussion was held regarding Personnel and Attorney-Client Privilege.

Respectfully submitted by Municipal Clerk

Approved

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Jeffrey Silver, Mayor



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Joseph A. Kostecki, MPA, RMC, QPA, CMR  
Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
DECEMBER 15, 2015, 7:00 PM**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order, with Mayor Silver reading that the notice of this meeting is in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014, and is posted on the bulletin board, and in the municipal building.

Mayor Silver led those in attendance with a pledge to the flag. He provided his sympathy for those incidents involved in California and France.

The Municipal Clerk proceeded with Roll Call:

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver	Atty O'Connell
Present	x	x	x	x	x	x	x	x
Absent								

**PUBLIC COMMENT**

Len Adams and George Jefferson of the Toms River Rotary presented two checks; one to a representative of the Island Heights First Aid Squad and one to a representative of the Heights Fire Company. After the check presentation, they requested authorization to hold the 2016 Sailfest on September 10, 2016.

Resolution 2015-139 Authorizing the Rotary to host the 2016 Sailfest

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
x		Thompson	x			
		Mayor Silver	x			

Seeing no public comments, Public Comment was closed.

**APPROVAL OF MINUTES:**

Resolution 2015-130 Approval of November 10 and 24, Regular and Executive Session approved with amendments of Ordinance 2015-12.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x		x (11.24.15)	
		Bendel	x			
		Berglund	x			
		Pillion	x			
	x	Snow	x			
		Thompson	x		x (11.24.15)	
		Mayor Silver	x			

**ORDINANCES:**



**ORDINANCE 2015-12 AMENDING CHAPTER 4 OF THE BOROUGH CODE ,  
ENTITLED, "POLICE REGULATIONS" (second reading)**

Councilman Pillion requested to table the presented ordinance to provide clarification on verbiage. In looking at the complete ordinance, there are other areas of the Borough Code also have to change in order for this ordinance to be effective.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund	x			
x		Pillion	xd			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Ordinance 2015-12 was tabled

**ORDINANCE 2015-13 AMENDING CHAPTER 5 OF THE BOROUGH CODE  
"GENERAL LICENSING" (second reading)**

Public Hearing:

Councilman Pillion: There are the fees for the mobile vendors, which were established in 1975. This raises the application fee to \$75 and license fee to \$200. There is a cost associated with a background check to provide a decent investigation into people selling food to children. The license fee are being increased. During warm days, there are many mobile vendors and it creates a "circus-like" environment.

There were no public comments or questions. Seeing none, Public Hearing was closed.

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**RESOLUTIONS**

Resolution 2015-131 Approval of December Bill List

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-132 Authorizing the Execution of a Shared Services Agreement with the Island Heights Grade School for Snow and Ice Removal

Public Comment:

Bendel

Asay: asked if the Borough has done this before?

Mayor: yes

Berglund: was there no work done?

Mayor: work was performed but the Borough has not been paid. There was always an agreement that was made. The school has staff to perform work but not the extent the Borough can provide during winter storms.

There was discussion on utilizing manpower with the concern of injury to public works, and why the school is not providing their own snow removal. It was brought to the Governing Body's attention that Public Works has a snowblower, and they use the snowblower at the school since the school does not have their own.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-133 Establishing Island Heights Borough Council Meetings for 2016

Public Comment:

Councilman Asay asked that the November meeting be moved to November 29, 2016.

Council Member Thompson asked to separate the February and March dates.

Roll Call

The Resolution was passed with the amended dates.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-134 Awarding a contract for Jaynes Avenue Road Improvements, 2014 NJDOT Municipal Aid Grant Program, to Earle Asphalt Company in an Amount not to exceed \$91,813.13

Public Comment: none

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			

x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-135 Authorizing the Native Plant Society to reserve Town Hall for a meeting of the Jersey Shore Chapter of the Native Plant society on Tuesday, June 7, 2016

Public Comment: none

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

Resolution 2015-139 Authorizing a Shared Services Agreement for Mobile Data Terminal Look-up Services with the Borough of Long Beach Township.

Public Comment:

Lt. Arnold stated this is an agreement for "Info-Cop" that is renewed on a yearly basis.

Council Member Thompson: Is there a reason we use Long Beach Township instead of Toms River?

Lt. Arnold responded: "Toms River uses Spillmin. Long Beach was the first town to allow outside towns to utilize this type of system, and we continue using them to date."

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

Resolution 2015-140 Authorizing the Transfer between Appropriation Accounts in the 2015 Budget

Public Comment: none

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**PURCHASE ORDER REQUESTS**

Resolution 2015-136

Item           Boss 8.6 Super Duty Installed for F350  
Vendor         R& H Spring and Truck Repair  
Amount         \$5,119.65

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
x		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-137

Item           F350 2002 Front End Repairs  
Vendor         Tranz Connection  
Amount         \$1,600.00

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-138

Item           Install carpet/Tile in Post Office Main Lobby  
Vendor         Carpet and Hardwood Company  
Amount:        \$1,200.00

Mayor Silver stated that he always gives back a portion of his salary, and he will be doing to in the amount of \$     to pay for a portion of this improvement. He further stated Councilman Berglund and Council Member Snow asked that they be involved in this as well. Mayor Silver opened this up to all on the Council, and all Council Members agreed to give back. The Borough covers all maintenance costs at the Post Office.

Councilman Asay stated that they demand a generous lease, and that the Post Office prefers to mail to houses instead of utilizing the PO Box. They would close the Post Office otherwise.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015- 141 Rejecting all received Request for Professional Services for the Prosecutor position, and authorizing the re-solicitation of RFPs for Island Heights Prosecutor.

The Municipal Clerk stated that due to a low response in the Prosecutor Professional Services, he asked if the Governing Body would like to cancel received RFPs for the Prosecutor position, and re-solicit. The current Prosecutor will be held until the appointment of this position is made. The new RFP deadline will be January 30, 2016.

Councilman Bendel stated there was a difference of opinion of who has the power to appoint Planning Board officials.

The Municipal Clerk stated the Planning Board has the ability to appoint their own professionals, however the municipality solicits the Request for Professional Services on behalf of the Planning Board.

Council Member Thompson stated there was only one response for Bond Counsel.

Mayor Silver stated this has been the case for year, and they are essentially the only show in town.

Councilman Pillion stated the proposed rates are very good, and other rates may not be as reasonable.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

### COMMITTEE REPORTS

**BENDEL** stated that although it has been a few years, it came to his attention that there was no recognition of the anonymous donors of the Island Heights pavilion. The Councilman felt it was more than appropriate to acknowledge them for their contribution. He stated that the plan was originally to collect "Pennies for the Pavilion."

**BERGLUND:** Problems relating to the sewer line on central Avenue. The Borough previously solicited bids to correct this issue. Currently, there is still an unknown and excavation continues so that there is a greater ability to receive competitive bids. Additionally, with the weather being warm, the grass

continues to grow, and it's been difficult finding time to cut the grass in the Borough. The Borough started to catch up on this maintenance.

**ASAY:** stated he attended the League of Municipalities, and they relayed the need for an improved email system, whereby each Councilman should have a designed email account for Borough emails; not personal email. Emails used for Borough business are subject to O.P.R.A. Additionally, the "reply all" function in emails are essentially conducting a meeting, that would be outside the Sunshine Law. You don't want to have a conversation with the entire Council via email.

**PILLION:** The Borough funded the installation of a new fire hydrant, but discussion continues of the best location. I suggested buying the materials needed before the end of the year to prepare for installation. Lt. Arnold sent Police Blotters to him and the Council for notification.

**SNOW:** The Christmas Tree Lighting ceremony went well. Mayor Silver's wife attended, and assisted in handing out the goodies to the kids. The Recreation Committee helped, as did the Fire Department, who brought back Santa and handed out candy canes to the children. On the School Grants Committee met with the school and feels they are making progress. They provided suggestions to the school, and will be meeting again in the near future.

**THOMPSON:** no report, Happy Holidays.

**PUBLIC COMMENT:** Mayor Silver opened the floor up for Public Comment. Seeing no comments or questions from the public, Public Comment was closed.

## **NEW BUSINESS**

### **FY 2016 CDBG**

The Municipal Clerk read the upcoming dates of interest regarding the Community Development Block Grant, including Public Hearing and application deadlines.

### **Community Garden**

Councilman Berglund presented a draft concept memo on a proposed plan to construct a Community Garden. He currently does this for a company in another town, and since he lives in town, he would take responsibility in being the lead person and provide guidance. As such, they put together an idea to make a space available. He says there should be enough people interested to participate, and stated that somewhere near the municipal complex may be desirable. He will be visiting other community gardens to compare. There will be a bed available for those on a first-come, first-serve basis, for a fee. They would like to use raised beds, and the County has soil available. The Borough would supply the water, and collected fees would pay for initial fencing. The space of the footplate of the building is designated as a historic site, but not the site around it. If that's the case, we will probably have to accept that or get someone's approval. One, does the council want the townspeople to have access to something like this; if so, he advised that residents should be made aware of this via a notification along with the water bill.

Council Member Thompson stated she is in favor of this, and prefers the presented site "A", and to stay away from the historic site area.

Council Member Snow stated that there's also an option to incorporate edibles along with ornamental gardens. She reached out to a contact in the county, with a promise of donations for composting supplies.

Councilman Bendel stated that he has not heard of that footprint of the building rather than the entire property. He also stated that the borough has not gone ahead with memorializing the history of the property. This should've been requested when the Borough destroyed and rebuilt the building, and the Borough promised to memorialize this, after being brought in front of a committee of the Department of Environmental Protection. I feel a community garden would be a nice way to memorialize it.

Councilman Asay: Is this going to be fenced? As long as we're not feeding the geese, then i'm okay with this.

Council Member Snow: "Geese like wide-open fields, and a fence might deter them. Also, the wind and salt water may be factors to consider."

Pillion: Good Idea.

The Mayor and Councilman Berglund recommend Site "A".

The Municipal Clerk stated that the mention of a lease should be changed since the Council can not go into a lease without an ordinance or public bid. He recommended that maybe a verbiage change to a permit.

Resolution 2015-142    Approval of Purchase Order  
 Vendor: CSI Computers LLC  
 Amount: \$943.88  
 Item:    PC maintenance and replacement parts

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

**Recreation Fees**

Councilman Pillion stated that he does not want to raise the Recreation Badge fees. People don't like to pay to use the beaches in their own towns, and the extra revenue is marginal.

Mayor Silver stated that although it seems marginal, the volunteer Badge Checker received over \$6,000 last year, and the Borough had to order additional badges.

Councilman Asay: We've gotten a legal opinion in the past that you can't distinguish residents and non-resident rates.

There was discussion about raising the daily rates, and not having a discounted time period for daily badges.

Mayor Silver: Spoke on the costs and fees for the boat ramp.

Asay: I believe \$50 was plenty for a boat ramp key and they should only be sold to residents.

Mayor Silver stated that the Ocean County Library, including the one in Island Heights, is going to a smoke-free campus. The public property is 100% smoke-free. The enforcement will come from the library employees. Additionally, the Borough is in receipt of a letter from the Ocean County Board of Taxation stating that an order for a Revaluation may be issued for the new year, and that it should be anticipated. Finally, there was a resale on a piece of property on Whittier that when the new owner approached Suez to connect, they found out that the water services was supplied by Island Heights. Suez is pursuing to obtain the 22 accounts in the Suez territory, however what they don't realize is there is a natural gas line being installed. These streets are paved, disconnect from Island Heights, and connect to Suez mains. This is a long, ongoing situation, and this notification advises residents of their choice to join Suez. These residents would be able to use their own service line but will have to hook up to Suez main line, which they don't have and would have to install.

**ADJOURNMENT & 7:50PM**

First: Bendel Second: Berglund, with unanimous Council consent.

Approved

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Jeffrey Silver, Mayor



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Joseph A. Kostecki, Municipal Clerk



**BOROUGH OF ISLAND HEIGHTS  
COUNCIL MEETING  
NOVEMBER 24, 2015, 7:00 PM**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order, with Mayor Silver reading that the notice of this meeting is in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 20, 2014, and is posted on the bulletin board, and in the municipal building.

Mayor Silver led those in attendance with a pledge to the flag

The Municipal Clerk proceeded with Roll Call:

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver
Present		x	x	x	x		x
Absent	x					x	

Borough Attorney, Michael O'Connell, was also noted as being present.

**RESOLUTIONS**

**Resolution 2015-123      Authorizing the Refund of 4th Quarter 2015 Taxes in the amount of \$1,710.72 for Block 19, Lot 11 in the Name of Corelogic Due to Overpayment by the Mortgage Company and the Homeowner, Anna vivola**

Public Comment: none  
Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				x
		Bendel	x			
x		Berglund	x			
		Pillion	x			
	x	Snow	x			
		Thompson				x
		Mayor Silver	x			

**Resolution 2015-124      Recognizing the Month of November 2015 as National Family Caregiver Month**

Public Comment: None  
Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson				x

		Mayor Silver.	x			
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**Resolution 2015-125      Approval of Bill List for November 24, 2015 in the amount of  
\$206,885.86**

**Public Comment:**

Bob McNeil, 237 Ocean Ave: asked if the Borough has made any progress in paying down the debt of the Water Tower.

Councilman Berglund stated the Borough has made an indent, and is making progress in paying down the debt

**Roll Call**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				x
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson				x
		Mayor Silver	x			

**Resolution 2015-127      Authorizing the Municipal Clerk to write a letter in support of the Electronic  
Waste Management Act A-4763/S-2973**

**Public Comment:**

Mayor Silver read the letter received, asking for support of this considered Bill. He further mentioned that the Borough currently provides residents with the ability to dispose of electronic waste as the DPW facility.

Councilman Berglund asked if it costs the Borough to entity the Borough?

Mayor Silver stated no, and Lt. Arnold stated that Goodwill comes to empty the container, further stating that he believes any amount received goes to the Fire Company.

Council Member Snow asked who would be signing off on the letter?

The Municipal Clerk stated the letter would be sent via email to the Legislative sponsors.

**Roll Call**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				x
		Bendel	x			
	x	Berglund	x			
		Pillion	x			
x		Snow	x			
		Thomps				x

		on				
		Mayor Silver	x			

**Resolution 2015-128 Authorizing the Borough Engineer to solicit quotes for Central Ave sewer repair**

**Public Comment:**

Councilman Berglund stated that there was discussion in prior meetings, stating a need to TV broken lines along Central Avenue. The Borough Engineer stated this is a serious situation and advised the Borough to take immediate, emergency action to correct the line. He recommended and proposed a resolution to take such action.

Councilman Pillion: This is the break that happened during the summer on Central Avenue. There are intersecting pipes from MUA in a sensitive area. They keep on backing up and flushing out, and these need attention.

**Roll Call:**

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				x
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson				x
		Mayor Silver	x			

**COMMITTEE REPORTS**

**BERGLUND**

The Department of Public Works completed an inventory on the condition of the trucking fleet to provide information for budgeting in the upcoming year. The general consensus is that there are more extremely poor condition cars than extremely good.

**PILLION**

The Councilman briefed those in attendance regarding a story on the serious work firefighters are involved in. The WEEK and NY Magazine reported volunteer firefighters responding to a fire, and in the process the roof collapsed, leaving him trapped and burned. The story being reported is this person is the first to have a full face transplant. The public needs to be aware on how quickly these dangers can happen.

**SNOW**

The Island Heights Grade School Grants Committee meeting, with 3 council, 3 board members and members of the community, but there is a lot of work ahead of them. A followup meeting with December 15th. In order to get additional information for the school, they spoke with the Ocean County Assistant Planner at the Ocean County Department of Planner. Council Member also reported attending the Central Regional School Board, who are currently involved in contract negotiations. The school

added two new courses of study: Public speaking and Advanced Placement Environmental Science. The Environmental Science class is involved in building sand dunes in Seaside Heights, who will present work to the Army Corps of Engineers. The school is hosting a two week winter session for international students from China, and they are looking for hosts. The school is hosting a Central Regional Alumni come back to school night at November 28th, with the official unveiling of two, twenty foot brass eagle statues on campus with the school raising about \$22,5000. This event will also display alumni artists and fallen heroes war memorial. On December 2nd, Georgia Court University will be flying a zone to take topography photos. School officials are currently trying to improve the Jump Start program, with high school seniors taking two course each semester which helps students save money and get ahead of studies. Additionally, she is in receipt of a proposal to upgrade the Borough website, and is currently working with Code Enforcement to have permits available online, which will help streamline the process for residents.

Mayor Silver thanked Councilman Berglund, Council Member Thompson and Council Member Snow for coming together for a joint effort is assisting the school for the necessary repairs at a much lower dollar amount.

Councilman Berglund stated he found it very enlightening to take a tour and listening to people talk about the ratings compared to other schools. We have one of the highest rated schools around along with Lavallette and Bayhead. Our school is head and shoulders above others in the district.

Council Member Snow stated the enrollment data from 1998 to 2015, and at the lowest point is 102 and highest, 130, with an average of 115. There are also many terms discussed that residents may not know. Island Heights is a Choice School, with 13 Choice students. These students are not bad performing students, and its money the school receives for their attendance; the report cards are also great at the school and believes these are points that need to be provided to our residents. Superintendent Parlapandesis also a great resource on finding available funding.

#### SILVER

Congressman McArthur is in the process of decorating his office in Washington D.C, and Island Heights will be providing Recreational Badges the Borough has used over the years from the 60s to present.

Council Member Snow stated they are in receipt of New Jersey Conservation poster contest , and they are having a contest for grade schools 2-12 , and she will provide this contest information to the Island Heights school to ensure they are aware of the contest. Also, December 12, from 12-2 , Celebrating Soil, is a program through OCEAN County Soil Conservation at Jake's Branch.

#### Resolution 2015-129 Authorizing the Solicitation of Request for Professionals for Tax Appeal Attorney.

Roll Call:

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay				x
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson				x
		Mayor Silver	x			

Mayor Silver wished everyone a Happy Thanksgiving.

**PUBLIC COMMENT**

Bob McNeil, 237 Ocean Ave: Has anyone is it cost effective in terms of the Borough doing it as opposed to an outside vendor?

Mayor Silver: I know there is a small dollar amount received via tipping fees. I was looking to change the recycling schedule. We currently have pickup every week and we may have recycling pickup every other week. To have an outside entity to come in and provide pickup will way exceed what we are paying.

Council Member Snow: the market fluctuates and the going rate at this point, is not as profitable. Just as prices of cardboard fluctuated.

Mayor Silver: I'm working on the calendar for the new year, and will see if we are going to bi-weekly which will allow our Public Works to continue other projects.

**ADJOURNMENT & 7:50PM**

First: Bendel Second: Berglund, with unanimous Council consent.

Approved

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Jeffrey Silver, Mayor



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Joseph A. Kostecki, Municipal Clerk