

**BOROUGH OF ISLAND HEIGHTS
REORGANIZATION MEETING MINUTES
January 5, 2017
7:00 P.M.**

The Reorganization Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ADMINISTER OATH OF OFFICE

Council Person (3 Year Term):
Melissa Wudzki

2. ROLL CALL

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X		X			X	X	X
Absent		X		X	X			

Also Present: Margaret Gorman, Chief Financial Officer

Councilmember Asay	Councilmember Snow
Councilmember Bendel	Councilmember Thompson
Councilmember Berglund	Councilmember Wudzki
Mayor Silver	

3. NOMINATION FOR COUNCIL PRESIDENT

Nomination for Council President was tabled due to the absence of three council members. Nomination will be made at the January 24, 2016 Council Meeting.

4. ANNOUNCEMENT BY MAYOR SILVER OF THE MAYOR'S APPOINTMENT OF GOVERNING BODY LIAISONS FOR THE CALENDAR YEAR 2017.

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

Director/Liason: John Bendel, Mayor Silver
 Island Heights Post Office:
 Newsletter:
 Ocean County Mayor's Association:
 Planning Board:
 Senior Advisory Committee:

DEPARTMENT OF PUBLIC SAFETY

Director/Liaison:

Sean Asay, Mayor Silver

Emergency Management:

Fire Department:

Fire Prevention Bureau:

First Aid:

Gypsy Moth/Mosquito Control:

Liaison to Comcast:

Police Department:

Prosecutor:

DEPARTMENT OF PUBLIC WORKS

Director/Liaison:

Steve Berglund, Mayor Silver

Construction:

Engineering:

Fleet Management and Maintenance:

Garbage and Recycling:

Municipal Facilities:

Parks:

Streets and Roads:

Water and Sewer:

DEPARTMENT OF ADMINISTRATION AND FINANCE

Director/Liaison:

Susan Thompson, Mayor Silver

Chief Financial Officer:

Clerk/Registrar:

Economic Development:

Finance and Capital Budget Committees:

Insurance:

Purchasing:

Tax Assessor:

Tax Collector:

Zoning/Code Enforcement:

DEPARTMENT OF COMMUNITY SERVICES AND INFORMATION:

Director/Liaison:

Sandra Snow, Mayor Silver

Badge Checkers:

Community Club:

Computer Services:

Coordinate Public Calendar:

Cultural and Heritage Association:

Environmental Committee:

Liaison to Island Heights Yacht Club:

Library:

Lifeguards/Beaches:

Recreation:

Web Pages:

DEPARTMENT OF PUBLIC WELFARE

Director/Liaison: **Melissa Wudzki, Mayor Silver**

Animal Control
Board of Health
Continuing Education Requirements and Optional Programs
Crossing Guards
Liaison to Central Regional
Liaison to Island Heights Grade School
Municipal Court
Street Lighting

**5. ANNOUNCEMENT BY MAYOR SILVER OF THE MAYOR'S APPOINTMENTS
TO SERVE AT THE PLEASURE OF THE GOVERNING BODY:**

Municipal Court Administrator	Elizabeth Boettger
Deputy Court Administrator	Michelle Sargent
Alternate Deputy Court Administrator	Barbara McAteer
Assessment Search Officer	Katherine Fenton-Newman
Affirmative Action Officer/P.A.C.O.	Katherine Fenton-Newman
Purchasing Agent/Project Manager/ Newsletter Editor	April D. Elley
Chief Financial Officer	Margaret Gorman
Deputy Municipal Finance Officer	April D. Elley
Clerk of Public Works	Wendy Prior
Construction Official Class I/Building Sub Code Official Class I/Building Inspector Class I	Ken Anderson
Code Enforcement/Zoning Officer	Joseph Cocco
Certified Recycling Professional	Oscar Cradle, CPR
Emergency Management Coordinator	Douglas Platt
Deputy Emergency Management Coord.	Lt. Kevin Arnold
Fire Sub Code Official (3 year term)	William Richert
JIF Fund Commissioner	Katherine Fenton-Newman
Alternate JIF Fund Commissioner	Maser Consulting, P.A.
Payroll Clerk	Margaret Newnom-Purdie
Primary Grantsperson	Maser Consulting, P.A.
Qualified Purchasing Agent	Joseph Kostecki
Safety Coordinator	Katherine Fenton-Newman
Stormwater Management Coordinator	Maser Consulting, PA.
Tax Assessor	Vicki Mickiewicz
Tax Collector/Deputy Municipal Clerk	Wendy Prior

**6. ANNOUNCEMENT BY MAYOR SILVER OF THE MAYOR'S APPOINTMENTS
TO THE FOLLOWING BOARD/COMMITTEE**

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
Lynn Lenox
Marilyn Connors
Sally Gauntt
Betsy Hyle

Planning Board

Class I - 4 Year Term
William Noble - Expires 12/31/18

Class III - 3 Year Term
John Bendel - Expires 12/31/2017

Class IV - 4 Year Term
Eleanor Seibert - Expires 12/31/17
Vacant - Expires 12/31/17
Joe Connors - Expires 12/31/17
Bob MacNeal - Expires 12/31/17
Don Roberts - Expires 12/21/19
Frank Wetta - Expires 12/31/19

Alternates - 3 Year Term
Robert Baxter - Expires 12/31/18
Karen Kier - Expires 12/31/18

Recreation Committee

Alan Fumo
Pam Marx
Maureen DeSanto
Sarah Snow

Environmental Committee

Margaret Laratta
Pat Sherwin
Marsha Cudworth
Tara Church
Matt Crane
Tanara Hall
Mary Judge

Board of Health

Claire Cagney
Fran Gajano
Joann Moy
Pat Bailey

7. Resolution 2017-01 Designating the Various Professionals pursuant to N.J.S.A. 40A:11-1 et seq.

Municipal Attorney & Anzano	Michael O'Connell of Pringle, Quinn
Municipal Auditor	Holman, Frenia, Allison, PC
Municipal Fee Accountant	William E. Antonides & Co
Municipal Special Attorney	Eric M. Bernstein & Associates
Municipal Engineer	James Priolo, Maser Consulting, P.A.
Municipal Bond Counsel	Jan Wouters, Esquire
Special Attorney Tax Appeals	Christopher Connors, Esquire
Special Projects Engineer Assoc.	Michael O'Donnell, O'Donnell Stanton &
Municipal Prosecutor	Eric D. Brophy, Esquire
Municipal Prosecutor (Alt. 1)	Diegnan & Brophy, LLC
Public Defender	Brian Rumpf, Esquire
Public Defender (Alt.)	Charles Tivenan, Esquire

Public Comment - None
Roll Call

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

8. CONSENT AGENDA

Resolution 2017-02 Authorizing the Tax Collector to Conduct a Tax Lien Sale

Resolution 2017-03 Setting the Interest Rate Charged on Delinquent Water and Sewer

Resolution 2017-04 Setting the Interest Rate Charged on Delinquent Taxes Pursuant to N.J.S.A. 54A:4-67.

Resolution 2017-05 Authorizing Signatures of Borough Checks Pursuant to N.J.S.A. 40A:5-16.

Resolution 2017-06 Authorizing all Full Time and Part Time Employees of the Borough Be Paid Every Two (2) Weeks

Resolution 2017-07 Designating the Official Publication(s)

Resolution 2017-08 Authorizing the Mayor to Execute all Grant Applications on Behalf of the Borough.

Resolution 2017-09 Adopting Cash Management Plan for Calendar Year of 2017.

Resolution 2017-10 Authorizing the Tax Assessor to Act As the Agent for the Taxing District

Public Comment - None

Roll Call

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

9. ADJOURNMENT 7:15 p.m.

Motion made by: Berglund Seconded by: Asay ALL IN FAVOR

Respectfully Submitted by:

Katherine Fenton-Newman, CMR
Acting Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
COUNCIL MEETING MINUTES
January 5, 2017
7:15 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 21, 2016 and is posted on the bulletin board, and in the Municipal Building.

Roll Call:

Council President Asay	Councilmember Thompson
Councilmember Bendel	Councilmember Wudzki
Councilmember Berglund	Mayor Silver
Councilmember Snow	Attorney O'Connell

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X		X			X	X	X
Absent		X		X	X			

Also Present: Margaret Gorman, Chief Financial Officer

1. **PUBLIC COMMENT - None**
2. **RESOLUTIONS**

Resolution 2017-11 Resolution - Approving 2017 Temporary Budget

Chief Financial Officer Gorman explained that since the Borough is still working on the 2017 budget, State Statute lets the municipality take 26.25% of the budget so the Borough can operate for the next 3 months.

Public Comment
Roll Call

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

Resolution 2017-12 Bill List

Public Comment:

Bob MacNeal asked what the bill list was. The Mayor explained that it has to do with paying payroll, insurance, school, gas bills, internet bills, electric bills, etc. Councilmember Asay pointed out that the insurance bill for the Ocean County Municipal Joint Insurance Fund is \$110,000. This is for the Borough to insure for workers compensation, vehicles, etc. The deductibles are very high and it is for the minimum insurance we have to carry.

Roll Call

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

Resolution 2017-15 Resolution - Appointing Courtney Marx as Temporary Office Assistant at a Rate of \$12.50 Per Hour Not to Exceed 28 Hours

Per

Week

Public Comment: None

Roll Call

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

3. PURCHASE ORDER

Resolution 2017-13 Approving the Following Purchase Order

Vendor: John E. Camburn & Son
Item: Replacement of Equipment at Fletcher Place Pump Station
Amount: \$3,473.25

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

4. COUNCIL REPORTS

Councilmember Berglund had no report.

Councilmember Asay welcomed the new Fire Chief, Ken Balfrey and the new Fire Company Vice President, Brian Gabriel. Councilmember Asay said he was looking forward to working with these gentlemen this year.

Councilmember Wudzki said she was very excited about this opportunity.

Mayor Silver acknowledged Councilmember Wudzki's family who were present.

Mayor Silver read a notice from the Island Heights Police Department regarding the upcoming snow storm:

“Snow Emergency Ordinance 96-017, 7-3.9 To: All Island Heights Residents. From: Island Heights Police Department. Residents: During a snow emergency Residents will have to follow Ordinance 96-017. This ordinance will be in effect whenever snow has fallen and the accumulation is such that it covers the roadways of Island Heights. Parking on the streets of Island Heights for these times will be as such: There will be NO PARKING permitted on the SOUTH SIDE of EAST/WEST STREETS and on the EAST SIDE of NORTH/SOUTH STREETS. All off street parking must be utilized to the fullest capacity. Violation of this ordinance could bring a fine not to exceed \$200.00 or incarceration for a term not exceeding ten (10) days or both.

This ordinance will be strictly enforced so please make every effort to adhere to it. For a copy of this ordinance or if you have any questions, please feel free to contact the Island Heights Police Department at 732-270-3006.”

Mayor Silver reported that the Ocean County Board of Taxation held a meeting on December 15, 2016. At that meeting the Board of Taxation approved a town-wide reevaluation for the Borough. It must take place during the 2017 tax year and must be implemented for the 2018 tax year. The reevaluation must be accomplished within the next 12 months. The Mayor will have more information to follow as to what organization will have the task of handling the reevaluation for the Borough. The reevaluation will include all commercial, residential and marina properties in the town.

5. PRIVILEGE OF THE FLOOR

Bill Hummel, Ocean Bend, supports paid parking along the boardwalk on River Avenue. He thinks it could be easily implemented and wouldn't be much of an imposition. He also suggested that Island Heights have a police boat and auxiliary police.

The Mayor said that he has been getting positive comments from other residents regarding paid parking on River Avenue.

Maureen DeSanto, 15 Fletcher Place, said that the school reorganization meeting was the other night and she is the liaison to the Borough Council. She was reaching out to Councilmember Wudzki to let her know that the School Board wants to continue the positive relationship that the Board and the Borough have had together. Whatever the Borough needs from the School Board, please come to her.

Mrs. DeSanto said that the curriculum committee is trying to reach out more to the community. There are a few things planned that will be seen in the next couple of months. She also asked if Councilmember Snow would still be involved in the Environmental Committee. Mayor Silver said that she would always participate.

Barry Constantine, 191 Central Avenue, requested the monitoring of speeding on Central Avenue. He wanted to know when the sensors will be moved. The Mayor said that he needs to make arrangements with Ocean County because they have to unlock the axles to move them. He said that they will be relocated probably sometime next week, after he reaches out to the County to move them. The Mayor said he will be relocating one to 191 Central Avenue.

A member of the audience suggested parking an old police car on Central Avenue.

6. EXECUTIVE SESSION FOR CONTRACT DISCUSSION 7:34 p.m.

Resolution 2017-14

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

7. ADJOURNMENT 8:07 p.m.

First: Berglund Second: Wudzki All In Favor

Respectfully Submitted by:

Katherine Fenton-Newman, Acting Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
January 24, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ADMINISTER OATH OF OFFICE

Council Person (3 Year Term):
Sandra Snow

2. ROLL CALL

Councilmember Asay
Councilmember Bendel
Councilmember Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X	X	X	X	X	X
Absent								

Also present: Margaret Gorman, Chief Financial Officer

3. NOMINATION FOR COUNCIL PRESIDENT

Councilmember Snow nominated Councilmember Berglund for Council President.
Councilmember Bendel nominated Councilmember Asay for Council President.

Councilmember Wudzki seconded Councilmember Berglund's Nomination.
Councilmember Thompson seconded Councilmember Asay's Nomination.

Motion to close Council President Nominations made by Councilmember Asay and Seconded by Councilmember Berglund.

Vote tally for Council President:
Councilmember Asay voted for himself.
Councilmember Bendel voted for Councilmember Asay.
Councilmember Berglund voted for himself.
Councilmember Thompson voted for Councilmember Asay.

Councilmember Snow voted for Councilmember Berglund.
Councilmember Wudzki voted for Councilmember Berglund.
Mayor Silver voted for Councilmember Berglund.

Councilmember Berglund received the most votes for Council President. However, Councilmember Asay questioned the right of the Mayor to vote for Councilmember Berglund and asked the Borough Attorney for his legal opinion. Attorney O'Connell stated he needed some time to do the research.

4. PUBLIC COMMENT

A. Maria Sessa of JCP&L to give status report.

Maria Sessa of JCP&L reported that tree trimming will be done this year in the Borough of Island Heights. She will be meeting with Council President Berglund, and Jon Brodbeck of Public Works, to review the roadways they will be working on. She provided Council with a list of roadways they will be looking at. Mrs. Sessa also provided the Acting Borough Clerk with brochures regarding the tree trimming process.

Mrs. Sessa said that it is JCP&L's responsibility to make sure the lines are clear of any tree limbs so they can maintain proper service to their customers. The review will identify any trees the Borough thinks should come down. When they do trim trees, they leave the wood and trimmings for any residents that would like to pick it up for fire wood. If it is not wanted, they will clear the debris.

The work is scheduled to begin in the summer. JCP&L will notify the customers in the area. If there is a tree with a limb extending into their right-of-way, JCP&L has the right to trim that tree, even if it is on private property. It is important that JCP&L maintains that proper clearance.

Once the review of the trees is done, they will know more about how extensive the trimming will be and where some sensitive areas are in the municipality. Their goal is to be proactive and to communicate about it before they begin work.

Council President Berglund reviewed the list of streets that Mrs. Sessa previously provided him. He noted some incorrect items on the list. Mrs. Sessa said that those would be corrected when they reviewed the streets on January 29th. Council President Berglund said that there are only four streets in town that weren't on the list to be trimmed. He observed that the streets not listed for trimming all had the utilities underground.

Council President Berglund also stated that he and Mary Judge went to Atlantic City for the Forestry Conference and he saw some pretty horrible examples of the way trees can be left after trimming. He hopes that when the forester is there, he will assure that he is looking to leave as much of the forestry canopy as can be left intact. Mrs. Sessa said that there will be a consensus of what will be done once the review with their forester, Council President Berglund and Jon Brodbeck is completed.

Several residents expressed concern about the way trees have been left in the past when JCP&L has trimmed. Mrs. Sessa said that they will do their best to make everyone happy, but they need to do what needs to be done to ensure that service is maintained.

APPROVAL OF MINUTES

A. December 28, 2016 Meeting Minutes

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

B. January 5, 2017 Reorganization Meeting Minutes

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

C. January 5, 2017 Regular Meeting Minutes

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

5. RESOLUTIONS

Resolution 2017-16 Authorizing the Execution of a Schedule "C" Agreement with the County of Ocean for 2017

**RESOLUTION 2017-16
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 2017**

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8a-1 et seq. authorized the Borough of Island Heights to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40:8 requires such a contract to be authorized by resolution or ordinance; and

WHEREAS, it is the desire of the governing body to authorize the execution of a contract with the County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Island Heights, County of Ocean, State of New Jersey as follows:

1. That Mayor and Acting Municipal Clerk are hereby authorized to execute a Schedule "C" agreement with the County of Ocean in accordance with the provisions of the law to include \$40,000.00 for the Road Department, \$3,000.00 for the Engineering Department and \$7,000.00 for Vehicle Services, for a total sum and not to exceed \$50,000.00. A copy of the said agreement is attached hereto and part hereof as Schedule "C".
2. This agreement is for the period January 1, 2017 to December 31, 2017.
3. That a copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's Office during normal business hours.

Mayor Silver explained that the Borough contracts with the County of Ocean on an annual basis for services.

Public Comment - None

Roll Call:

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

**Resolution 2017-17 Approving Application for Use of Pavilion and the
Contiguous Property for Laura Lee Dempsey's Wedding on June
23, 2017**

**RESOLUTION 2017-17
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS
PROPERTY FOR LAURA LEE DEMPSEY'S WEDDING ON JUNE 23, 2017**

WHEREAS, Laura Lee Dempsey, located at 12 Parkway Boulevard, Toms River, NJ 08753, has submitted an Application for Use of Pavilion and the Contiguous Property for a wedding ceremony on June 23, 2017;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property for Laura Lee Dempsey for the wedding on June 23, 2017.

Public Comment - None

Roll Call:

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

Resolution 2017-18 Authorizing AT&T Lease Optimization

**RESOLUTION 2017-18
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE EXECUTION OF
AT&T LEASE OPTIMIZATION TERM SHEET**

WHEREAS, there exists a current lease agreement between the Borough of Island Heights and AT&T for the utilization of the property at 133 Vansant Avenue for cell tower and equipment placement and;

WHEREAS, AT&T is actively reviewing its portfolio of sites to determine ways to make its network more efficient and economical and;

WHEREAS, AT&T is requesting a rent reduction for the site located at 133 Vansant Avenue, Island Heights, New Jersey in accordance with the attached AT&T Lease Optimization Term Sheet;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, hereby agree to the terms as set forth in the AT&T Lease Optimization Term Sheet and;

BE IT FURTHER RESOLVED, that Mayor Jeffrey B. Silver is hereby authorized to initial the AT&T Lease Optimization Term Sheet as "Landlord."

Councilmember Thompson explained that AT&T is requesting a lease reduction for the rent to place their cell tower atop the water tower. She asked why it should be allowed. Mayor Silver stated that if we do not allow it, they will remove the cell tower and we will have no income from it at all.

Public Comment - None

Roll Call:

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

Resolution 2017-19 Authorizing the Lease/Purchase of 2017 Police Vehicles

**RESOLUTION 2017-19
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE LEASE/PURCHASE OF 2017 POLICE VEHICLES**

WHEREAS, the Borough of Island Heights Police Department is in need of two (2) 2017 Ford Police Interceptor Utility, All Wheel Drive Base Vehicles; and

WHEREAS, the Borough of Island Heights will provide for the leasing and purchasing of vehicles in its 2017 yearly operating budget; and

WHEREAS, the following police vehicles will be leased to purchase under New Jersey State Contract #82728 for two (2) 2017 Ford Police Interceptor Utility, All Wheel Base vehicles for a cost of \$25,493.00 for the first vehicle and \$25,493.00 for the second vehicle plus an additional cost of \$7,395.00 for each vehicle for emergency equipment for a total amount of \$65,776.00; and

WHEREAS, the Borough of Island Heights will enter into a lease/purchase agreement with Ford Motor Credit and Winner Ford; and

WHEREAS, the lease/purchase agreement amount shall total \$66,321.00 which will be financed in 3 annual payments of \$23,300.62 over a period of 3 years at an annual percentage rate (APR) of 5.50%;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, hereby authorize Mayor Jeffrey B. Silver, to execute all documents pertaining to the lease/purchase agreement of the aforementioned vehicles; and

BE IT FURTHER RESOLVED that the Borough of Island Heights may opt to purchase each vehicle/ equipment for \$1.00 at the term's end.

BE IT FURTHER RESOLVED that I, Margaret Gorman, Chief Financial Officer, do hereby certify that only amounts contingent upon the adoption of the 2017 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated

This resolution is for the lease/purchase of two Ford Explorer police vehicles through State Contract and financed through Ford Motor Credit. It will be a three year agreement with Ford Motor Credit and the Borough will pay an annual amount for three years. At the end of the term the Borough will pay \$1.00 to purchase each vehicle. The vehicles will be equipped with a police package that suits the police services needs. This will include lighting, siren, cage, rubber matting, and a door locking mechanism for the back seat.

Councilmember Thompson questioned the status of adding decals to the unmarked vehicle and was told that could be revisited but at this time no decals are planned for 2017.

Councilmember Asay stated that the Durango is beyond repair. The steering failed and will cost thousands of dollars. It is not worth fixing. The 2002 police pickup truck is fourteen years old and becoming unsustainable. He recommends that Public Works might be able to use it. The two vehicles being purchased will replace both those vehicles and put some youth into the fleet. That will make three vehicles that are within three years old. It is time to act because we are within breaking point with the current vehicles in the fleet.

Public Comment - None

Roll Call:

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

Resolution 2017-20 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Lake Avenue Improvements Phase 1 Project

**RESOLUTION 2017-20
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
LAKE AVENUE IMPROVEMENTS PHASE 1 PROJECT**

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Acting Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Island Heights Borough-00017 to the New Jersey Department of Transportation on behalf of Island Heights Borough.

BE IT FURTHER RESOLVED, that the Mayor and Acting Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Island Heights Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

This project will allow the Borough Engineer to file for a grant with the New Jersey Department of Transportation on behalf of the Borough. Phase 1 will be Lake Avenue from Central Avenue to Maple Avenue. Work will include the expansion of the drinking water loop, storm drain repair and repair the road surface where the work was done.

Public Comment - None

Roll Call:

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

Resolution 2017-21 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Lake Avenue Improvements Phase 2 Project

**RESOLUTION 2017-21
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
LAKE AVENUE IMPROVEMENTS PHASE 2 PROJECT**

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Acting Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Island Heights Borough-00291 to the New Jersey Department of Transportation on behalf of Island Heights Borough.

BE IT FURTHER RESOLVED, that the Mayor and Acting Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Island Heights Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Phase 2 of the project will be on Lake Avenue from East End Avenue to Laurel Avenue. This will encompass utility as well as road repair. There was possible Superstorm Sandy damage to the sewer pipes along the road. Some of the pipes lifted causing breaks near manholes. Repairing the breaks will keep water runoff from entering the system.

Public Comment: A member of the public asked if Phase 2 would include sidewalks. The answer was no. The same resident asked if the road would be repaved after the repairs. The Mayor said it would.

Roll Call:

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

Resolution 2017-22 Authorizing Maser Consulting, P.A. to Submit a Green Acres Application for Reconstruction of the Boardwalk Along River Avenue

**RESOLUTION 2017-22
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING, P.A. TO SUBMIT
A GREEN ACRES APPLICATION FOR RECONSTRUCTION OF
BOARDWALK ALONG RIVER AVENUE**

WHEREAS, the boardwalk along River Avenue is in need of reconstruction; and

WHEREAS, Maser Consulting, P.A. is the Borough Engineer and is familiar with the Green Acres Program and application process;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby authorizes Maser Consulting, P.A. to proceed with the application process of applying for Green Acres funding for the River Avenue Boardwalk reconstruction on the Borough's behalf.

Mayor Silver said he met with the grant person from Maser and money is available at a very low interest rate through the State. The boardwalk boards and stringers were constructed with non-galvanized materials and are now warping and in need of repairs. The Mayor said that a composite material would be used instead of boards. Councilmember Thompson asked why use composite material instead of boards? She said that she has seen composite materials fail. The Mayor said he would get options for materials to use. However, the life expectancy has run out for the materials on the boardwalk now.

Public Comment: A member of the public said that Seaside has composite decking for their boardwalk but the newer part was switched back to wood.

Terry Kempton asked if it was Council's intention to replace the whole boardwalk. The Mayor replied that it would be from the Pavilion heading west. The other part of the boardwalk has money allocated from elsewhere to raise the road and boardwalk.

A member of the public said there was a railroad under the boardwalk and suggested that the engineers expose a portion of the railroad for historical purposes. Councilmember Snow said she would reach out to Cultural and Heritage and see what they have on the railroad.

Councilmember Asay mentioned that the second floor of the Pavilion was deteriorating and it needs to be replaced. He said that they talked about adding that to this project and also wanted to have the CHIEF FINANCIAL OFFICER investigate the use of \$34,000 in settlement funds to restore the second floor of the Pavilion. The CHIEF FINANCIAL OFFICER said she thought it only pertained to the beach but she will check into it.

Mayor Silver said that this resolution was only to get an application in place and the issue of what materials to use will be revisited if and when the grant is approved.

Roll Call:

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

Resolution 2017-23 Bill Resolution

Public Comment - None

Roll Call:

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

Resolution 2017-26 Urging the Governor to Fill the Vacancy on the NJ Turnpike Authority Board of Commissioners with a Resident of Ocean County

RESOLUTION 2017-26

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
URGING THE GOVERNOR TO FILL THE VACANCY ON THE
NEW JERSEY TURNPIKE AUTHORITY BOARD OF COMMISSIONERS
WITH A RESIDENT OF OCEAN COUNTY**

WHEREAS, more than 44 miles of the Garden State Parkway runs through Ocean County, representing the longest stretch of the Parkway in any New Jersey County; and

WHEREAS, a large percentage of the 90,000 commuters living in Ocean County use the Garden State Parkway and the New Jersey Turnpike daily in order to access jobs in other areas of the state; and

WHEREAS, there is currently a vacancy on the Board of Commissioners on the New Jersey Turnpike Authority, the agency overseeing both toll road of the Turnpike and Parkway; and

WHEREAS, based on the traffic volume and the tolls collected from Ocean County residents on these roads, Ocean County wants representation on the New Jersey Turnpike Authority Board of Commissioners, which currently is made up of three members from Monmouth County and one member each from Middlesex, Mercer and Bergen Counties; and

WHEREAS, Ocean County now is the perfect time for it to be represented as there is a vacancy on the Commission; and

WHEREAS, Ocean County has had past representation on the then-Garden State Parkway Authority, which provided this growing County a voice on ushering in needed improvement and many necessary upgrades on the toll road; and

WHEREAS, the Parkway is vital to the economic growth of Ocean County which sees its population double in the summer months as a key tourist attraction in the state of New Jersey; and

WHEREAS, the Garden State Parkway also serves as the main evacuation route moving residents and visitors out of harms' way during natural disasters like hurricanes; and

WHEREAS, the Parkway is the only viable north/south transportation network for Ocean County residents which is overseen by a state agency; and

WHEREAS, since there are approximately 44 miles of Parkway in Ocean County, the longest stretch in the State, and Ocean County motorists provide the highest amount of tolls collected, and this is a key route for Ocean County residents and visitors, the Ocean County Board of Chosen Freeholders wants this vacancy filled by an Ocean County resident.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, that it hereby strongly urges the Governor to fill the vacancy on the New Jersey Turnpike Authority Board of Commissioners with a resident of Ocean County.

BE IT FURTHER RESOLVED, that the Mayor and Council direct the Acting Municipal Clerk to forward certified copies of this resolution to the Honorable Chris Christie, Governor; Members of the 9th, 10th, 12th, and 30th Legislative Districts; the New Jersey Turnpike Authority Board of Commissioners; the Ocean County Board of Chosen Freeholders and all 33 Ocean County Municipalities.

Public Comment - None

Roll Call:

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

6. PURCHASE ORDERS

Resolution 2017-24 Approving the Following Purchase Order

Vendor: CSI Computers LLC
 Item: 1 Year Renewal Retainer as Per Attached which covers the
 Borough and the Police Department
 Amount: \$4,780.00

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

Resolution 2017-27 Approving the Following Purchase Order
 Vendor: ERS Fleet
 Item: Labor and Parts to Customize Snow Plow Bracket and Install Plow
 Pump
 On 1994 Mack RD688S
 Amount: \$1,500.00

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

7. ITEM FOR DISCUSSION

A. Verizon Wireless Resolution to Locate and Operate Small Network Nodes in the Public Right-of-Way by attaching to Existing and New Utility Poles.

This item was tabled at a previous meeting due to a change to the language in the Resolution. The Resolution was sent to Larry Morgan, the representative from Verizon Wireless, with additional language requiring a fee to utilize the right-of-way and requiring Council approval before the nodes are placed. Verizon Wireless rejected the additional language. Mr. Morgan indicated via email that he needs another proposal from Council.

Councilmember Thompson wanted to make sure Mayor and Council had final say to approve where the nodes would go. The Borough Attorney said we could not ask for a fee. Councilmember Thompson wants more information on exactly where the nodes are going to be placed before they are placed on the poles. They also want to know exactly how many nodes and what the weight, diameter and height of the nodes are.

A member of the public asked what the health risk of the radiation coming off the nodes would be.

Councilmember Asay said they meet FCC requirements and they are pretty high in the air, so he believes the risk would be minimal.

Another member of the public said that they would hope the benefit would not outweigh the aesthetic benefit.

Councilmember Asay said that this would be a benefit when there was a power outage. It would help in instances like Superstorm Sandy, where the power went out and no one had cell phone service.

8. COUNCIL REPORTS

Councilmember Bendel stated that if the public comments on the approval of the nodes, he believes it will never happen.

Councilmember Bendel asked about the status of the payments to the Fire Department for their expenses. Chief Financial Officer Gorman said that she was still in the review process. They provided invoices for January through May previously and last week supplied her with June through December. She will review the bills supplied last week and encumber the funds and send out the voucher. Mayor Silver said that so far, \$17,000 and change has been sent to the Fire Department. Mayor Silver said that \$40,000 was allocated to the volunteer organization and they were to supply invoices to the Chief Financial Officer for reimbursement of operating expenses. Chief Financial Officer Gorman said that the payment will be done within the next two weeks.

Brian Gabriel of the Fire Department wanted to clarify that the invoices were submitted to the Borough on January 10th. Chief Financial Officer Gorman said that she only received them last Wednesday, January 18th.

Council President Berglund reported that there were two men working four hours each at the school, totaling eight hours during the snow storm. That work is part of the reimbursement agreement with the school. The total of Public Works man-hours for plowing for the storm was eleven hours by five people over the course of the weekend. This covered Borough roads and parking lots.

Council President Berglund reported that Jon Brodbeck got double booked for the JCP&L tree review. He was to be a teacher/presenter at a training session in Lavallette for the same day. They were able to reschedule his presentation so he can do the tree review.

Council President Berglund also wanted to make an announcement on behalf of the sewer repair workers: **Flushable wipes are not flushable. They are clogging the lift stations. Please stop flushing wipes.**

Councilmember Asay reported that Washington has announced that the KC-46A Tanker and Refueling Plane will be based at Joint Base McGuire-Dix-Lakehurst. He commends our Congressional Delegation for making that happen. It will keep our base alive for at least another three decades. It is the number one employer in Ocean County and the number three employer

in New Jersey. Councilmember Bendel also noted that former Congressman Sexton was very much involved.

Councilmember Asay announced an “ice” rescue drill on Sunday, March 5th at 8:00 a.m. The road will be blocked on River Avenue in front of Letter Park.

Councilmember Wudzki reported that the school received the bid for the work being done from the referendum. The bid came in \$742,000 under what they had allocated. All the work is scheduled to be done over the course of the summer and completed by the start of the school year.

There will be a STEAM Science Fair on April 6th and be opened to the community. Councilmember Wudzki said she is sure she will have more information the closer we get to the date.

Councilmember Bendel reported that he spoke to the Superintendent at the last School Board meeting over concern with the recent contract with the teachers and the use of the leftover money for other projects. There was concern that the resolution let them borrow a certain amount of money, and if the bids came in under that amount, they would use the rest of the money rather than turning back against the loan. Councilmember Bendel reported that the law does not allow that and the unspent money will be turned back.

He also reported the Superintendent said that in the contract negotiations with the teachers, there were changes in medical coverage. Items negotiated would be compensated for by higher co-pays and some other changes in coverage.

Councilmember Thompson reported that when she attended the School Board Meeting, she was happy to hear that they plan to put the savings back in against the loan principal. She also attended the Mayor’s budget meeting with the Fire Department, along with Councilmember Asay and Chief Financial Officer Gorman. She thought it was very productive. There was a good, candid, dialogue and there is a path forward for the Borough to help with the construction of the single use building for the Fire Department. She looks forward to participating in the next meeting.

Councilmember Thompson also met with the Chief Financial Officer over the budget preparation. There was a comparison in spending in 2016 and 2017. 2017 is going to be a busy year. There is a new website being built, an assessment reevaluation that must be completed, a master plan and ordinance updates.

Councilmember Thompson thanked all the emergency responders for their actions during the nor’easter.

She also said that Public Works also told her about the problem with the flushable wipes clogging the system. The wipes seize up the pipes. They are not to be flushed, especially with our old system.

Councilmember Snow met with Council Members Asay and Thompson regarding IT in the Borough. A survey was developed that will go out to each department and employees in order to

get a better idea about how they use the computer equipment and how the IT landscape is working. This will give them a better idea of how to bring the IT and the website up to date and be secure. She thanked Council Members Asay and Thompson for their excellent input in moving it along.

Councilmember Snow also thanked Councilmember Wudzki for taking up the Sustainable Schools “baton.”

Mayor Silver reported on the CDGB Project for installation of handicapped ramps on the corner of Ocean and Simpson. We are still waiting for the contractor to provide engineering drawings for the ramps.

Mayor Silver also reported that he asked the Borough Engineer, Maser Consulting, to do the paperwork with the State for the design and permitting for the replacement of the boat ramp bulkhead looking west towards the river. The bulkhead replacement will come out of our Schedule “C” Agreement with the County. The County will do the work. Maser has finalized the paperwork and the Mayor is waiting to get the “OK” to make the repairs. It will be vinyl and will match the material to the left of it.

9. PRIVILEGE OF THE FLOOR

Barry Constantine - 191 Central Avenue stated that it is the fourth consecutive time that he is asking for the relocation of the radar speed alert device to Central Avenue. Mayor Silver said that he put in the request to the County and it will be relocated in front of Mr. Constantine’s house.

Brian Gabriel - 185 Summit Avenue wanted to be placed on the record saying that, as a lifelong resident, he vehemently opposes the idea of parking meters along the waterfront. It will severely impact the residents on the side streets. Homes along those areas do not have off street parking and need to park on the street. Many of those spaces will be occupied by people avoiding paying the fee. There are also maintenance concerns. It will have a severe impact on the Yacht Club and the members of the Yacht Club. It will also impact the residents on the other side of River Avenue because some of those people use it for access also.

He urges the Council to do a very detailed study and a cost analysis to find out what the turnaround time is and what the payback is. Are they then going to wind up on Summit Avenue beach? Who is going to pull the money out of the meters every day and who is going to change the paper every day? He thinks that having kiosks and whatever they are going to do, definitely goes against the history of Island Heights.

Borough Attorney, Michael O’Connell announced that he had completed his research on the Council President vote. Attorney O’Connell stated that Ordinance 2.6 entitled “President of the Council” states “The legislative power of the municipality shall be exercised by the Council. The Mayor shall participate and vote as other Council Members.” Then it goes on to say that “Council shall select from among its members a President.” Attorney O’Connell also said that he reviewed the minutes from the last three years and in each instance the Mayor voted for Council President. He also checked with other municipalities with similar governments who have Council Presidents,

and in all instances the Mayor voted for Council President. Therefore, he stands by the position that the Mayor is entitled to vote for Council President and his fourth vote stands making Councilmember Berglund the Council President.

Given the Borough Attorney's legal opinion, Councilmember Asay withdrew his nomination for consideration and declined the nomination. He asked that the Council submit a unanimous ballot for Councilmember Berglund as Council President

Councilmember Thompson expressed her gratitude for Sean Asay's work as Council President. She said she would like to recognize his work and thanked him for his service.

10. EXECUTIVE SESSION FOR CONTRACT DISCUSSION at 8:41 p.m.

Resolution 2017-25 Enter into Executive Session

**RESOLUTION 2017-25
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY TO
ENTER INTO EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:74-12 allows for a Public Body to go into closed session during a Public Meeting;
and

WHEREAS, the Governing Body of the Borough of Island Heights has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Island Heights will go into closed session for the following reasons outlined in N.J.S.A. 10:4-12:

Any matter which, by express provision of Federal Law; State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public.

Any matter in which release of information would impair a right to receive funds from the federal government.

Any matter, the disclosure of which, constitutes an unwarranted invasion of individual privacy.

Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest of discussion of such matters were disclosed.

Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure would impair such protection, any investigations or possible violations of the law.

Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party, any matters falling within the attorney-client privilege, to the confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Any matter involving the employment, appointment, termination of employment, evaluation of performance, promotion or discipline of any specific prospective public officer or employee whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Any deliberation of public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party as a result of an act of omission for which the responding party bears responsibility.

Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual in writing requests a public meeting.

Any deliberation of the public body occurring after a public hearing that may result in the imposition of specific civil penalty.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

Roll Call:

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

Motion and Roll Call to Enter Back Into Regular Meeting

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

11. ADJOURNMENT at 10:48 p.m.

First: Bendel

Second: Asay

All In Favor

Respectfully submitted by:

Katherine Fenton-Newman, RMC
Acting Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
February 14, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X	X	X	X	X	X
Absent								

2. PUBLIC HEARING FOR FILING A LOCAL GOVERNMENT ASSISTANCE APPLICATION WITH THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM TO MAKE IMPROVEMENTS TO THE RIVER AVENUE BOARDWALK.

Mayor Silver explained that the hearing was cancelled to do job cost estimates exceeding anticipated costs. This grant will not be pursued at this time.

3. PUBLIC COMMENT

Due to the large amount of people in the audience the Metered Parking "Item for Discussion" was moved to the "Public Comment" portion of the meeting.

Betty Jo Leahey, 110 Oak Avenue, stated she was a member of the Yacht Club. She is concerned about the Junior Olympic Regatta. She said that parents would have a hard time watching their children, dealing with the boats and feeding meters all day long. She also thinks it will discourage them from wanting to come. It is a big event and it is a privilege for Island Heights to be part of this event. In addition, the Yacht Club pays for a lot of things in the town like beach badges, tennis badges, crabbing badges.

For some of the older members the only free entertainment and form of enjoyment is to be able to sit under the pavilion. Some can't walk further than the edge of River Avenue. If they have to feed meters all day they won't be able to afford to enjoy it.

She also expressed concern that the meters would force people to park up the side streets. She said it would create a huge problem. She said that when she worked for the Municipal Court, people were angrier about getting parking violations than drunk driving violations. She fears that it would create more problems for the Municipal Court.

Frank Parisi, 15 Jaynes Avenue, had questions on how the metered parking would work financially. He would like to see something in writing and have a discussion on what the costs would be. He understands that there are certain fixed costs for maintenance on the boardwalk such as lawsuits, electricity, maintenance, etc. Will the parking structure generate enough money to offset that structure? Will the Borough net enough money in the end?

Mayor Silver said that he did some rough math of what could be generated at peak season. He said there was 2400 feet of parking area along the street. 20 foot parking spaces comes to 120 total spaces. If you made \$25 per space in peak season, meaning during the summer time when there are solid cars around the entire curve from west to east, would be approximately \$3,000 per day.

Mayor Silver reminded everyone that this is a subject that is in its infancy. It is only an item for discussion. There is nothing that is being pursued for a resolution. The Mayor has not spoken to any vendors nor manufacturers of the parking pay stations.

Council President Berglund said that he had received many emails, as had the rest of the Council. He said most of them spoke about all the parking meters sticking up. That is not what you will be seeing down here. This is paid parking and it is done with the numbers painted onto the asphalt.

John Columbus, 38 Highland Avenue, wanted to know if there would be an off-season, as they do in Seaside Park, which would make it easier for locals and seniors. Mayor Silver said that maybe there could be, however, this is only the third time this subject has been spoken about and no decisions have been made. Mr. Columbus said the centralized parking meters were a disaster for the first year in Seaside Park. They had to have a police officer help people muddle through. Mayor Silver said that there would be a learning curve. Mr. Columbus suggested that should be considered.

Mr. Columbus also said sometimes people would have to walk quite far to pay at the kiosks. Mayor Silver responded by saying that is why people are here, to walk on the boardwalk. Mr. Columbus said some people park their car and set out their beach chair and sit right by their car.

George Hanna, 185 Ocean Avenue, asked who was going to police this. Mayor Silver told him it would be the Police Department. Mr. Hanna wanted to know if the department was going to have enough staff. The Mayor explained that the parking pay stations are all "smart" now. They go to an application on an iPad or a Smartphone. It lets the officer know when the space number was paid for and when the meter has run out. When it expires it sends an automatic notice to the officer on his smart device saying the space number has expired. There is no patrolling. Mr. Hanna said that it will now require the officer to go and write the ticket. He wanted to know if that will that require additional officers. The Mayor said that might be very possible. Mr. Hanna said that should be included in consideration of the cost. The Mayor said absolutely, but again, it is only the third discussion regarding this issue.

Scott Nesson, 174 Summit Avenue, said that the Borough will be assuming all these expenses against the potential revenue on the road. Mayor Silver interjected that \$3,000 a day per space for 30 days is \$90,000 a month. Mr. Nesson said that that may be in the middle of the summer on the weekend but not in the middle of the week. He walks the boardwalk. The Mayor said that in the middle of the week it is packed. The Mayor said he also walks the boardwalk in the summer time volunteering as a badge checker. Mr. Nesson asked the Mayor when he walks the boardwalk. The Mayor responded that he walks the boardwalk morning, afternoon and evenings and so does his wife.

Dorie Leonardi, 154 Ocean Avenue, asked if the purpose was totally to bring in revenue or partially to lessen the amount of visitors. Mayor Silver said it was not to lessen the amount of visitors. The taxpayers pay for the trash cleanup, the maintenance of the boardwalk and the vandalism on the second floor of the pavilion. The estimates he has gotten for the boardwalk rehabilitation has been in the excess of millions of dollars. When you walk down the boardwalk it springs, it doesn't have a solid feel to it. The structure underneath is not being supported anymore. A lot of the damage did occur from Sandy, which should have been addressed by FEMA. Things fell through the cracks and we did not obtain funding from FEMA for the boardwalk. Either the taxpayer continues to pay for not just residents, but people from out of town. People from all over the state and other states come here to walk the boardwalk. The Mayor told Ms. Leonardi that if she feels that it is fine for the residents of Island Heights to foot the bill for other people to come and enjoy, so be it. If everyone thinks it is okay for us to finance it and for others to come here without generating any other revenue source, fine. He said he is trying to come up with something that helps offset the cost of the boardwalk.

Ms. Leonardi asked if the taxpayers will get some kind of permit. Mayor Silver said of course they would. All residents of the town will get an annual window sticker and hang tags for the rear view mirror when guests come.

Lynn Pendleton, 249 Ocean Avenue, questioned the revenue generation of \$3,000 per day. Mayor Silver replied it was just a rough estimate he came up with. Mrs. Pendleton said she questions it because so many residents with permits and Yacht Club visitors will take up those parking spaces which won't be generating revenue. Mayor Silver said that he has observed that the Yacht Club members do not take up a lot of real estate. Mrs. Pendleton said they do during an event. The Mayor said, "Of course, it is like Fourth of July." Mrs. Pendleton asked if the Mayor could image that she lived in that area and she is coming home with a car full of groceries. There are all kinds of people who don't want to pay parked illegally on Jaynes Avenue. Would she have to stop and call police and say come tow the car away so I can park my car? Mayor Silver said that she would not because there would be signs posted on all the north to south roads saying "Permit Parking Only." If they don't have a resident sticker or a guest hang tag when the officer makes his rounds they will get ticketed. Mrs. Pendleton said that still doesn't help her park her car. She also wanted to know if it is going to be done for the boardwalk will it be done for Summit Avenue Beach and Longpoint? Mayor Silver said he didn't know yet. Mrs. Pendleton said that it would stand to reason because those are two places out-of-towners use. Mayor Silver said it might be a good idea to start down that way and work our way to River Avenue.

Gail Cudia, 11 Jaynes Avenue, stated that 25% of the people who live in that area do not have driveways. Her concern is that the people who are required to pay will encroach on their parking spots. Despite the fact that she is being told that it is electronic, it will take manpower to police the streets that don't have numbered parking spots. She thinks any funds generated will be negated by that. She said that there are many ordinances by the Borough regarding crabbing, fishing and trash. If those were enforced there wouldn't be a need for paid parking. Mayor Silver replied that we have volunteers and paid people in the summertime that do enforce the crabbing and recreation badges. Ms. Cudia said she has called because there were people violating the well signed area of crabbing and fishing and nothing is done about it. Mayor Silver said that he appreciates her calling. He would like more people to do that. He said they are not locals doing this, they are people coming from out of town. They like it because it is safe, it is a great view, it is very quiet and they come to enjoy it. He has experienced what she experienced down there.

Mayor Silver said if there are any other solutions beside parking pay stations he would welcome suggestions. We have talked about a farm market and having gourmet lunch wagons come to town. We need another source of revenue beside the taxpayer. Ms. Cudia told the Mayor to enforce the ordinances we already have. Mayor Silver said that the existing ordinance do not generate recurring monthly revenue like you think it would, by having something that would have a dollar amount that would be generated weekly, monthly, and annually on a constant basis. Mrs. Cudia said that she thinks it would improve the quality of life in the area and at \$100 a pop, when she is down there and encounters six and seven people on the curb alone. Mayor Silver said if she is fine footing the bill for everything it takes to maintain our open boardwalk it is fine, we won't do it. It will just be more burden on the taxpayer with nothing to offset.

Jim Jablonski, 186 Central Avenue, wanted to know if the boardwalk was extended through funding by the County. Mayor Silver said we are still paying for it. The County did the work. The Borough has a loan that we are still paying back. Mr. Jablonski asked if the County was involved in any of the ownership or maintenance of the boardwalk. The Mayor told him no, that it is the responsibility of the town and the County did the construction work. The Borough has a Schedule C Agreement with the County and we hire them as needed to do work here in the town.

Angela Whitehill, 218 Ocean Avenue, suggested that the Borough use Camp Meeting Ground for the Farmers Market and Gourmet Food Trucks if the Borough decides to do that.

Lynn Pendleton, 249 Ocean Avenue, said that River Avenue is a County Road. Would we have to share the revenue with the County? The Mayor said we would not have to share the revenue.

An unidentified resident stated that a few years ago this question came up before Council, according to a resident who was a Council Member about 10 years ago. That person indicated that the County would not give permission. Is the County going to allow this? Mayor Silver said he already spoke to the County and they do not have an issue. The resident wanted reassurance that the County would not have an issue such as asking to be paid back for payback to pave the street or clear the snow or anything like that. Mayor Silver said the County would not want any payback.

Brian Gabriel, 185 Summit Avenue, said he was dead set against metered parking for all the reasons mentioned at this meeting. He thinks it will look hysterically ugly to have parking numbers and lines up and down River Avenue when we live in an historic community. The Yacht Club is

affected more than just the Junior Olympics. It affects events at the pavilion when there are concerts down there.

Enforcement is a problem. We hired part-time officers a short time ago because they didn't have enough officers to do what they currently have to do. Are we going to have to create a parking authority? He believes the residents deserve a full schematic of what the revenue potential could be, good, bad, or indifferent. The 30 days at \$3,000 a day doesn't cut it because it probably rains two days out of the week. The Mayor told him that he just gave a rough estimate tonight. He can do the math, it's real easy addition.

Mr. Gabriel said that you can look at the math and it can look real fluffy and good, but the reality of it is that it is not that good to offset the cost. The Mayor said that he doesn't even know what the cost of the pay stations will be right now. Everybody is here like we are making a resolution to adopt this. We are not. It's a discussion.

Mr. Gabriel said that there was a line item in the budget last year that was left empty for parking meters. Councilmember Asay confirmed there was an unfunded line item in the budget for parking meters. Mr. Gabriel said that the Council needs to explore all their revenue items, but all the residents need to be made aware of the pros and cons before they do anything. Mayor Silver told him that the residents would be made aware of everything. There are no back door dealings going on here. It's all open conversation. Mr. Gabriel responded saying he did not suggest that.

Justin Shearer, 7 Simpson Avenue, is against the meters. This will directly affect his home as he does not have a driveway. He stated that all the people at the meeting would be an indication of what the general population would want. The Mayor replied that there are 950 homes with 3,000 residents here and the meeting would not make a good statistic.

Bill Hummel, 18 Ocean Bend, said he has spoken to a number of people and they all had the same objections that were being heard tonight. He said that the financial aspects need to be flushed out. Residents should know what the revenue was, such as how much the Borough spent on lawsuits due to "trip and fall," maintenance, etc. They should also know the cost of enforcement, such as \$50 for a ticket and the cost of the pay stations per hour.

Mayor Silver said that we don't even know what the rate would be because Island Heights is such a prime location. Is it worth \$1.00 per hour to be here? Councilmember Snow said it was worth more. A discussion ensued about the amount of money Seaside charges for parking. An unidentified resident said it is a dollar on weekdays and a dollar fifty an hour on weekends. Mayor Silver said again, it is just a discussion. He is coming up with figures on what pay stations, annual maintenance would cost and other monthly fees. He doesn't have all of that data right now.

The Mayor said he has asked the governing body to come up with solutions to generate additional revenue like the Fire Company has done. They have rented out their parking lot to Lester Glenn to park cars in their parking lot because they are looking to generate additional revenue for the Fire Company. Councilmember Snow added that when that happened the Borough received a petition with fifty signatures on it from neighbors who were unhappy about that. Mayor Silver said the people that live around that area now have to look at a parking area full of Hyundais and they didn't move here for that, but they accepted it.

Angela Whitehill, 218 Ocean Avenue, said that it seems people aren't really getting the whole thing. This is not Seaside Heights, Avalon, Atlantic City or Toms River. This is a lovely, quiet, quaint, little town that doesn't want parking meters. We are not going to be charming or quaint with parking meters. Mayor Silver said that there will not be meters every 20 feet. Mrs. Whitehill said that Angela Lansbury will never move here.

Barbara Parisi, 15 Jaynes Avenue, said she has gone to four different towns in the past three days and all had the solar powered parking pay stations. Westfield has a parking lot that has a pay station that you have to use even to run into the drug store. The three closest pay stations were not functioning so you had to pay at the opposite end and walk all the way across the parking lot to pick up your prescription or run the risk of getting a ticket. They will give you a ticket even if you are sitting in your car. Additionally, she has no driveway, at least two days a week she is not permitted to park on her own street in front of her own house. People who don't live in town park there. She has called the police and they just walk right past and don't do anything about it. Mayor Silver said that Lt. Arnold was not at the meeting to be able to address that issue. She says she already has a problem parking in front of her house and this would make it worse. She doesn't think a parking fine for someone parking in front of her house is going to make someone not park there.

Councilmember Snow commended everyone for coming out on Valentine's Day evening when they could be doing something much more romantic than sitting with the Council. She wanted to thank everyone for the emails and letters that came to their mail addresses. A lot of thought and effort went into this and the residents brought up excellent questions. She thinks the biggest misunderstanding that was out there was that tonight Council was going to vote this through and no one would have a say. She said that is not how we operate. The biggest thing is that everyone has excellent ideas and solutions. What the Mayor and Council are looking for are more solutions and feedback from everyone. Councilmember Snow asked how many people in the audience were Yacht Club Members. There were a large number in attendance that raised their hands. She thinks public discussion at a Council Meeting might not represent the whole town. She said we are hearing a lot from people along the water front but she thinks that the waterfront people aren't the only individuals in the town that use the waterfront. Other people experience problems here such as people along the side streets. Also, people from the other side of town, the northern part, need to be heard from. We do need to create more revenue in this town and Council's desire is to do it without burdening the taxpayer. What we need is to hear back from the public.

Joe Connors, 106 Central Avenue, said aside from being a Yacht Club Member, he lives in town. The idea of putting numbers and pay stations is very tacky.

Dorie Leonardi, a Trustee for Island Heights Cultural and Heritage Society said that they are trying to maintain the character of Island Heights and they find that it is rapidly changing i.e., the parking lot in Wanamaker Complex with all the lines and arrows; down at the beach has big arrows going in at the beach and all the paving that's been done on Boy Scout Island. A lot of it has come to their attention as contributing to changing the flavor of Island Heights and she doesn't know at this point how she feels about the parking meters. She understands the need for revenue and if in fact, the amount of money the Mayor is talking about is somewhat accurate, she understands how that would feed our coffers.

Mayor Silver told the audience that the Borough has received a letter from the County saying that the Borough of Island Heights has been eleven years without a revaluation and there be a town-wide assessment done this year and implemented in 2018. The tax burden will continue to be on the taxpayer without offset from any other revenue source.

Ms. Leonardi said that she is still concerned about what it will look like. Mayor Silver said she can get an idea of what it looks like in downtown Toms River. Ms. Leonardi said she already finds it offensive here, and down at the beach, finding all this stuff painted. It seems unnecessary. Mayor Silver said it could be a small number on the curb. Ms. Leonardi asked if the Council would take into consideration the numbers being more discrete. She would like it quainter. She doesn't want big white lines like in the parking lot at the municipal building. Councilmember Snow said that she thinks it is nice having the lines because it gives better guidance where people are supposed to park. She understands the aesthetic and she understands that we are a unique and special town, but were are trying to find some way to stay unique, beautiful and aesthetically pleasing and also control what goes on along the boardwalk. Many people complain about parties that break out with large group of people who set out and picnic along there. If we can find a happy medium, that would make everyone happy.

Jim Jablonski, 186 Central Avenue, told Council they need more signage along the boardwalk saying no wheeled vehicles, no pets, no fishing or crabbing. They should have signs at each light post. He sees people walking their dogs urinating on lampposts and with enough acid, the Borough will be replacing the lampposts. The Mayor indicated he was concerned about sign pollution. Mr. Jablonski said that the signs should be small and mounted on the polls. Additionally, there should be no parking in front of the post office and people do it all the time. He recommended placing an officer there to issue violations to bring in more revenue. Mayor Silver said he has signs on order for no parking.

John Columbus, 38 Highland Avenue, mentioned that there are wedding parties with big limo buses and maybe to generate more revenue, charge \$100 or \$1,000 to park by the Pavilion. He said he has a family member with low vision. He drops off that family member and leaves immediately after he drops the family member off at the post office. He drives back around and picks up that person when they come out of the post office. To say that he cannot drop a low vision person off is ridiculous. Mayor Silver said, again, Lt. Arnold was not present to address any issues regarding fire lanes, etc. Mayor Silver said that this issue was deviating away from the parking meter issue.

Jim Jablonski, 186 Central Avenue, said his issue was not with dropping anyone off.

Ellen Columbus, 38 Highland Avenue, asked if the Council was pursuing a farm market and asked what kind of revenue that would bring. Mayor Silver said he had no idea. Councilmember Wudzki said she has a call into a Councilmember in Berkley to get some information on how they run theirs and what type of revenue it generates. She has not heard back as of yet. Mrs. Columbus said that she thought it would be a more positive thing that would bring people in and bring people together. The Mayor agreed and said we could charge for parking, too.

Terry Kempton, 76 River Avenue, asked if the goal of the parking meters was to pay for the maintenance of the boardwalk. Mayor Silver said it could even fund other entities in the town.

Mr. Kempton suggested getting rid of the boardwalk. When the original boardwalk was there, everything was fine. When the grant was given to do the addition to the boardwalk, it's been nothing but a problem. Maybe another way of looking at it would be to get rid of the boardwalk. Many people in the audience agreed. Mayor Silver said we have a half mile of boardwalk that everyone comes to enjoy and taxpayers foot the clean up and grounds maintenance. The estimate for rehabbing the boardwalk is in the millions of dollars. It has been eighteen years since the boardwalk has been put down. It is aging like anything else and needs maintenance. It must be paid for somehow. He is looking for out-of-towners to pay for the boardwalk instead of the taxpayers.

An audience member asked what the next step will be. Mayor Silver said he will get more data on what the pay stations cost, how they are maintained, how the manufacturer would perform service on them, etc. The audience member asked how he will let the residents know. Will he notify the residents in advance that this will be an agenda item? Mayor Silver said he would let them know.

Councilmember Thompson said that members of the Council received quite a number of emails and she asked that the Borough Clerk gathers all the emails and letters received so they are part of the record. She thinks that it is important in further discussions that the people who are immediately effected by how this would happen with proposed hand tags and parking stickers need to be given consideration.

Councilmember Snow explained that she had asked for a show of hands on how many audience members present were from the Yacht Club because they are directly impacted. She would like to see this spread around the rest of the town. She would like to reach out to the major committees around town, like the fire department. If there could be one contact from every committee around town we could spread it around, which would be an excellent idea.

Councilmember Bendel also thanked everyone for sending him emails. Councilmember Bendel said that if you put the money issue aside, he cannot see administering metered parking and doesn't support it. Councilmember Asay agreed with Councilmember Bendel. He believes the administration would be overwhelming especially given the staffing that the Borough is able to afford. More importantly, it changes the character of the community. It is a different kind of community when you have a pay system. He doesn't think it is Island Heights and he won't support it. Mayor Silver said that was fine as long as he doesn't mind additional tax increases to maintain the riverfront boardwalk with any offset from visitors from other towns that like to walk the property. Councilmember Asay said that we have done it for a lot of years. We have held the line and he thinks we can manage.

An unidentified resident said that the volume of the people coming into town before the boardwalk was extended was a lot less than it is now. Perhaps the best solution would be to eliminate the new part of the boardwalk and maybe that would eliminate the volume of people. Eliminating the boardwalk extension would be less of a maintenance issue and a lawsuit issue. It would be easier to maintain the smaller boardwalk.

The discussion of the Parking Stations closed and representatives of the Camp Meeting Restoration Association gave a presentation as follows:

Judith Carluccio, 100 Laurel Avenue, member of the Camp Meeting Restoration Association, said the new staircase is complete. She showed pictures of the completed stair project. More than 50 people came to the ribbon cutting. She reported that many people also came and helped them plant. Mrs. Carluccio showed before and after pictures of the staircase. They will be completing the retaining wall around March 25th. Mayor Silver mentioned that public works is dropping off boatloads of soil there. Mrs. Carluccio said that Jon Brodbeck has been doing that to prepare the ground.

During the ribbon cutting they sold \$1,500 worth of memorial celebration trees to plant. They are very precious to the people who bought them because they are a tribute. Now the Association is turning their attention to the grounds. Jon Brodbeck has been their hero and he is now spreading topsoil for planting the trees and other plantings. They also have the plants that were put in by generous volunteers in the fall. There are lots of plantings along the front of the meeting ground.

Mrs. Carluccio reported that they have been in conversation with Jon Brodbeck who has offered, with permission from the Council, to use his expertise and labor to put in a sprinkler system. Council President Berglund stated that was incorrect. The permission of the Council has not been given to put in a sprinkler system. Mrs. Carluccio said that Jon had offered to put in the sprinkler system "subject to permission from the Council." Council President Berglund said the permission has been denied and that Jon has been offered another avenue. He hoped that Jon had expressed that to the Association. Mrs. Carluccio said he hadn't. Mayor Silver said that the Borough will be supplying water service, but Council President Berglund hasn't spoken to the Association about other options for providing water. The Mayor said that the Borough will supply a yard hydrant or hose bed. Mrs. Carluccio said that wouldn't work because it would mean that someone would spend hours and hours standing there watering. Jon had given them an estimate of \$1,500 or less for a sprinkler system.

The installation would be supervised by a person who has been doing sprinkler systems for over 25 years and is an expert in this area. The Association would pay for materials and the labor would be supplied by the Borough through Jon Brodbeck. Council President Berglund said that he had given Jon Brodbeck instructions that he is not to use his people during regular hours to put in a sprinkler system. If there were people who work for him that have expertise that want to deal with the Association directly, he should encourage that. Lynn Pendelton asked the Council if they realized that they are doing this for the town. The sprinkler system is benefiting everyone who lives in the town. She asked, "Don't public works employees work on town property?" Council President Berglund said that right now the people working for the town are working on the work they are assigned to do on a regular basis. They are fully booked. Ms. Pendelton said that is not what Jon tells them. Council President Berglund stated that Jon tells him that he is short staffed. Mrs. Carluccio was concerned that they would have to pay for labor if the project was done after hours. She impressed upon Council that the Association has not asked Council for anything and they have paid for the whole project, except the sidewalk replacement, which was gifted to them by Council.

Mayor Silver said a plethora of hoses was used to irrigate the community garden. Council President Berglund said he dug the hoses in himself. Mrs. Carluccio asked Council President Berglund if he would do that at the Camp Meeting Ground. Council President Berglund asked

"Would you?" Mayor Silver said that the irrigation issue will not be solved at the meeting tonight. He is supplying the water service by the taxpayer to the Camp Meeting Grounds.

Councilmember Snow said that this is an issue of which they were supposed to have a meeting and flush out. The meeting never happened. She said that there needs to be a meeting to sit down and discuss this outside of the Council meeting. Mayor Silver has arranged with Public Works to get a material list together for a hose bib tied into the water main there. She said we are going to work on the irrigation issue, which won't be resolved tonight.

Mrs. Carluccio asked Council President Berglund if it would be a problem for him if Jon says that he has the time during work hours to install the sprinkler system on town time. Council President Berglund reiterated that Jon tells him that he doesn't have the time to get his regular work done during the work day. Mayor Silver said that a machine is needed to put the irrigation system in the ground. The ladies of the Association in unison said they will rent it. Lynn Pendleton said that the Association has raised \$21,000 for the project from generous town people. They put \$9,500 into the steps. They put in \$500 of their own money towards plants and miscellaneous things they have done. They've raised \$1,500 for trees to be planted on the property. They will continue to raise money for shrubs because the banks still need to be finished with shrubs. They have people who volunteer to plant them. They have a person on staff, who is a professional, who knows how to plant trees. They are ready to go. They have \$11,000 sitting in the bank and they can do this if they can use the town's people to do this. They still have the wall to do and they still want to upgrade the pavilion.

Councilmember Snow asked if they could schedule a time to meet because there have been very fragmented conversations. Mrs. Carluccio said that her position is to talk to Jon. Mayor Silver said that he must communicate with Jon.

John Columbus, 38 Highland, said the project has emerged recently. The park is historically important to the heritage of the town, which needs to be taken into account. The goals are wonderful. The stairways need to lead to something. At the same time he would request more information about the background of the Association. He wants to know the genesis of the Association and if it is an open membership organization.

Mrs. Carluccio said that it started when she was new in town and she would walk through the park. She thought, "What a beautiful place this is." It is a natural bluff and a place for people who don't own a home by the river to sit by the river. She remembers speaking to Angela about wishing they could do something to revitalize this very special place. She learned while being on the Board of PETO that the Camp Meeting Ground was really the birth of Island Heights. So it is a very special and precious place.

Mr. Columbus asked about the Association and what it was an outgrowth of. Mrs. Carluccio replied that it was an outgrowth of the Garden Club.

Councilmember Snow said that we will talk about when they could all get together to discuss this issue and make it work. Councilmember Bendel asked if this was Borough property. The answer was yes. He asked the Association if it was just assumed that it was okay to put a sprinkler system

in there. Council President Berglund said that they turned down the sprinkler system months ago. Councilmember Bendel said that he thinks a sprinkler system is a bad idea.

Linda Baxter, 34 Highland, is one of the people who helped plant some of the shrubs in the fall. She said that this means a lot to her. The things that were planted will not survive without water. They are running a close race against time. It won't be long before it is hot enough to fry the plants. There were people who contributed \$100 or \$150 for memorial trees who do not want to see those trees die. It is important to have a meeting and do it in a timely manner to bring the irrigation to the plants.

Angela Whitehill, 218 Ocean Avenue, has been told by very good sources who have been here a very long time, that there were many dogwoods planted on Camp Meeting Ground. They were gorgeous but they all died because there was no water. She asked why we have this gorgeous property and not doing anything about it.

Mayor Silver said that we will resolve this issue in a timely manner. Next Monday Borough Hall is closed due to President's Day. He asked the ladies of the Association to come in the following Monday, February 27th at 6 p.m. and meet with everyone involved.

Angela Whitehill said that the Camp Meeting Grounds would be a perfect place for a Farm Market. Cultural and Heritage have a garden tour on June 10th and they are going to be making it available for a string band and refreshments. She said that maybe they could put in place gourmet food trucks so the town can get some money. When the place is beautified people might want to have their weddings there.

4. APPROVAL OF MEETING MINUTES

A. January 24, 2017 Meeting Minutes

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

5. RESOLUTIONS

Resolution 2017-28 Authorizing the Mayor to Sign the Recreation and Open Space Inventory (ROSI)

RESOLUTION 2017-28

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE MAYOR TO SIGN THE RECREATION
AND OPEN SPACE INVENTORY (ROSI).**

BE IT RESOLVED, that Mayor Jeffrey B. Silver of the Borough of Island Heights, be and is hereby authorized to sign the Recreation and Open Space Inventory (ROSI).

Mayor Silver explained that this is the Recreation and Open Space Inventory List for Green Acres. Our boardwalk, Boy Scout Island, Long Point, Camp Meeting Ground, Wanamaker Complex and Summit Avenue Beach are all on the ROSI List. It is housekeeping that the Borough must do to show that we are maintaining it as an open space for public use.

Councilmember Snow said that if she understands it correctly, you can go to the Green Acres website and look up the County and the Municipality and it shows a map of all the Green Acres Open Space Properties. Mayor Silver stated that Green Acres needed an update to show that we still have them, that we maintain them and we haven't sold them off.

Public Comment - None

Roll Call

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

**Resolution 2017-29 Approving Special Events Application for Toms River Kiwanis
Daybreak 5K Running Race to be held on May 6, 2017**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING A SPECIAL EVENTS APPLICATION
FOR TOMS RIVER KIWANIS DAYBREAK 5K RUNNING RACE
TO BE HELD ON MAY 6, 2017**

WHEREAS, the Toms River Kiwanis Daybreak, located at P.O. Box 1450, Toms River, NJ 08754, has submitted a Special Even Application to use the Island Heights Borough Hall for a 5K Running Race to be held on May 6, 2017; and

WHEREAS, the Toms River Kiwanis Daybreak 5K Running Race is an annual event;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Special Event Application for the Toms River Kiwanis Daybreak be held on May 6, 2017 at the Island Heights Borough Hall, One Wanamaker Municipal Complex, Island Heights, NJ.

Mayor Silver said that when they have this type of event, we have to have additional police protection. The Borough of Island Heights does not receive any additional revenue from having this event. It all goes to the Kiwanis. Council President Berglund said that this used to be called the River to the Bay 5K and they have renamed it the Daybreak 5K.

Public Comment - None

Roll Call

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

Resolution 2017-30 Authorizing Change Order Number 1 for a Net Decrease of \$3,636.13 for Simpson Avenue Road Improvements Project #13086.00

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING CHANGE ORDER NUMBER 1
FOR A NET DECREASE OF \$3,636.13 FOR SIMPSON AVENUE
ROAD IMPROVEMENTS PROJECT #13086.00**

WHEREAS, the Borough of Island Heights received State Aid funding from the New Jersey Department of Transportation, Bureau of Local Highway Design for road improvements to Simpson Avenue; and

WHEREAS, Earl Asphalt Company was the contractor selected to complete the project; and

WHEREAS, Change Order Number 1 is required to decrease the original contract amount from \$125,213.13 to \$121,577.00 as set forth in the attached Change Order Number 1 ; and

WHEREAS, the attached Change Order Number 1 results in a net decrease of \$3,636.13 to the original price of \$125,213.13 for a total contract price of \$121,577.00; and

WHEREAS, said Change Order Number 1 has been reviewed and approved by O'Donnell, Stanton & Associates, Inc., Special Projects Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey that the Mayor is hereby authorized to execute the attached Change Order Number 1.

Mayor Silver explained that this closes out what was done for the paving project and curving along Simpson Avenue going from north to south.

Public Comment - None
Roll Call

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

Resolution 2017-31 Providing for the Hiring of Crossing Guards and Fixing Their Compensations

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
PROVIDING FOR THE HIRING OF CROSSING GUARDS
AND FIXING THEIR COMPENSATIONS**

WHEREAS, there presently exists a need and/or desire to retain two (2) crossing guards;
and

WHEREAS, the appointment of a person as a crossing guard is governed by N.J.S.A. 40A:9-154.1; and

WHEREAS, Rae Rispoli and Salvatore Rispoli are citizens and residents of the Township of Toms River within the State of New Jersey; and

WHEREAS, the chief law enforcement officer of the Borough has confirmed that each person has not been convicted of any criminal offense involving moral turpitude or which would otherwise prevent or prohibit their respective employment in a position involving contact with children, and each person is of good moral character;

NOW, THEREFORE, BE IT RESOLVED, this 14th day of February, 2017, by the Mayor and Council of the Borough of Island Heights, County of Ocean, New Jersey, that:

1. The following persons are hereby appointed as crossing guards pursuant to N.J.S.A. 40A:9-154.1 for a period of one (1) year commencing February 15, 2017, and ending on February 14, 2018, unless otherwise removed beforehand as permitted or provided by law, at the hourly rate of pay indicated below:
 - a. Rae Rispoli at \$13.74 per hour
 - b. Salvatore Rispoli at \$11.39 per hour
2. The aforementioned persons shall not work more than twenty-five (25) hours during the period commencing Sunday through Saturday of any one calendar week unless authorized in advance by the chief law enforcement officer of the Borough.
3. As required by N.J.S.A. 40A:9-154.1(b), the foregoing appointments are subject to confirmation by an appropriate medical professional that each person is sound in body, of good health and able to perform the essential functions of the position without risk of serious harm to themselves or others which cannot be reasonably accommodated.
4. Pursuant to N.J.S.A. 40A:9-154.1, each crossing guard shall be under the supervision and direction of the chief law enforcement officer of the Borough.

Public Comment - A member of the audience asked the Mayor to explain what this item is.

Council Member Snow asked if the resolution was maxing out the total number of hours worked at 25 hours for each individual crossing guard or for the total hours for both crossing guards. A few members of the Council stated that it was per person. Mayor Silver said that the resolution was hiring the crossing guards for a period of one year commencing on February 15, 2017 and ending on February 14, 2018.

A member of the audience asked if having the crossing guards was a State requirement. Council President Berglund replied that it was. Councilmember Asay said the crossing guards already work for us but we are just fulfilling the legal requirements of the State that the governing body appoint them annually. Councilmember Snow said it was just formalizing their appointment.

Councilmember Thompson asked if this was something that the School Board could take on in the future. Mayor Silver said that it was the Borough's responsibility for now.

Roll Call

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

Resolution 2017-32 Awarding a Contract for Jaynes, River and Lake Avenue Water and Sanitary Sewer Improvements to Vollers Excavating and Construction, Inc.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AWARDING A CONTRACT FOR JAYNES AVENUE
WATER AND SANITARY SEWER IMPROVEMENTS
TO VOLLERS EXCAVATING AND CONSTRUCTION, INC.**

WHEREAS, the Borough of Island Heights has a need for water and sanitary sewer improvements on Jaynes Avenue; and

WHEREAS, the Borough of Island Heights has duly advertised for receipt of bids for a project entitled "Jaynes Avenue Water & Sanitary Sewer Improvements"; and

WHEREAS, it is desirous of the Mayor and Council to award a contract for said water and sanitary sewer improvements; and

WHEREAS, Vollers Excavating and Construction, Inc. has submitted the lowest responsible bid for said project in the Total Base Bid Amount: \$691,656.90

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bid submitted by Vollers Excavating and Construction, Inc. and said bid being in substantial conformity to the Borough's advertised specifications in all material respects; and

WHEREAS, it is the desire of the Mayor and Borough Council to award a contract for said water and sanitary sewer improvements for the price of \$691,656.90.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Island Heights, County of Ocean, State of New Jersey as follows:

1. That the Borough of Island Heights does hereby award a contract for the above referenced project for the price of \$691,656.90 to Vollers Excavating and Construction, Inc.
2. That the Mayor and Acting Borough Clerk are hereby authorized to execute all documents necessary for said project contract in accordance with bid specification and notice to bidders, incorporated herein by reference.
3. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto.

James Priolo of Maser Engineering gave a synopsis of the project. He said the scope of work is to replace the water and sewer mains on Jaynes Avenue on the base bid. The base bid is the complete replacement of water and sewer mains on Jaynes Avenue including the service

connections to all of the residential dwellings. When this contract is complete, the paving contract that has been on hold will follow that. The road will get a complete overlay.

The Mayor asked what the footage on the bid was. Mr. Priolo replied that 1,100 feet of sanitary sewer main and a similar amount of water main would be replaced. Mayor Silver said that the laterals that come off to all the homes for sanitary and city water will be replaced up to the clean out. This will be done prior to the paving project which was awarded to Earle Asphalt in 2016. The project was put on hold because the infrastructure was in need of replacement.

An audience member asked what time of year this would be done. The Mayor replied that it would be done in the spring. The audience member asked if it would be done before summer. The Mayor replied in the affirmative.

Another audience member asked who the successful bidder was. Mayor Silver told her that it was Vollers Excavating.

Peter Kier, 109 Oak Avenue, asked if the project was from end to end on Jaynes Avenue. Mayor Silver said that it was 1,100 feet on Jaynes Avenue from River to Lake Avenue. Mr. Kier asked if it included rainwater runoff. Council President Berglund said that the only rainwater he could recall was one that was along where the street crosses Ocean and goes underneath. The restoration of that area is not under this contract, but will be done under the paving contract.

Councilmember Thompson asked how we are paying for this. Mayor Silver said that it was money borrowed from a BAN. He also went on to say that the Chief Financial Officer told him that she was looking to refinance the Bond Anticipation Notes. Everything was going to be grouped back together and refinanced again within the next few months. This is a utility debt and it goes into our water and sewer capital expenses. Councilmember Thompson asked if this resets our interest payments. Mayor Silver said it does. Councilwoman Thompson asked if the asphalt resurfacing is under the Department of Transportation. Mayor Silver said the asphalt is under a grant from the Department of Transportation (DOT). The DOT pays 80% of the cost and we pay 20%. We do not have to pay the DOT grant back.

Councilmember Asay asked Mr. Priolo if the gas company is notified of this work and offered an opportunity to replace their lineage under the street. Mr. Priolo said that if this is awarded, the gas company would be notified and would participate in the preconstruction meeting.

Councilmember Asay asked what evidence we have that these sewer lines need to be replaced. Council President Berglund said that we have had a resident complain at a Council Meeting that every time it rains the street fills with sewage. The resident was concerned that his children play in that street. There is also a problem with the lines getting plugged with hair roots from trees making it impossible to maintain a flow. They couldn't get a TV camera through because of the clog. Councilmember Asay asked if there was a way to sleeve it. The answer was no. Councilmember Asay asked if these kinds of costs are typical for this type of project. Mr. Priolo said yes. Councilmember Asay said that even without doing the add-on, we are at \$700,000 to do one of these streets and we have 5 or 6 more to fix. Mayor Silver said that it is \$691,000 for 1,100 feet. We have 9 miles of pipe in this town. The cost is staggering.

Jim Jablonski, 186 Central Avenue, asked if the new pipes were going to be more impervious to root invasion. Mr. Priolo said that they are standard PVC pipes and they will be more impervious to root invasion. Council President Berglund said the joints are longer and the o-rings are so much better than anything that used to be available. Mr. Jablonski asked if the company doing the work was responsible to replace the road surface to what it was prior. Mayor Silver said that they will build up an R-blend thickness and a rough asphalt thickness to Earle's specifications. Earle is going to come through and mill the road down again. This contractor needs to supply a base for the final paving contractor. They won't leave it like a wagon trail.

Public Comment
Roll Call

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

Resolution 2017-33 Authorizing the Submission of a Tonnage Grant Application to the New Jersey Department of Environmental Protection

**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**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Island Heights by the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Island Heights, County of Ocean, State of New Jersey, hereby endorses the submission of the 2017 recycling tonnage grant application

to the New Jersey Department of Environmental Protection and designates Oscar Cradle, recycling coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be used solely for the purpose of recycling.

Mayor Silver explained that this was a housekeeping issue that is done every year. We get a certain dollar amount from the State. The more we recycle the more money we get back. Councilmember Thompson asked how much money we received last year. Mayor Silver said last year we got about \$6,300 and change. He is getting new recycling and trash receptacles and dog waste station receptacles for our parks and Post Office with some of the money we received last year.

A member of the audience asked why the receptacles were removed. The Mayor said that they were removed because of a recommendation from law enforcement arising out of the Seaside Park bombing.

Don Roberts wanted to know how many dog waste stations we will be getting. Mayor Silver said he thought there would be six locations for dog waste stations. A member of the audience said that he believed if you had a dog, it was your responsibility to pick up its waste and bring a bag with you versus getting to the bag location and there being no bags. As a dog owner you should be replacing bags if possible.

Councilmember Snow was approached by several residents when the dog waste stations disappeared who missed them very much. They even offered to volunteer to put bags in if need be. Most responsible dog walkers have their dog poop bags. It is for those situations where it is a particularly busy walk and you run out of bags.

Council President Berglund said you would be surprised at how many people, non-residents, pull up in front of his house and he will shout at them to pick it up. They basically say do whatever you want. Councilmember Wudzki said it is the same on River Avenue. She actually stopped walking her dog there because you wouldn't know what you would be stepping in. She believes that most of offenders are not residents. Mayor Silver said there is a \$100 fine for not picking up after your dog. Councilmember Snow said she and the Mayor receive emails of pictures of dog poop bags left behind. Mr. Roberts said that basically it boils down to enforcement. He said it is a Catch 22 because if he is walking his dog and he sees someone who is letting their dog go on the ground; it is his responsibility to pick up the phone. Certain people will say that it is 2 ½ blocks away to get a bag.

Councilmember Thompson asked if we have told Public Works that there will be more dog stations and that they need to timely empty them. She had gotten a lot of complaints about the waste stations being filled and wanted to know if the Department of Public Works was told to make the time to empty them. Mayor Silver said no. Councilmember Snow recommended a neighborhood watch. Mayor Silver said that he is running very lean in hiring part-time individuals. This year he is making provisions for more full time individuals in Public Works.

Bill Hummel, 18 Ocean Bend, suggested raising the fee for dog licenses. Mayor Silver said that a lot of the problem is people who are not residents are coming into town and letting their dogs go without picking it up. A fee on the residents will not help that.

An audience member said that there should be more signage.

Public Comment
Roll Call

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

Resolution 2017-34 Authorizing the Island Heights Police Department to Participate in the Law Enforcement Support Office Program (LESO)

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING ISLAND HEIGHTS POLICE DEPARTMENT
TO PARTICIPATE IN THE
LAW ENFORCEMENT SUPPORT OFFICE PROGRAM (LESO)**

WHEREAS, the Borough of Island Heights' Police Department has determined to enroll and participate in the Law Enforcement Support Office (LESO) 1033 Program which permits local law enforcement agencies to acquire/purchase personal property of the Department of Defense to be used for public safety and counter-terrorism purposes; and

WHEREAS, pursuant to Senate Bill No. 2364, it is necessary for the Governing Body of the Borough of Island Heights to approve by Resolution, and adopt by a majority of the full membership of said Governing Body, authorization of enrollment of the Island Heights Police Department in the LESO Program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, County of Ocean, and State of New Jersey, that it hereby approves an application for enrollment by the Island Heights Police Department in the Law Enforcement Support Office (LESO) 1033 Program pursuant to the requirements set forth in Senate Bill No. 2364.

BE IT FURTHER RESOLVED, that appropriate notice of adoption of this Resolution shall be sent to the necessary agencies or regulatory parties as required.

Councilmember Asay explained that this is a program where our police department applies to receive grants that are low cost, surplus, Department of Defense military equipment. The State Legislature made a change that any such application requires approval of the governing body. There were concerns that police departments were acquiring equipment that the governing body didn't necessarily approve of. In our case the only equipment we are looking for is high water equipment. We are not looking for any riot control equipment. In our case, all we look for is any high water trucks, Hummers, anything like that we can get, in case of flooding so we can get in and

out of the Borough. We haven't been successful so far, but we saw some rigs that have potential. This is the governing body's approval to continue to pursue this kind of equipment when it becomes available.

Councilmember Thompson asked if there was specific equipment we were looking for. Councilmember Asay said there was no specific equipment at this point available or being contemplated. Councilmember Thompson asked if Council would know beforehand when it would become available. Councilmember Asay said that the timeline would be short. He said it would get to the Council for a final approval but we would have to indicate our intention to desire when it becomes available because it disappears quickly. Councilmember Thompson asked Councilmember Asay if he was the checkpoint as the police liaison. Councilmember Asay said he and the Mayor would both be checkpoints on whatever the Lieutenant would have in mind. Mayor Silver said the Lieutenant would have to generate a letter to the organization and we would get in the pool of what vehicles are available. We have done it in past years but haven't gotten lucky.

Public Comment - None
Roll Call

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

6. BILL LIST

Public Comment - None
Roll Call

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

7. PURCHASE ORDERS

- A. Approving the Following Purchase Order:
 Vendor: PowerDMS, Inc.
 Item: PowerDMS0001 SDMS-AS
 Amount: \$2,705.25

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

B. Approving the Following Purchase Order:

Vendor: ERS Fleet

Item: Plow Light Harness, Bearing, Vehicle Control Harness, Module, Harness, Adapter Harness, Job Supplies and labor for 2005 GMC Truck

Amount: \$1,448.92

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

C. Approving the Following Purchase Order:

Vendor: ERS Fleet

Item: Clutch Brake, Clutch, Clutch Cable, Pilot Bearing
On 1994 Mack RD688S

Amount: \$1,907.75

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

D. Approving the Following Purchase Order

Vendor: Northern Tool & Equipment

Item: Vestil DC Powered Jib Crane

Amount: \$2,119.99

PURCHASE ORDER TABLED BY THE FOLLOWING VOTE:

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

8. ITEM FOR DISCUSSION

- a. Parking Stations on River Avenue was addressed during the Public Comment section of this meeting.

9. COUNCIL REPORTS

Councilmember Wudzki said that Joe Cocco, Code Enforcement/Zoning Officer, asks to remind everyone again that if you are coming in for permits, you don't have to wait for Monday nights to come in. You can come in any time the office is open and pick up permits then. You can also leave a message for him so he can get back to you. That way everyone is not waiting until they see him on Monday night, coming in to pick up the permits and coming back a second time.

Councilmember Wudzki wanted to clarify her last Council report. Someone had commented to her about the referendum work. The \$740,000 amount she had mentioned for the summer project at the school included the 25% contingency amount.

Councilwoman Wudzki reported on the school's Theatre Week with the children. The show is March 3rd at Central Regional High School. They work on the play for the week and then they put on the production March 3rd. Also Kindergarten Roundup is this Thursday at the school. It won't make it in time for the newsletter, but anyone who missed it can contact the school to register their kindergartners.

Councilmember Wudzki did some research on the Farmers' Market and she has a call into a Councilmember in Berkley about their Farmers' Market. As soon as she has that information she will bring it to the Council.

Councilmember Thompson reported that there continues to be a problem with keeping dogs on leashes. There is a problem in her neighborhood with a dog that isn't kept on-leash and allowed to run around with the owner present. It is unacceptable. It is a danger to children and other dogs. Island Heights Police Department is aware of it. We all need to adhere to our ordinances and this applies to everyone.

There is also a problem with fireworks going off at very early hours in the morning. She said it is not New Year's Eve or the Fourth of July and if anyone has the idea that they want to set off a firework, please don't. Regardless of where you set it off, on a dock or in a yard, it is illegal in the

State of New Jersey. If it is in your backyard, it is illegal in the State of New Jersey. We have had a problem with residents being awakened at 2:00 in the morning. It is very quiet the nights that these are going off. Neighboring towns are actually trying to find out if shots are being fired because of some person in our town who seems to not be able to sleep. It is just not acceptable. If you do have fireworks, do not set them off

Councilmember Thompson said that she called the police department and a cruiser was sent to the area, however, no one was found. The police have done some follow up work to try to deal with the situation. Unless you actually see the person setting the firework off, law enforcement is not able to issue a summons. But they do have some tools in their toolkit that they are using to try to address it and she applauds that work. She hopes they are successful.

Councilmember Snow reported that they did send the IT surveys to all of the departments in the town. Councilmember Thompson interviewed the administrative staff in town hall. Councilmember Snow spoke with employees in town hall as well. She has received surveys back from the Police Lieutenant, the Construction Official, the Code Enforcement/Zoning Officer are putting all the information together to get a better feel of what the IT landscape is in Island Heights. They will continue to work towards updating our website and bringing our IT up to date.

Councilmember Snow also reported that she had April Elley reach out to the Mayor of Seaside Park about why part of their boardwalk was composite material and part of it was wood. Some individuals during the last discussion misconstrued that to mean Seaside was not happy with one material over the other. His answer was that there have been different Mayors and different Councils which have impacted which materials have been used. There is no feedback as to whether they preferred one over the other.

Don Roberts mentioned that Spring Lake tested out all different types of materials over a time. They watched it over time and they determined which materials were more effective. They did it scientifically. Councilmember Snow said she would reach out to Spring Lake and ask.

Councilmember Snow announced that the Recreation Committee will have a meeting on February 27th at 7:00 p.m. in Borough Hall. Anyone interested in attending or joining, they will be discussing the spring activities for the year.

Councilmember Snow reported that she was contacted by a resident who had trouble making a change to the Code Red notification system. They tried going on the website to remove their home phone number and change it to their cell phone number and were unable to do that. They kept receiving error numbers. Councilmember Snow reached out to Wendy Prior, who reached out to Doug Platt, and he got the issue resolved. Councilmember Snow will reach out to Doug Platt to determine if it was a case of operator error or a glitch in the system.

Councilmember Snow thanked Mr. and Mrs. Levin on Park Avenue who reached out to her last Tuesday. They were out for a walk and noticed the smell of gas and called her to report it. They asked her what to do and she told them to report it to the police department. The police department, fire company and first aid responded. Lt. Arnold reported that it was determined there was a gas leak and the gas company did come out. Councilmember Snow urged everyone who sees something or smells something strange to report it to the police department or any of the

Council and they will direct you to the proper authorities. It was very helpful that the Levins noticed that.

Councilmember Asay reported that Mr. Platt has scheduled the first OEM meeting of the year for February 15th. They will be meeting with all the department heads and OEM for annual planning.

Councilmember Asay also reported that he followed up with Mr. Clifton from Comcast regarding the government access channel. He reported that Comcast asked the Board of Public Utilities to give the Borough permission to give us that equipment, but they have to receive approval to do so. Mr. Clifton gave Councilmember Asay a contact there who he is trying to get a hold of in an effort to speed up that process. They did agree that they would provide equipment in advance of our new agreement being approved if the Board will allow it.

Councilmember Bendel thanked the stalwarts who were still at the meeting keeping him company, but had nothing to report.

Council President Berglund said his items had been previously discussed during the meeting. He had no other report.

Mayor Silver reported that he and the Council President will be meeting with Jim Priolo, the Borough Engineer tomorrow morning. Currently our water treatment plant operates on a chlorine system that utilizes chlorine tablets. The tablets are proprietary due to the construction manufacturer's specifications when the plant was built. The chlorine tablet costs average about \$3,000 per month which comes out to \$36,000 per year. The Borough is looking into converting to a liquid chlorine system. He will get some figures on the cost to retrofit the system and also what the monthly cost would be over the tablet system. We are still ironing out the details.

Ocean County Utility Authority sent the Mayor their annual charge certificate. Our sewage rate will cost approximately \$213,510.00 for 2017. They estimate the discharge will be fifty-five million (55,000,000) gallons of wastewater during 2017. The dollar amount has come down. We used to be around the \$240,000 range. The Mayor thinks \$213,000 is just fine.

Mayor Silver gave Council President Berglund a letter entitled "Win A Grant To Save Your Community." It read, "Your idea could be chosen to receive a \$100,000 grant to turn your thoughts into action." The grants have to do with wellness, education, arts and culture. The Mayor thought that it would be pertinent to the Council President's interests. Council President Berglund said it looked as though it could apply to each one of the Council Members.

Mayor Silver reported that he received a letter from the United States Department of Commerce from the Census Bureau. They are already gearing up for the 2020 Census. He received preliminary data forms which he gave to the Acting Borough Clerk to fill out.

Ocean County Community College has a Substance Abuse Summit on Tuesday, May 9th. Members of Law Enforcement, Elected Officials, and School Administrators are invited. Substance abuse and rehabilitation organizations both raise awareness on heroine abuse here in Ocean County.

Mayor Silver reported that Ocean County has ordered Island Heights to perform a town-wide revaluation. It has been 11 years since the last revaluation was performed. The revaluation needs to be implemented in 2017 so it is in effect for 2018. The Tax Assessor communicated with the County telling them that we are seeking firms to help with the process. We need to determine which firm will be chosen for the process.

Mayor Silver reported that he received a resolution from the Ocean County Health Department that the month of February is National Drunk and Drugged Driving Prevention Month. Mayor Silver read the resolution.

10. PRIVILEGE OF THE FLOOR

Bill Hummel, 18 Ocean Bend, is very distressed to see the Council, who volunteer for the residents' benefit and give their own time, versus the people here, Lynn and the two other ladies, who have done a whole lot of work volunteering their time and do all kinds of good things around town. He suggests that perhaps in the interest of avoiding that in the future, when these types of projects come up and it will require the Borough participation, the Borough ask them for a budget and plan so you know the whole scope of work. He also said that the sprinkler system does not end when you install it. You have to call in a sprinkler company at the end of the year. They have to have a timer, which needs an electrical source, and so on.

Brian Gabriel, 185 Summit Avenue, announced that the Fire Department was incorporated in 1895 and went in to service to the community 122 years ago today. (Everyone applauded.)

Jim Jablonski, 186 Central, offered that certain trees are more adaptable to certain environments than others. Dogwoods are understory trees. They like to have some shade and don't like to have direct sun all the time. He believes that it is a matter of planting the right things in the right place. In addition, in various travels he has seen various places with signs that say they are a Shade Tree City. There are a lot of streets in town that would benefit if the town would have a tree sale and line some of the streets that don't have overhead wires. If we added trees to the streets it would add to the appeal of the avenues and streets and beautify the town. It would also help reduce air pollution. It could be a revenue source if you purchase them for "x" and sell them for "y." Maybe it could be brought up if the town has an environmental or shade tree committee.

Councilmember Snow said they meet tomorrow night. There is a program designation for a Tree City. There is a right plant in the right place. The main reason for a plant not surviving is called environmental stress or wrong plant in the wrong space. Native species tend to do better. Mr. Jablonski is correct. Dogwood trees are an understory tree. We have very sandy soil that tends to drain very quickly. We have very sandy and very acid soil so we need plants that can handle those conditions. Most of the river grasses planted survived Superstorm Sandy because they were meant to deal with harsh conditions. That is something they will look at.

Council President Berglund announced that the electric utility will be coming in to do trimming around the wires, as is their right in order to maintain service. In his discussions with the utility he found out that they have a wealth of information available to citizens on what to plant under power lines that won't get up to the power lines. Also it cites the tall ones to put back further so the

canopy can still be maintained so that it won't interfere. If you are going to be planting trees along the roadway, ask the power company for their suggestions.

Council President Berglund said that we will be asking for 500 shrubs this year which will be passed out on Arbor Day. Last year we had Willow Oak and Pin Oak trees. This year he was asked what he would like and he expressed to them he would like shrubs instead of trees. Councilmember Snow said that they are scheduling the date with Mary and she would let everyone know when she has a date. It was very popular last year. Every tree was given out. She has one in her back yard.

Mayor Silver reported that a resident, who owns a landscaping business, reached out to him to perform free grounds maintenance of Memorial Field. He will get more details. The Mayor said he must be insured. The Mayor will discuss this further as to what he is looking to do with Memorial Field for grounds maintenance. He wants to donate his services for maintaining the property. The Mayor will continue that at another meeting.

11. EXECUTIVE SESSION FOR CONTRACT DISCUSSION

Resolution 2017-35

TO ENTER INTO EXECUTIVE SESSION at 9:12 p.m.

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

TO ENTER BACK INTO REGULAR MEETING at 10:13 p.m.

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

12. ADJOURNMENT at 10:13 p.m.

First: Bendel Second: Berglund All In Favor

Respectfully Submitted by:

Katherine Fenton-Newman
Acting Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
February 28, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X	X		X	X	X
Absent					X			

Also present: Margaret Gorman, Chief Financial Officer

2. PUBLIC COMMENT

3. PRESENTATIONS

- A. Maser Consulting to discuss Jaynes Avenue Water and Sanitary Sewer Improvement Project.

A representative from Maser Consulting was not available for the presentation. Therefore the scheduled presentation was not made.

Mayor Silver said he was pretty sure the project will start the week of March 6th. Councilmember Wudzki reached out to the schools to advise them that there may be a disruption in the flow of the traffic which may affect the school buses. The Police Department will assist with traffic control.

The contractor will do about 300 feet a day. They will start at the south end of town and work their way up the hill, heading north. The contractor will clean up the worksite each day. No material will be left on the roadway. The staging area will be the parking lot in front of the soccer field.

- B. Larry Morgan of Tilson Tech to discuss Verizon Wireless Right-of-Way request.

Mr. Morgan advised via email to the Acting Borough Clerk that he would be late due to another meeting.

Mayor Silver explained that Larry Morgan is from Tilson Technologies and was to discuss right-of-way request which was discussed at a previous meeting. More and more data is required by Verizon Wireless' users. This does not have to do with voice service as much as data service. They are attempting to put in low height antenna repeaters instead of using high cell towers. They will utilize Jersey Central Poles somewhere in town. These poles have not been identified yet. The repeaters are the size of transformer however; it is installed at the top of the utility pole.

Mr. Morgan's presentation was given after the Council Reports.

4. ORDINANCE

Ordinance 2017-01 Amending and Supplementing Chapter 17 of the Borough Code Entitled "Solid Waste Management"

First Reading

ORDINANCE 2017-01

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE BOROUGH CODE ENTITLED "SOLID WASTE MANAGEMENT"

WHEREAS; the Mayor and Council of the Borough of Island Heights desire to amend Chapter 17 of the Borough Code entitled "Solid Waste Management,"

NOW, THEREFORE, BE IT ORDAINED that Chapter 17 is amended as follows:

Section 17-1, Collection of Garbage and Refuse, is amended to add a new sub-section:

17-1.7 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of Garbage and Refuse.

Section 17-2, Recycling, is amended to read as follows:

17-2.3 Definitions.

Residence(s) shall mean any occupied dwelling having up to two (2) dwelling units per structure.

17-2.5 Separation of Recyclables and Placement for Disposal.

- c. Every commercial establishment and multifamily dwelling shall submit annually to the Municipal Recycling Coordinator, proof of removal of designated recyclable materials from their premises including the total weight and type of recycling material collected and recycled, and the vendor(s) providing said service.

17-2.12 Nonresidential Establishment Compliance Requirement.

- a. All commercial establishment generators of solid waste shall be required to comply with the provisions of this section.
- b. The arrangement for collection of designated recyclables hereunder shall be the responsibility

of the commercial establishment property owner or their designee. All commercial establishments which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

- c. Every commercial establishment shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

Section 17-3, Yard Waste Collection Program, is amended to add a new sub-section:

17-3.6 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of a Yard Waste Collection Program.

This ordinance shall become effective upon publication as required by law.

Mayor Silver explained the Borough’s solid waste contract is up for renewal and the Borough must go out to bid. The Ordinance amends the collection of garbage, refuse, yard waste and recycling for residences and institutional establishments. It also amends that all commercial establishments will be responsible for their own garbage, refuse, recycling and yard waste collection.

Councilmember Asay suggested deleting a portion of section 17-2.12 (b) which indicated “The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial establishment property owner or their designee, unless the Municipality provides for the collection of the recyclables.” He believed that the section made it unclear if the Borough would pick up recycling for commercial establishments. Inasmuch as the Borough will not be picking up recyclables for commercial establishments, he suggested the wording “unless the Municipality provides for the collection of the recyclables” be removed.

Roll Call to introduce Ordinance “As Amended”

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

5. RESOLUTIONS

Resolution 2017-36 Authorizing the Mayor to Execute the First Amendment To Lease Agreement Communications Site/Existing Water Tank Between the Borough of Island Heights and New Cingular Wireless PCS,

LLC.

**RESOLUTION 2017-36
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING MAYOR TO EXECUTE THE FIRST AMENDMENT TO LEASE
AGREEMENT COMMUNICATIONS SITE/EXISTING WATER TANK BETWEEN THE
BOROUGH OF ISLAND HEIGHTS AND NEW CINGULAR WIRELESS PCS, LLC**

WHEREAS, there exists a current lease agreement between the Borough of Island Heights and New Cingular Wireless PCS, LLC (also known as and hereafter referred to as "AT&T") for the utilization of the property at 133 Vansant Avenue for cell tower and equipment placement; and

WHEREAS, AT&T is actively reviewing its portfolio of sites to determine ways to make its network more efficient and economical; and

WHEREAS, AT&T had previously requested a rent reduction for the site located at 133 Vansant Avenue, Island Heights, New Jersey which was approved by the Mayor and Council at their regular meeting of January 24, 2017; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, hereby authorize the Mayor to execute as "Landlord" the First Amendment to Lease Agreement Communications Site/Existing Water Tank.

Mayor Silver said this reflected the new terms to the existing rent for the cell tower on the water tank.

Public Comment - None
Roll Call

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

**Resolution 2017-37 Approving Social Affairs Permit for the Island Heights
Volunteer Fire Company #1 on June 24, 2017**

**RESOLUTION 2017-37
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

**BOROUGH OF ISLAND HEIGHTS
RESCHEDULED REGULAR MEETING MINUTES
March 20, 2017
1:00 P.M.**

The March 14, 2017 Regular Meeting of the Mayor and Council of the Borough of Island Heights was cancelled due to inclement weather and was rescheduled and held on March 20, 2017 at 1:00 p.m. in the Borough Hall, Island Heights, New Jersey. Mayor Silver called the meeting to order.

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 was submitted to the Asbury Park Press on March 16, 2017 and advertised in the Asbury Park Press on March 18, 2017 and was also posted on the bulletin board in the Municipal Building, bulletin board outside the Post Office and on the Borough's Official Website.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X		X	X	X	X
Absent				X				

2. PUBLIC COMMENT - None

3. APPROVAL OF MINUTES

A. Minutes of Council Meeting of February 14, 2017

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

4. ORDINANCE

**Ordinance 2017-01 Amending and Supplementing Chapter 17 of the Borough Code
Entitled "Solid Waste Management"**

ORDINANCE 2017-01
AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE BOROUGH CODE ENTITLED "SOLID WASTE MANAGEMENT"

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17-2.3 Definitions.

Residence(s) shall mean any occupied dwelling having up to two (2) dwelling units per structure.

17-2.5 Separation of Recyclables and Placement for Disposal.

- c. Every commercial establishment and multifamily dwelling shall submit annually to the Municipal Recycling Coordinator, proof of removal of designated recyclable materials from their premises including the total weight and type of recycling material collected and recycled, and the vendor(s) providing said service.

17-2.12 Nonresidential Establishment Compliance Requirement.

- a. All commercial establishment generators of solid waste shall be required to comply with the provisions of this section.
- b. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial establishment property owner or their designee. All commercial establishments which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

- c. Every commercial establishment shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

Section 17-3, Yard Waste Collection Program, is amended to add a new sub-section:

17-3.6 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of a Yard Waste Collection Program.

This ordinance shall become effective upon publication as required by law.

Council President Berglund expressed his appreciation to the Acting Borough Clerk for her synopsis of the Ordinance that was placed on the website. The notice/synopsis was also published in the Asbury Park Press and posted on the bulletin boards at Borough Hall and at the Post Office.

Public Hearing - There were no public comments.

Roll Call

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

5. RESOLUTIONS

Resolution 2017-46 Authorizing a Borough-Wide Yard Sale Saturday, June 17, 2017.

**RESOLUTION 2017-46
BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING A BOROUGH-WIDE YARD SALE
SATURDAY, JUNE 17, 2017**

BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby authorize a Borough-wide Yard Sale which will take place on Saturday, June 17, 2017; and

BE IT FURTHER RESOLVED, that the rain date for the Borough-Wide Yard Sale will be Sunday, June 18, 2017; and

BE IT FURTHER RESOLVED, that the fee to participate will continue to be \$10.00.

Public Comment - None
Roll Call

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

Councilmember Asay moved to vote on Resolutions 2017-47 through 2017-49 as a consent agenda. Council President Berglund seconded the motion and all governing body members present voted unanimously to approve.

Resolution 2017-47 Approving Application for Use of Memorial Field By Toms River East Little League for Practice from 5:00 p.m. to 7:00 p.m. every Tuesday Beginning March 31, 2017 and Ending June 27, 2017.

**RESOLUTION 2017-47
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF MEMORIAL FIELD
BY TOMS RIVER EAST LITTLE LEAGUE
FOR PRACTICE FROM 5:00 P.M. TO 7:00 P.M. EVERY TUESDAY
BEGINNING MARCH 31, 2017 AND ENDING JUNE 27, 2017**

WHEREAS, Michael O'Donnell on behalf of Toms River East Little League, has submitted an Application for Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Tuesday beginning March 31, 2017 and ending June 27, 2017; and

WHEREAS, Toms River East Little League has provided the appropriate Certificate of Liability Insurance,

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve Michael O'Donnell's application on behalf of the Toms River East

Little League for the Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Tuesday beginning March 31, 2017 and ending June 27, 2017.

Public Comment - None
Roll Call

Resolution 2017-48 Approving Application for Use of Memorial Field By Toms River East Little League for Practice from 5:00 p.m. to 7:00 p.m. every Monday, Wednesday and Friday, March 2017 Through June 2017.

**RESOLUTION 2017-48
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF MEMORIAL FIELD
BY TOMS RIVER EAST LITTLE LEAGUE
FOR PRACTICE FROM 5:00 P.M. TO 7:00 P.M. EVERY MONDAY, WEDNESDAY AND
FRIDAY, MARCH 2017 THROUGH THE END OF JUNE, 2017**

WHEREAS, Wayne Cimorelli on behalf of Toms River East Little League, has submitted an Application for Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Monday, Wednesday and Friday, March 2017 through the end of June 2017; and

WHEREAS, Toms River East Little League has provided the appropriate Certificate of Liability Insurance.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve Wayne Cimorelli's application on behalf of the Toms River East Little League for the Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Monday, Wednesday and Friday, March 2017 through the end of June 2017.

Public Comment - None
Roll Call

Resolution 2017-49 Approving Application for Use of Memorial Field By Toms River East Little League for Practice from 5:00 p.m. to 7:00 p.m. every Thursday Beginning March 16, 2017 and Ending July 6, 2017.

**RESOLUTION 2017-49
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF MEMORIAL FIELD
BY TOMS RIVER EAST LITTLE LEAGUE**

**FOR PRACTICE FROM 5:00 P.M. TO 7:00 P.M. EVERY THURSDAY
BEGINNING MARCH 16, 2017 AND ENDING JULY 6, 2017**

WHEREAS, Charles Bell on behalf of Toms River East Little League, has submitted an Application for Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Thursday beginning March 16, 2017 and ending July 6, 2017; and

WHEREAS, Toms River East Little League has provided the appropriate Certificate of Liability Insurance.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve Charles Bell's application on behalf of the Toms River East Little League for the Use of Memorial Field for Little League Practice from 5:00 p.m. to 7:00 p.m. every Thursday beginning March 16, 2017 and ending July 6, 2017.

Public Comment - None
Roll Call

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

**Resolution 2017-50 Approving Use of Camp Meeting Park on Ocean Avenue by
Island Heights United Methodist Church for Sunrise Service on
Easter Sunday, April 16, 2017.**

**RESOLUTION 2017-50
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING USE OF CAMP MEETING PARK ON OCEAN AVENUE
BY ISLAND HEIGHTS UNITED METHODIST CHURCH
FOR SUNRISE SERVICE ON EASTER SUNDAY, APRIL 16, 2017**

WHEREAS, the Island Heights United Methodist Church has requested the use of Camp Meeting Park on Ocean Avenue for Sunrise Services on Easter Sunday, April 16, 2017 from approximately 7:00 a.m. to 9:00 a.m.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve Island Heights United Methodist Church's request for the use of Camp Meeting Park on Ocean Avenue for Sunrise Services on Easter Sunday, April 16, 2017 from approximately 7:00 a.m. to 9:00 a.m.

Public Comment - None

Roll Call

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

Resolution 2017-51 Supporting Legislative Action Requiring the State Public Defender's Office to Represent Defendants in the Superior Court Bail Hearings for Those Eligible Defendants Charged with Disorderly Persons Offenses or Petty Disorderly Offenses in Lieu of the Municipal Public Defender.

**RESOLUTION 2017-51
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPORTING LEGISLATIVE ACTION REQUIRING THE
STATE PUBLIC DEFENDER'S OFFICE TO REPRESENT DEFENDANTS IN
THE SUPERIOR COURT BAIL HEARINGS FOR THOSE ELIGIBLE
DEFENDANTS CHARGED WITH DISORDERLY PERSONS OFFENSES OR PETTY
DISORDERLY OFFENSES IN LIEU OF THE MUNICIPAL PUBLIC DEFENDER**

WHEREAS, the Bail Reform Act (BFA) became effective January 1, 2017; and

WHEREAS, bail hearings for Disorderly Persons Offenses and Petty Disorderly Offenses are held in the Superior Court notwithstanding jurisdiction for these offenses being in the Municipal Courts; and

WHEREAS, the State Public Defender who has attorneys routinely appearing in the Superior Court does not represent defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses - even in the Superior Court; and

WHEREAS, the foregoing necessitates Municipal Public Defenders being required to appear in Superior Court at considerable inconvenience and expense to local municipalities; and

WHEREAS, this results in an unfunded State Mandate;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, as follows:

1. The Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey hereby supports legislative action requiring the State Public Defender's Office to represent defendants in the Superior Court bail hearings for those eligible defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses in lieu of the Municipal Public Defender.
2. That upon the adoption of this resolution, the Acting Borough Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, the 3rd, 9th, 10th, and 30th Legislative Districts representatives, Ocean County Freeholders, all Ocean County Municipal Clerks, and the New Jersey State League of Municipalities.

Michael O'Connell, Esq., the Borough Attorney, explained that this was a ballot question in the 2015 election. Voters approved the question at the polls and it took effect January, 2017. The law says you must process people within 48 hours. Municipal Public Defenders are now required to be present at the County for bail hearings for disorderly person offenses or petty disorderly offenses. This adds extra costs for municipalities. The State Public Defender's Office already has representation available at all times. However, they do not handle disorderly person offenses or petty disorderly offenses. This resolution would support legislative action requiring the State Public Defender's Office to represent those defendants currently required to be represented by Municipal Public Defenders, thus reducing costs to local municipalities.

Public Comment - None

Roll Call

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

6. BILL LIST

Public Comment - None

Roll Call

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


X		Thompson	X		
	X	Wudzki	X		
		Mayor Silver	X		

7. PURCHASE ORDERS

None

8. COUNCIL REPORTS

Councilmember Asay reported that Ocean County is having their Household Hazardous Waste Cleanup. This is an opportunity to get rid of all the stuff in your shed that you do not want, such as paint, solvents, pool chemicals, pesticides, etc. You must pre-register to participate. The information is as follows:




**2017 OCEAN COUNTY
HOUSEHOLD HAZARDOUS
WASTE DISPOSAL PROGRAM**

Rid your home of potential hazards and protect the environment by participating in the Household Hazardous Waste Disposal Program sponsored by
THE OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS

and
THE OCEAN COUNTY DEPARTMENT OF SOLID WASTE MANAGEMENT

Many common household products pose a potential threat to your family, and to Ocean County's clean air and water. You can dispose of these materials at the sites listed below, free of charge by calling the County to pre-register:

Call: 732-367-0802 to pre-register for Manchester
Call: 732-506-5047 to pre-register for Toms River
Call: 609-978-0913 to pre-register for Stafford



STAFFORD TWP.
Public Works Garage
320 Haywood Road
Stafford Twp., NJ 08050
Saturday, April 1
9:00AM - 3:00PM

TOMS RIVER TWP.
Public Works Garage
1672 Church Road
Toms River, NJ 08753
Saturday, May 13
9:00AM - 3:00PM

MANCHESTER TWP.
Public Works Garage
1360 Route 70
Whiting, NJ 08759
Saturday, June 3
9:00AM - 3:00PM

10-11-17 Pre-registration is required.
Registration is on a first-come first-served basis.

Hazardous waste will not be accepted from businesses, school boards or government agencies. Only Ocean County residential households and farmers are eligible for this free program. A driver's license or tax bill will be adequate proof of residence. Our staff can advise you about any materials you are unsure of.

Acceptable Materials: paints/thinners/boat paint, solvents, pool chemicals, pesticides and herbicides, aerosol cans, auto products, toilet and drain cleaners, silver polishes, oven cleaners, photographic chemicals, rug and upholstery cleaners, polishes and bleaches, waste oil and used gasoline.

ALL THE ABOVE MATERIALS, EXCEPT OIL AND GASOLINE, MUST BE IN ORIGINAL CONTAINERS

Maximum volume per household is limited to 200 pounds of dry materials and 20 gallons of liquid. Please, no containers larger than 5 gallons. *Also propane tanks + DIS EXT.*

Unacceptable Materials: radioactive materials, dioxins, infectious waste ("Red Bag" wastes), explosives, unknown or unidentified materials.

NO CONSTRUCTION WASTE OR ASBESTOS

THE OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS
 Joseph H. Vicari, Director • Gerry P. Little, Deputy Director
 John C. Bartlett, Jr • Virginia E. Haines • John P. Kelly

Councilmember Bendel has no report.

Councilmember Berglund wanted to remind the general public that engraved pavers are still available for purchase at the Borough Hall for \$99.00. Each paver purchased may be engraved with your personalized message and will be placed at the Pavilion.

Councilmember Berglund reported that the work on the main on the Jaynes Avenue Water and Sanitary Sewer Improvements Project is essentially completed. They have started on the sewer work on the River end of Jaynes Avenue where the sewer line is part way up the hill. They made the crossing and reinforced the section by installing new pipe. They are continuing on the sewer lines further up on Jaynes Avenue and as far as he can see, they are right on schedule.

Mayor Silver said that he saw Kiely Construction there, representing New Jersey Natural Gas, replacing the gas lines there, also.

Councilmember Thompson thanked Attorney O'Connell and Councilmember Berglund for helping her with her question about zoning.

Councilmember Thompson asked Lt. Kevin Arnold if she should report a down traffic sign to Public Works or the Police Department. Lt. Arnold replied that the report should be made to the Police Department and they will notify the correct entity to replace it. Councilmember Thompsons told him that there was a One Way sign lying on the ground at the corner of Camp Walk and Highland Avenue.

Councilmember Wudzki reported that she attended last month's Board of Education meeting where they submitted their tentative budget for the school year. State aid remained the same. However, they will be raising taxes \$37,514.00. Most of the costs were due to special education needs. The Business Administrator will be getting her a more detailed breakdown of where the additions were this year. The Public Hearing on the budget will be Wednesday, May 3rd at 7:00 p.m. That night they gave out an overview of revenue and expenditures and was not a detailed budget.

Councilmember Wudzki said the Board of Education had asked her about incorporating something from the school into the Borough's newsletter. They have received requests that communication from the school go to members of the community other than parents. The Board of Education was not looking to add to the Borough's expenses by asking for inclusion in the mailed out newsletters. They were more interested in including something in the newsletters the Borough sends via email. Once a month they would like to include items such as the budget and notices of events that are open to the community. A representative from the Board of Education will be attending the March 28th Council Meeting and give more information.

Mayor Silver had no report.

9. PRIVILEGE OF THE FLOOR

There were no comments from the public.

Lt. Kevin Arnold of the Police Department reported that Ocean County is moving to a new computer system called Spillman. Over the long haul, if the Borough switches to Spillman, it will save the Borough a few dollars. Also, the Borough will only have to write out 2 checks instead of 5 checks. Currently we pay roughly \$5,100 for ACISS, Info-Cop and the hub use in Long Beach. Spillman will put the borough into the County and enable us to interact with all the local municipalities that are on board with it, including the Sherriff's Department. It would cost around

\$4,750 per year after the initial 3 years. The initial year has a onetime licensing fee of \$2,092. The maintenance fee covers 3 years at \$731 for the protective, firewall and the hub. The Spillman itself would cost \$4,500 per year payable to the County.

Mayor Silver asked Lt. Arnold to provide Council with more details so they may review the issue. Council President Berglund asked if the new program will overlap with what the Police Department uses now. Lt. Arnold said that he held off renewing all the licenses this year because Spillman was supposed to start last year, coming into the New Year. Now they are looking at beginning sometime in May. The ACISS and CAD systems will stay running without renewal so we will have access to our records. There just won't be any updates. There will be a savings down the road because we won't have to pay licensing fees. The licensing fee for Spillman is a onetime payment. We also save on a traffic accident program we won't have to purchase because that would be included in Spillman. It will be one system, one check. Mayor Silver once again asked Lt. Arnold to provide dollar amounts and compare the current costs to costs for the new program for the next Council meeting on March 28.

10. EXECUTIVE SESSION FOR CONTRACT AND LITIGATION DISCUSSION

Resolution 2017-52

Move to enter into Executive Session at 1:30 p.m.:

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

Move to re-enter Regular Meeting at 1:42 p.m.:

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

After re-entering the regular meeting, Councilmember Asay motioned to accept the recommendation of Borough Counsel in the matter of Richard Rivera and Gwenda R. Davis v. Borough of Island Heights, et al.

Council President Berglund seconded the motion and the Council members present voted in the affirmative unanimously.

11. ADJOURNMENT at 1:43 p.m.

First: Bendel

Second: Berglund

All In Favor

Respectfully submitted by:

Katherine Fenton-Newman
Acting Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES**

April 11, 2017

7:00 P.M.

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X		X	X	X	X
Absent				X				

2. PUBLIC COMMENT - NONE

3. PROCLAMATION

A. National Library Week 2017

***National Library Week 2017
Proclamation***

WHEREAS, libraries are not just about what we have for people, but what we do for and with people;

WHEREAS, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities, campuses and schools;

WHEREAS, librarians are organizers and information experts who for centuries have guided people to the best information resources. Librarians provide more than facts. They provide the expertise and services that add meaning to those facts;

WHEREAS, librarians continue to fulfill their role in leveling the playing field for all who seek information and access to technologies, especially as our society is at a critical juncture regarding the changing information landscape and the skills needed to thrive in our digital world.

WHEREAS, libraries and librarians are looking beyond their traditional roles and providing more opportunities for community engagement and delivering new services that connect closely with patrons' needs;

WHEREAS, libraries and librarians open a world of possibilities through innovative STEAM programing, Makerspaces, job-seeking resources and the power of reading;

WHEREAS, libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status;

WHEREAS, libraries work to serve all community members, including people of color, immigrants, people with disabilities, and the most vulnerable in our communities, offering services and educational resources that transform communities, open minds and promote inclusion and diversity;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, Jeffery B. Silver, Mayor of the Borough of Island Heights, County of Ocean, State of New Jersey proclaim National Library Week, April 9-15, 2017. I encourage all residents to visit the library this week and explore what's new at your library, and engage with your librarian. Because of you and our experts in the library, Libraries Transform.

On behalf of Christine Maloney, Branch Manager of the Island Heights Public Library, Betsy Hyle reported that last summer they tripled the number of people participating in the reading program. Christine has built their teen board to about ten students. They participate by helping the younger children in the program as well as helping Christine.

Mrs. Hyle wanted to remind people that they have everything there at the library. They have video tapes, computers, WiFi, etc. Coming up, they will have a program making paper dahlias out of book pages. Also on Saturday, April 22nd, they are doing a program on Rosa Parks as part of the State History Program. Always check the library for programs for adults and children alike. There is always something going on.

The library was also asked to be a demonstration garden for a grant program through the Barnegat Bay Partnership. The plantings will be alongside of the ramp, the front of the building and to the left on the side of the entrance. All work will be overseen by a master gardener. Plantings will be done by volunteers.

Mrs. Hyle praised Jon Brodbeck and the Public Works employees for their assistance in helping clear the plant beds from the front of the building.

Councilmember Wudzki added that Christine has been a great asset to the library. Christine has fostered many programs for the children. Councilmember Wudzki said she has seen a different level of love of reading from the students at the school since Christine has been there. Christine has done a lot to foster the relationship between the school and the library. It's very nice to have that type of relationship which wasn't there before.

4. APPROVAL OF MINUTES

A. Meeting Minutes of March 28, 2017

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

5. RESOLUTIONS

Resolution 2017-60 Discontinuing Postal Mailings of Municipal Newsletter

Public Comment - None

The Mayor explained that there is an electronic mailing of the newspaper which saves expenses on monthly printing and mailing. Councilmember Asay said that there were a total of 145 envelopes going out. 16 of those go to Borough employees. The employees can get the newsletter at work. That leaves 129 property owners or renters who all live in town receiving mailed newsletters. Councilmember Asay suggested that a form be created stating that this would be the last newsletter by mail. The form would have a section that would allow residents to indicate that they need the newsletter physically mailed to them and state why. The form will be sent out in the next newsletter.

MOTION WAS MADE TO TABLE BY COUNCILMEMBER ASAY SO A FORM REQUESTING A HARDSHIP COULD BE SENT WITH THE NEWSLETTER.

Roll Call

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

Resolution 2017-61 Approving Social Affairs Permit for the John F. Peto Studio Museum, Inc. for Event on June 30, 2017.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING A SOCIAL AFFAIRS PERMIT FOR THE**

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
April 25, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X	X	X	X	X	X
Absent								

2. PUBLIC COMMENT - None

3. PRESENTATION

- A. Robert Rizzolo of Shore Outdoor Design, LLC to Appear Regarding the Maintenance of Memorial Field's Infield.

Mr. Rizzolo has offered, free of charge, to re-till and line the baseball field. Starting on June 10th he will go down to the baseball field and take a rototiller to the infield and break up the ground. He will then smooth and level the ground with a rake. He will also put foul lines down in the infield and the outfield. This will take approximately 4 to 6 hours.

Mr. Rizzolo would then do once-a-month upkeep to the baseball field by raking and relining the field. He would continue the upkeep until the first weekend in September. No upkeep would be done during the off-season and he would resume at the beginning of the next season.

Mr. Rizzolo provided the Acting Borough Clerk with Certificate of Liability Insurance. The Borough Attorney asked him to provide a waiver of liability.

A motion was made by Council President Berglund that the Borough accepts the offer by Shore Outdoor Design for the maintenance of the Memorial Field infield which includes smoothing,

leveling and painting of lines and maintaining it throughout the summer. Councilmember Snow seconded the motion. All members of the governing body were in favor.

4. MAYORAL APPOINTMENTS

- A. Changing the Municipal Court Liaison from Councilmember Melissa Wudzki to Councilmember Sean Asay.
- B. Adding Councilmember Sean Asay as the Public Defender liaison.

5. APPROVAL OF MINUTES

- A. Meeting Minutes of April 11, 2017

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

6. RESOLUTIONS

Resolution 2017-66 Accepting the Resignation of Timothy Geoghegan of the Island Heights Police Department

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ACCEPTING THE RESIGNATION OF TIMOTHY GEOGHEGAN
OF THE ISLAND HEIGHTS POLICE DEPARTMENT**

WHEREAS, Timothy Geoghegan has tendered his resignation as a patrol officer with the Island Heights Police Department effective April 14, 2017.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby accepts Timothy Geoghegan’s resignation as patrol officer.

Councilmember Asay commented that the governing body and the Borough thanks Officer Geoghegan for his four years of service. He was an excellent Police Officer. Councilmember Asay recalled that one Christmas Eve, Officer Geoghegan disarmed a deranged man without use of force.

Public Comment - None
Roll Call

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

Resolution 2017-67 Discontinuing Postal Mailings of Municipal Newsletter

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
DISCONTINUING POSTAL MAILINGS OF MUNICIPAL NEWSLETTER**

WHEREAS, the Borough of Island Heights distributes a bimonthly newsletter, based on the official meeting minutes of the Borough Council, via email, posting on the Borough’s official website, personal pick-up at the Borough Hall and U.S. Postal mailing to individuals who express interest in receiving said newsletters; and

WHEREAS, the mailing of the newsletters via the US Postal Service has become financially burdensome to the municipality; and

WHEREAS, the newsletters are available to the public, via email, on the Borough’s official website and at Borough Hall.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Island Heights, County of Ocean, State of New Jersey, that effective immediately, the municipal newsletter will no longer be mailed via the US Postal Service; and

BE IT FURTHER RESOLVED, that the newsletter will continue to be sent to those individuals who request to be sent the newsletter via email; and

BE IT FURTHER RESOLVED, that the newsletter will continue to be posted to the Borough’s official website, www.islandheightsboro.com in a timely manner; and

BE IT FURTHER RESOLVED, that hard copies of the newsletter may be obtained at Borough Hall, during regular operating hours.

Councilmember Asay commented that a form was mailed out and residents had two weeks to claim a hardship to keep receiving mailings. No hardships were claimed.

Public Comment - None

Roll Call

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

Resolution 2017-68 Authorizing Change Order Number 1 for a Net Decrease of \$3,636.13 for Simpson Avenue Road Improvements and Authorizing the Mayor to Sign the NJ Department of Transportation Payment Voucher

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING CHANGE ORDER NUMBER 1 FOR A NET DECREASE OF \$3,636.13
FOR SIMPSON AVENUE ROAD IMPROVEMENTS AND
AUTHORIZING THE MAYOR TO SIGN THE NJ DEPARTMENT OF
TRANSPORTATION PAYMENT VOUCHER**

WHEREAS, the Borough of Island Heights entered into a contract with Earle Asphalt Company for Simpson Avenue Road Improvements; and

WHEREAS, Change Order Number 1 Final is required to decrease the final payment amount by \$3,636.13 as set forth in the attached Change Order Number 1 Final; and

WHEREAS, Payment Application Number 1 Final has been submitted for final payment and attached hereto; and

WHEREAS, the attached Change Order Number 1 Final results in a net decrease of \$3,636.13 to the original price of \$125,213.13 for a total contract price of \$121,577.00; and

WHEREAS, said Change Order Number 1 Final and Payment Application Number 1 Final have been reviewed and approved by O'Donnell Stanton & Associates, Project Engineer; and

WHEREAS, an original copy of the State of New Jersey Final Payment Voucher in the amount of \$34,842.61, which represents the final reimbursement for the project must be signed by the Mayor of the Borough of Island Heights.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Island Heights, County of Ocean, State of New Jersey that the Mayor is hereby authorized to execute the attached Change Order Number 1 Final; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Island Heights hereby authorize the Mayor to execute the original copy of the State of New Jersey Final Payment Voucher in the amount of \$34,842.61, which represents the final reimbursement for the project.

Public Comment - None
Roll Call

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

Resolution 2017-70 Approving a Study of Reed’s Cove from Long Point to Boy Scout Island to Gather Data to Support Future Grant Requests for Living Shoreline Projects

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING OF A STUDY OF REED’S COVE FROM LONG POINT TO BOY SCOUT ISLAND
TO GATHER DATA TO SUPPORT FUTURE GRANT REQUESTS FOR LIVING SHORELINE
PROJECTS**

WHEREAS, a past council supported an initiative for portions of Reed’s Cove in a resolution entitled “Island Heights Shoreline Stabilization Demonstration Project (1996); and

WHEREAS, the project stopped shoreline degradation and produced significant increased shoreline width by using passive measures (plantings and fiber logs) at minimal cost to the Borough (The success was documented in the January 2000 report, titled “Barnegat Bay Enhancement and Restoration Project” which also included similar projects in Beachwood and Cattus Island.); and

WHEREAS, the initial data will be collected over several months by school students as volunteer projects, under parental supervision; and

WHEREAS, the long term value of the collected data dovetails with similar local initiatives feeding regional studies being considered by Stockton University for the DEP.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby supports measures to enhance the Borough’s shoreline and to stop further loss of valuable shoreline, and supports student initiatives to collect shoreline data which may lead to future grants to protect our shoreline.

Mayor Silver explained to Council President Berglund that his resolution 2017-72, which relates to this resolution, is only getting permit work done by Maser Consulting, the Borough Engineer. There will be no bulkheading or other work done. The resolution would begin the permit process for the erosion on Boy Scout Island.

Council President Berglund explained that this resolution, 2017-70, is an outgrowth of some research made available to him of work that was done on Reed's Cove. Reed's Cove is the cove that goes from Boy Scout Island out to Long Point. In 1996 there was a Council-supported resolution to create a living shoreline. They received a grant that allowed for remediation along a section towards the end of Long Point which involved fiber logs being staked in and some plantings. Over the course of four years, in conjunction with work on Cattus Island and Beachwood, our section gained about 20 feet of additional sand that built up as a result of the work done on this project. Unfortunately, the project didn't have funding for maintenance. When Superstorm Sandy came, we lost all of the sand. The shoreline is back to what it was about 20 years ago.

Council President Berglund's proposal is to create a data resource of measuring what happens in the water in Long Point and at Boy Scout Island by taking measurement of high tide, low tide, storm tides, wind directions and all the different things needed for universities to take our data and go with other data sources from around the bay. This would create a better understanding of what is happening on the bay. This would make data available for grants that could be applied for in hope of being able to rehabilitate the rest of the beach or portions of the beach and bring the cove back to what it was. If this works, and the data gathered fits in with the universities doing the work, we would be able to create barriers naturally, without having to pay for engineering studies at this time.

Mayor Silver said that Maser's proposal would still need to be modified. There are drawings they still need to do. Betsy Hyle said that they would like to see this as a school project later on. Barnegat Bay Partnership is supporting this. Using the expertise, they are doing a lot of work already with many scientists on living shorelines. She said that the Mayor will never get a bulkhead on Boy Scout Island. Mayor Silver replied that the engineer misunderstood what he asked him to do previously. The Mayor wants to keep it a living shoreline and stop the erosion process by stabilizing it. The Mayor said he is for the proposal that is before the Council. However, it took seven months to get the permit to fix a piece of bulkhead at the boat ramp. So he would like to get the permit process going for stabilization as a living shoreline.

Richard Yetman, 6 Ocean Bend, asked if permits would be needed to put trap rock behind the existing concrete on Boy Scout Island. The answer was that if the rock is put in the water, it would need a permit.

Councilmember Thompson said that she went to Boy Scout Island last week and found that quite a bit of the ground has been lost. She thinks there is some urgency. She called the DEP about putting in a bulkhead and they said they would allow a vertical retaining wall. The wall would have to be at the spring high tide mark. That means it would be significantly inland and it would erode up to that point. So a significant amount of ground would be lost. This is not an attractive option. Councilmember Thompson mentioned that Maser should alter their proposal to include a living shoreline. Betsy Hyle suggested that you can't have a living shoreline without making a plan for maintenance of the shoreline which should be considered at Boy Scout Island.

Don Roberts said that Superstorm Sandy exposed the tree roots on the island. He asked that part of the plan would include putting dirt on the exposed roots.

Councilmember Snow mentioned that there were some free compressed leaf bails that could be used to prevent erosion. Mayor Silver said that anything that is done in the water needs a permit.

Councilmember Thompson asked to change the part of Resolution 2017-70 that says “studies were being conducted by Stockton” to “studies are being considered.” Betsy Hyle agreed since they are looking for university support but don’t as yet have it. Betsy Hyle said that she will be back before Council when they have fleshed out what they will be doing.

Mayor Silver said he will clarify the Borough’s intentions with Maser and have them draft another proposal.

Roll call was taken on the resolution as amended by Councilmember Thompson.

Roll Call

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

Resolution 2017-71 Approving Armando Riccio, Esq. as Labor Counsel for CY 2017

RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING ARMANDO RICCIO,
ESQ. AS LABOR COUNSEL FOR CY 2017

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., authorizes the award of contracts without competitive bids, for a term of 24 months, in circumstances where the contract does not exceed the bid threshold; and

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-5, et. seq., authorizes the award of “Professional Contracts” without competitive bids, for a term of 12 months, in circumstances where the contract exceeds the bid threshold; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i), requires a statement of supporting reasons as set forth herein; one publication in the official newspaper stating the nature, duration, services, and amount; and that such contract remain available for inspection; and

WHEREAS, the Borough Mayor and Council previously awarded the Labor Counsel contract to Armando Riccio, Esq., pursuant to Resolution 2106-127, dated May 23, 2016; and

WHEREAS, there are ongoing labor matters in the Borough of Island Heights requiring the continued services of Armando Riccio, Esq.; and retention of new counsel would disrupt the continuity of ongoing matters, as well as prove financially irresponsible; and

WHEREAS, it is in the best interests of the residents of the Borough of Island Heights to retain the services of current Labor Counsel, Armando Riccio, Esq. for an amount not to exceed \$10,000.00.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Island Heights, that the Mayor is hereby authorized and the Acting Clerk to attest to the hiring of Armando Riccio, Esq., as Labor Counsel for CY 2017, and to publish such award as statutorily required and maintain same for inspection.

Public Comment - None

Roll Call

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

Resolution 2017-72 Accepting Proposal for Professional Services for Boy Scout Island Beachfront Protection by Maser Consulting, P.A.

Public Comment - None

MOTION MADE TO TABLE THIS ITEM PENDING FURTHER INFORMATION.

Roll Call

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

Resolution 2017-73 Appointing NW Financial Group, LLC for Continuing Disclosure Services for 2017.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING NW FINANCIAL GROUP, LLC FOR**

CONTINUING DISCLOSURE SERVICES FOR 2017

WHEREAS, the Securities and Exchange Commission implemented the Municipalities Continuing Disclosure Cooperation (MCDC) Initiative, on March 10, 2014, addressed alleged widespread violations of the federal securities laws by municipal issuers and underwriters relating to disclosures and bond offering; and

WHEREAS, municipalities which self-report through the MCDC Initiative to the Securities and Exchange Commission (SEC) receive recommended favorable settlement terms from the SEC in the event of violations; and

WHEREAS, NW Financial Group, LLC, is a registered Municipal Financial Advisor currently serving municipalities, counties, and authorities in New Jersey and wishes to provide ongoing monitoring and continuing disclosure services to the Borough of Island Heights; and

WHEREAS, the Governing Body of the Borough of Island Height wishes to remain in compliance with all federal rules and act in sound financial manner; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3, the purchasing agent of the Borough of Island Heights is authorized to award a similarly termed contract under Ordinance or Resolution.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey as follows:

1. That NW Financial Group, LLC will be appointed for Continuing Disclosure Services for the Borough of Island Heights with compensation of a flat fee of \$2,000.
2. That NW Financial Group, LLC will be named the Borough of Island Heights Financial Advisor of record.
3. The appointment is effective immediately and last through December 31, 2017.

Public Comment - None

Roll Call

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

7. BILL LIST

Public Comment - No Comment
Roll Call

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

8. PURCHASE ORDERS

A. Approving the Following Purchase Order:

Vendor: Pashman Stein Walder Hayden, P.C.

Item: Settlement payment in the matter of Richard Rivera and Gwenda R. Davis,

vs.

Borough of Island Heights

Amount: \$1,750.00

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

B. Approving the Following Purchase Order:

Vendor: SENSUS

Item: Software Support for Reading Meters

Amount: \$1,715.95

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

C. Approving the Following Purchase Order:

Vendor: Edmunds & Associates

Item: SS Tax Collection, SS Financial Accounting, SS Utility Billing

Amount: \$7,829.00

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

D. Approving the Following Purchase Order:

Vendor: AC Schultes

Item: New Water Pump Motor for Well Number 9

Amount: \$8,400.00

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

9. ITEM FOR DISCUSSION

A. Airbnb Ordinance

Mayor Silver referred to the Toms River Airbnb ordinance which says short term rentals are prohibited. No dwelling or segment may be rented or leased for a term of less than 30 days, except on the Barrier Island. Councilmember Asay said he has read Toms River's ordinance and he has read in the newspaper they are already looking to amend the ordinance because they have been threatened with litigation. Airbnb has litigated in a number of communities and they have deep pockets. This is not something that Councilmember Asay wants to litigate.

Councilmember Asay would like to impose a 7% occupancy tax for rentals that are less than 30 days in the Borough. The Borough Attorney has said that it can be done. Airbnb and other providers would collect the tax for the Borough. There are parts of the situation that would need to be regulated and some parts outlawed. Revenue could be generated at no cost to the Borough but there needs to be regulations.

Mayor Silver said that there would need to be a registration process and inspections. Councilmember Asay said multiple ordinances would need to be amended, as some are already in conflict. He thinks a tax is the best way to go.

Councilmember Snow asked who would oversee if the Airbnbs are up to code? The answer was

that the Code Enforcement Officer would be responsible for seeing that all buildings were compliant. Councilmember Asay suggested that the home must be owner-occupied, which would avoid flop houses. He said that we could extract some good ideas from Toms River's Ordinance.

Councilmember Thompson said she doesn't want to see the Borough get into litigation with Airbnb but this is a quality of life issue. She wouldn't be very happy if this was a residence next to her. She thinks a lot of people who live in residential areas do not expect this type of abuse to occur next to them. She thinks that the Borough needs to find a solution that discourages or prohibits this type of use. She does not think this is an appropriate thing for a residential town like Island Heights. Mayor Silver said it is going on right now. Councilmember Thompson said that the Borough is very challenged as far as code enforcement right now and this would require a full time code enforcement position to deal with it. She would like to have further discussions regarding this.

Councilmember Bendel asked if there were complaints regarding that actual Airbnb that have actually been rented. Several Council members answered that there have been complaints of noise, traffic and people coming and going.

B. Farmers Market Ordinance

Councilmember Wudzki said that the Acting Borough Clerk reached out to the surrounding towns that have farmers' markets run by the town and found that none actually have ordinances to govern their fees. Most are done through a fee schedule in the recreation departments. There are examples of vendor application forms. Councilmember Wudzki suggested taking the best parts of those applications to make up one for the Borough. The applications have the requirements for food establishments and health department and liability.

Councilmember Wudzki spoke with Lt. Arnold of the Police Department who said that he could have his staff walk through the area periodically to monitor the farmers' market.

Mayor Silver asked the Borough Attorney if an ordinance should be established. Michael O'Connell, Borough Attorney, said that with the time constraints, a resolution would be best. The Borough does a lot of things with fees by resolution.

Councilmember Wudzki commented that we have a lot of good examples from other towns, but we need to remain flexible as we go along so we can shift things as we see how it works and what the flow is. A resolution gives the Borough leeway throughout the summer to work things out.

Also, Councilmember Wudzki would like additional fees to be included in a fee schedule, maybe for next year, to establish fees for Summit Avenue Beach, Camp Meeting grounds and other Borough spaces that do not currently have usage fees.

Mayor Silver asked how each member of the Council felt about the Farmers' Market. Councilmember Thompsons asked who will actually be taking the applications, lay out the area, and make sure it is clean? Councilmember Wudzki said the applications would go through Borough offices to make sure insurance and permits are verified. Councilmember Wudzki said she is the type of person who would personally be there running it. She would make the

commitment to be there and get it off the ground, build up a volunteer base and run it.

Councilmember Snow asked if there was any feeling from the public that there might be some neighbors who might complain about a Farmers' Market. Mayor Silver said that the size of the market would be limited.

Don Roberts asked if there would be vendors preparing food or just selling produce?

Councilmember Wudzki said that vendors would be selling produce, but she has also looked at possibly having food trucks and maybe some seafood items. A mixture of things works best for drawing people in. Mayor Silver said he wants to limit the footprint. He doesn't want it the size of a flea market or as big as Sailfest.

Betsy Hyle said that she goes to a lot of the surrounding Farmers' Markets and most vendors will say that one afternoon a week is not going to make them enough money to come out for something like that. So we won't get the 'junky' stuff.

Councilmember Wudzki said that Monday seems to be a good day for people to go to a Farmers' Market because there aren't many operating on that day. The best hours seem to be evenings, maybe from 2:00 p.m. to 6:00 p.m. She also noted that, at peak season, very successful Farmers' Markets usually have 8 to 10 vendors. There is a system to picking the vendors to ensure you have a good variety.

Mayor Silver said that he would like to get this started in July. Lt. Arnold pointed out that port-o-johns would be needed.

Councilmember Wudzki addressed the fee range which would be charged to vendors. She said the highest fee she has seen for a food truck was \$100.00. Food trucks at Farmers' Markets are not charged as much as at other events. She believes a \$25 to \$100 charge would be adequate for vendors and food trucks. Councilman Bendel suggested starting out at a low fee and increasing the fee if it is successful. Councilmember Wudzki suggested that charging a lower cost, around \$25, the first 4 weeks in order to provide an incentive for the vendors to commit to the Farmers' Market. Lt. Arnold suggested stipulating the vendors permit for the Farmers' Market will be different than a vendors' permit to solicit in the entire town.

10. COUNCIL REPORTS

Councilmember Asay reported that he spoke to the Borough Engineer to prepare a proposal for engineering services to fix the second floor of the pavilion. This will make use of the \$30,000 in Shore Access Improvement Funds that the Borough has in an account. He will provide the proposal as soon as he can.

Councilmember Asay commented on the Purchase Order for SENSUS software for meter reading. Currently when water meters fail they bring them back to the Public Works shop and bench repair them. A repair kit is obtained by the manufacturer and the meter is repaired at the shop. When the next meter fails, there is a meter waiting at the shop that has been repaired. They use a repaired meter to replace the meter that has failed. He said we are just recycling the same

meter equipment. It is economical but we are now 3 or 4 generations behind what is state-of-the-art in water meters.

Councilmember Asay referenced a page from the SENSUS website regarding their latest water meter that can do several things. It can report water use to a monitoring station and you can go grab the data from the monitoring station. It can report the data over a wireless network directly to you. You can turn customers water on and off remotely. Currently public works employees are sent around town to turn water on and off when people don't pay. The new meters can also alert you to scenarios such as when people's water is running constantly. The meter would alert the Borough that it is happening.

When Councilmember Asay spoke to the Chief Financial Officer about these meters, she said that it could be addressed as an operating cost by buying a few new meters and replacing the old ones over time. Another option, if there would be significant savings, would be a capital water and sewer project and just replace all of the meters. It would be a matter of deciding what the efficiency would be. You would need to quantify what the savings would be if no one had to go around and read meters and turn them on and off. Councilmember Asay said he wanted this on everyone's radar.

Councilmember Asay reported on an Asbury Park Press article about Ryan Donnelly, who was in the Special Forces, United States Navy, who unfortunately got into drugs and fell on hard times. Years later he got himself back up on his feet and a local filmmaker made a documentary about Mr. Donnelly's struggle to get himself back on his feet. One of the ways he decided to get back on his feet was by running 184 miles across New Jersey with his friends. The documentary has been shown at film festivals and is on YouTube. It is called "Running the 184." The article had a still photo from the film depicting the Island Heights Pavilion. Some of the documentary was filmed in Island Heights. Councilmember Asay suggested seeing the film. Council President Berglund said his daughter was filmed in the same spot at the pavilion for the same movie.

Councilmember Bendel has no report.

Council President Berglund reported that there was an incident collecting recycling. One of the local establishments put in materials that were illegal and couldn't be recycled. It was plate glass and it was so sharp it cut through one of our employee's gloves and injured him. There was a police incident report written about it. The Borough needs to be more vigilant in policing the recycling rules. Incidents like this will go away, hopefully, as the rules become enforced.

Council President Berglund reported that services are now being installed to the homes on Jaynes Avenue. We are well on our way to making our mid-May time frame for releasing the street to be paved.

15 Simpson Avenue had some problems with a reoccurring root problem with clogs and backups. Council President Berglund would like to speak with the Mayor to see if we are financially capable of getting the Borough Engineer to get a plastic sleeve and blowing it up inside the pipe where it is clogged, instead of replacing the sewer and installing new pipes.

Councilmember Wudzki reported that Island Heights and Central Regional have their school budget hearings coming up. Island Heights' is Wednesday, May 3rd at 7:00 p.m. Central Regional's is Thursday, April 27th at 7:00 p.m. She did speak to Central Regional's liaison, Sue Cowdrick, and there may be a decrease from Central Regional.

Councilmember Wudzki also wanted to report that she was very pleased with Vollers Construction Company. Her family had a tree that was very dear to them and it was about 1 ½ feet from where the water connection is. They worked very hard to save their tree. It meant a lot to her children and she is very grateful to them.

Councilmember Thompson clarified that revaluation was put out to bid, but now she understands that there will be a reassessment conducted instead of a revaluation. A reassessment will move along more quickly because the County will not be involved approving tax maps.

Councilmember Bendel asked how it changed. The Acting Borough Clerk explained that the County originally ordered a revaluation. However, the County told the Assessor that she could apply for a reassessment, which she did. The County approved the request and the Borough now only needs to do a reassessment.

Councilmember Thompson says a reassessment will be less expensive. There are also legacy problems with assessments that currently exist, so some of the inequitable things will be straightened out by this reassessment.

Councilmember Thompson mentioned a flyer that the Camp Meeting Ground group put together. They are applying for a \$50,000 grant to USA Today. Go to ACT.USATODAY.COM and vote for them. You can vote once every day from as many email accounts as you have through May 12th.



WE NEED YOU TO VOTE!

- **HELP 'CMRA' WIN A \$50,000 GRANT**
- **TO CONTINUE CAMP MTG. GROUND RESTORATION**
- **GO TO ACT.USATODAY.COM**
- **CLICK ON 'VOTE NOW'**
- **CLICK THE 'SEARCH ICON'**
- **TYPE IN 'ISLAND HEIGHTS CAMP MEETING'**
- **VOTE EVERY DAY -APRIL 12 THROUGH MAY 12**
- **TELL ALL YOUR FRIENDS, PUT IT ON FACEBOOK, TWITTER IT....**
- **SHOW THEM ISLAND HEIGHTS HAS THE POWER TO WIN !!!**

Councilmember Thompson discussed zoning enforcement with the Mayor. One of the problems in Island Heights is derelict vehicles on private property. This includes watercrafts. We need to enforce ordinances on the book regarding this. There are many watercrafts in Island Heights. The operable ones are fine. The problem begins when they are left to rot. They are a blight on the neighborhood. The police department will be utilizing their tools to get enforcement done.

Councilmember Snow reported that the website has one more detail that needs to be ironed out before the contract award and the new website is built. Her understanding is the old website will be kept up and maintained until the new website is tested and any changes are made.

Councilmember Snow reported that she received a letter regarding a tour of the Ocean County Recycling Center on April 29th. The recycling coordinators meeting in May is also offering a tour. One way or another she will be getting to the recycling center to do a tour. Council President Berglund and Councilmember Bendel are doing the April 29th tour. Councilmember Asay asked to be supplied the meeting date in May.

Councilmember Snow is working to get the summer recreation program together. It will be slightly shorter. The same individual should be running the program for sports.

Councilmember Snow also reported that the sunrise service for the Methodist Church was extremely well attended. There were at least 82 people in attendance, which is one of the largest services they have had.

Councilmember Snow commented that we are getting more requests for weddings at the Camp Meeting Grounds so we will be looking into adding fees to use the grounds as well as Summit Avenue Beach and Boy Scout Island.

Mayor Silver asked Councilmember Snow about reducing the summer recreation program to once a week. Councilmember Snow said that she was looking at cutting it down from 6 weeks to 4 weeks. Also, it would be from Monday through Thursday, eliminating Friday, but it could be less than that. The program would start after July 4th and end in the beginning of August.

Mayor Silver asked Council President Berglund to speak to Public Works about prepping the lifeguard stand. It is in bad structural condition, so it needs to be rebuilt, reinforced or a new one made. The pipe needs to be larger in diameter so it can hold a 9 foot umbrella.

Mayor Silver reported that he had some proofs made up for the main sign coming into the municipal complex. It will have the address on it and the zip code. He will have another sign with arrows pointing to the police department, municipal court, borough offices and post office. Also, new post office signs with arrows were just delivered. The signs will be put throughout the town to show the way to the post office.

Mayor Silver spoke about working with a resident in town about crafting a flag for Island Heights. He was interested in coming up with a silhouette flag encompassing the waterfront, pavilion and shoreline. He also mentioned that there is a current community logo with a triangle and a different logo with a sailboat and stars on it. Councilmember Bendel said it was a nice logo developed by someone in the Borough. However, a resident came and advised that the current logo with the triangle was the result of contest in town to design a Borough Logo. Everyone had participated in deciding that this was the Borough's logo and she strongly objected to throwing it out and using a new one. Mayor Silver said he would like to get some feedback about a new community logo.

Councilmember Thompson asked if the sign coming into Wanamaker Complex would be a carved, wood, sign. Mayor Silver said it wouldn't be carved but it would be three dimensional with the letters placed on top of composite board.

11. PRIVILEGE OF THE FLOOR

Lt. Arnold said that an extended barrier would be needed to prevent people from driving into the water at Boy Scout Island.

12. EXECUTIVE SESSION FOR CONTRACT AND PERSONNEL MATTERS AT 8:43 P.M.

Resolution 2017-69

Roll call to go into closed session:

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	X			

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
May 9, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O'Connell
Present	X	X	X	X	X	X	X	X
Absent								

PUBLIC COMMENT

Neal Bartland, 277 Summit Avenue, requested that the Job John that gets put down by the beach be placed somewhere else. They live next to it and it is a nuisance.

Kathleen Guteski, 216 Bay Avenue, said they also have a problem with the Job John and asked for it to be moved. Mrs. Guteski stated that it smells and there are people going in and out of it banging the door all night.

Mayor Silver said that he would take all their comments into consideration and explore other possible places to put it.

PRESENTATION

A. Sue Cowdrick, liaison to Central Regional School Board to appear regarding school budget.

Ms. Cowdrick reported that the School Board Budget was adopted on April 29th. Island Heights taxes for the middle and high schools will be going down \$146.28 for an assessed value average of \$384,754.00, which is the median. No programs will be cut and the middle school roof will be redone this summer. The canopy in front of the High School will be replaced with lighting. A new PA system will be installed which will be a security-type system that will be able to make announcement to all classrooms and be linked to the Bayville Police Department.

Ms. Cowdrick invited the Council Members to come and take a tour of Central. She also said on August 23rd there is an orientation of all the 7th graders on that day. It is a nice transition for them.

She then invited members of the Council to come and participate in the Middle School graduation on June 13th and to the High School graduation on June 14th.

Ms. Cowdrick then explained the “Teacher for the Day” experience being held at the school. Council President Berglund announced he will be participating.

Councilmember Thompson asked how many children from Island Heights attend the Middle School and the High School. Ms. Cowdrick said there were 47 children combined. There are 17 children leaving the grade school to go into Central next year. Councilmember Thompson asked what is Island Heights’ total tax contribution to the school. Mayor Silver answered that it is “one million, one nine.”

Ms. Cowdrick thanked the Council for not being political and letting her do her job without bringing politics into it. She said she votes with the best interest of the students in mind.

Councilmember Snow thanked Ms. Cowdrick and recommended taking the tour.

Councilmember Thompson mentioned that she has received complaints about the school buses going too fast through town and asked Ms. Cowdrick to bring this up to the members of the Board of Education at their next meeting. Ms. Cowdrick said she will address the issue with the Director of the Bus Fleet.

APPROVAL OF MINUTES

A. Meeting Minutes of April 25, 2017 as Amended

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

5. RESOLUTIONS

Resolution 2017-75 Rejecting All Bids for the Reassessment and/or Revaluation of all Property in the Borough of Island Heights

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY REJECTING ALL BIDS FOR THE REASSESSMENT AND/OR REVALUATION OF ALL PROPERTY IN THE BOROUGH OF ISLAND HEIGHTS

WHEREAS, on April 26, 2017 the Borough of Island Heights received bids for the reassessment and/or revaluation of all property in the Borough of Island Heights; and

WHEREAS, the bids were reviewed and it was determined that all bids received exceeded the amount in the draft budget for the Project, and consequently, the Mayor has recommended that all of the bids be rejected.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, on this 9th day of May 2017 that all of the bids received are rejected and the bidders shall be notified.

Councilmember Asay asked what was paid the last time there was a reassessment. Mayor Silver replied that it was in the upper 40's. The current bid was for over \$80,000. Council Member Asay asked that the resolution wording be amended, as the Borough currently does not have an adopted budget, to say, "all bids received exceeded the amount in the draft budget for the Project." The motion was made and seconded on the resolution as amended.

Public Comment - None
Roll Call

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

Resolution 2017-76 Approving Application for Use of Pavilion and the Contiguous Property by Rebecca Lamb for a Memorial on June 26, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS
PROPERTY BY REBECCA LAMB FOR A MEMORIAL ON JUNE 26, 2017**

WHEREAS, Rebecca Lamb, located at 1203 Echo Place, Toms River, NJ, 08755, has submitted an Application for Use of Pavilion and the Contiguous Property for a memorial service on June 26, 2017; and

WHEREAS, the proper insurance binder has been submitted as well as payment in the amount of \$75.00 for application fees; and

WHEREAS, the Acting Borough Clerk has confirmed that there are no conflicting events being held at the Pavilion on the requested date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property by Rebecca Lamb for the wedding on June 26, 2017.

Public Comment - None
Roll Call

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

Resolution 2017-77 Authorizing the Settlement of a Tax Appeal Before the New Jersey Tax Court

This item was tabled pending discussion in an executive session meeting. The following motion and second was made to table the resolution:

Roll Call

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

Resolution 2017-78 Authorizing the Payment of \$1,750 to Pashman Stein Walder Hayden Regarding Settlement in the Matter of Richard Rivera and Gwenda R. Davis vs. Borough of Island Heights, Et Al.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF \$1,750.00 TO PASHMAN STEIN WALDER
HAYDEN REGARDING SETTLEMENT IN THE MATTER OF RICHARD RIVERA
AND GWENDA R. DAVIS VS. BOROUGH OF ISLAND HEIGHTS, ET AL**

WHEREAS, the governing body authorized a purchase order for a settlement agreement in the matter of Richard Rivera and Gwenda R. Davis vs. Borough of Island Heights, et al at their April 25, 2017 regular meeting; and

WHEREAS, the attached signed purchase order was not received in time to be placed on the May 9, 2017 Bill List; and

WHEREAS, the Borough Attorney has entered into a settlement agreement with Pashman Stein Walder Hayden which dictates that time is of the essence for payment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the payment of \$1,750 to Pashman Stein Walder Hayden for the settlement of the matter Richard Rivera and Gwenda R. Davis vs. Borough of Island Heights, et al.

BE IT FURTHER RESOLVED, that the Borough's Purchasing Agent shall accept Resolution 2017-78 as authorization for payment and will not need to add this item to any Bill List.

Public Comment - None
Roll Call

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

6. BILL LIST

Public Comment
Roll Call

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

7. PURCHASE ORDERS

- A. Approving the Following Purchase Order:
Vendor: ENET Consulting
Item: Website Design

Amount: \$3,200.00

Councilmember Snow explained that this purchase order was for an entirely new website design. The old website will not be updated, but will still be up and available while the new website is being built and tested. One of the first features to be put on the new website will be providing forms for residents to utilize, which will make it much easier.

Councilmember Thompson thanked Councilmember Snow for her time and effort she spent on the new website. Councilmember Snow thanked Council members Thompson and Asay for their extensive input and help.

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

8. ITEM FOR DISCUSSION

A. Jaynes Street Water Sewer Replacement Procedures to Follow for Water New Water Main Hook Ups

Council President Berglund reported that one of the water services to one of the houses was damaged about a month ago. A new piece of pipe was put in and the resident suffered material coming into their water line. Council President Berglund spoke with the Superintendent from Vollers who told him about a galvanized $\frac{1}{4}$ inch piece of pipe they had cut out of one of the services. You couldn't get a pencil through it because it was so corroded. Most everyone has that type of corrosion in their pipes. The new water service is providing high pressure volume right to the curb line for every house on Jaynes Avenue. Those houses will get full pressure and full flow which means, when the valves are opened, sediment on the house-side of the curb will be pushed into the house.

Council President Berglund recommended that, to avoid damage to plumbing, every homeowner on Jaynes Avenue should find the biggest supply line to a faucet in the house. He recommends opening the tub, a laundry sink, a water spigot, a valve without an aerator, and running it until it runs clear. As the pipes become accustomed to the flow, hopefully, problems will not continue.

Councilmember Snow asked if a letter should be sent to the residents on Jaynes Avenue to let them know what to do. Councilmember Wudzki said that she already had her hookup. She

said that she ran her water and had about 15 seconds of discoloration until it ran clear. The work was done a week or two ago and it might be too late to let people know what to do.

Council President Berglund said that all work should be done by the end of this week. After the construction phase is over, Vollers will start raking, seeding and clean up. Mayor Silver said that the paving should start shortly after that.

9. COUNCIL REPORTS

Councilmember Asay has no report

Councilmember Bendel reported that he, Council President Berglund and Councilmember Snow had a very interesting visit to the County Recycling Center.

Councilmember Bendel also thanked Lt. Kevin Arnold and the police department for their work in helping with the congestion at the new Playa Bowl grand opening.

Council President Berglund thanked several residents for their assistance with the flower bed by the post office. He thanked Lucy Scheer for splitting her daffodils and giving the Borough the extras. He thanked the Rooberg's for their tulips and Mary Thoden for the stones on the wild tulip bed on the far side of the driveway.

Councilmember Wudzki reported that the Grade School had their budget meeting. There is an increase of \$37,514 which they attribute most of it to Special Education costs.

The school Green Team received a \$2,000 NJ Sustainability Grant. They will be doing some exciting things to the playground area. There is an area in the back corner that has a water saturation problem. They will be using the grant, which has to be used on a green project to better the school, to work with landscapers to put a rain garden there. The students will do this as part of an on-going project next year.

Councilmember Wudzki reported that she is working on a vendor application, and a rules and procedures sheet for the Farmers' Market that she will email to Council members probably on Monday of next week for their review and feedback. She is hoping to get it up and running in late June. Mayor Silver thanked her for pursuing it.

Councilmember Thompson said that she thinks that there may be some additional ways to address the Airbnb issues. She said that New York City has introduced a requirement that if you have a short-term rental you must have the owner present at the time of rental. She believes that that would help manage the situation. One of the problems with strictly prohibiting Airbnbs is that the Borough would incur legal fees to defend their stance. The best way is to look for ways to manage the issue before it grows.

Councilmember Thompson thanked Lt. Arnold for his input into a derelict boat ordinance. Derelict boats are boats that are clearly neglected and an eyesore. In the interests of quality of life, they are trying to get their hands around the problem.

Councilmember Snow reported that Island Heights was the best represented town at the Ocean County Recycling Center tour. The Ocean County Recycling Center is on New Hampshire Avenue in Lakewood. It is where the Borough gets their compost and topsoil from.

One of the big items she came away with is that they charge \$71 per ton for garbage. When people are recycling items that are not recyclable, the Borough is getting double billed for it. Recycling that is mixed with non-recyclables goes up to the recycling center where they separate the trash out from the recyclables. The non-recyclables gets put into the trash and the Borough has to pay \$71 per ton for that garbage to be sent back to the Borough to dispose of.

Councilmember Snow said they were amazed at what some people put into the recycling bin. They said that every day there is a bowling ball, footballs, basketballs, and all sorts of strange equipment. Plastic bags can do damage to the machines, so there is a "star screen" that collects the plastic bags and the screens must be cleaned out after every shift.

Another take away was that even though something can be recycled, if there isn't a market for it, they will not take it as a recyclable. Council President Berglund said just because there is a triangle with a number on the bottom, it doesn't mean you are supposed to recycle it.

Councilmember Snow said that the County is trying to rework the recycling system. Glass is the biggest contaminate. It comes in at the beginning and is taken out at the end of the system and it creates a lot of damage along the way. They are hoping to recreate the system where the glass is taken out first.

Another big problem is that shredded documents cause dust which gets into everything. If you shred your credit card in with your papers, the papers are considered contaminated. Shredded paper is a very good money maker but the paper has to be perfectly clean. The Borough could collect it themselves but the container would cost 4 to 5 thousand dollars. If paper is taken out of the stream, it makes it easier on the recycling center. They suggested the Borough promote a document shredding day where a company would come and pick up all of that. The recycling center prefers the paper be collected in a pure form. A member of the audience asked if she should be throwing it in the trash instead of recycling. Council President Berglund said he asked them the same question. The answer was that paper should still be recycled and not thrown out as trash.

There was a discussion regarding what should and shouldn't be recycled with many people admitting it is very confusing. There was also a discussion as to whether the Borough should collect its own recycled paper. The discussion led to the fact that the Borough would need to police whether the paper was contaminated or not and that the value would not be worth the cost of recycling it in-house.

The County will be holding a shredding event on September 23, 2017 from 9 a.m. to 11 a.m. in the Public Works Yard. They will be providing a shredding truck to shred the documents.

Councilmember Bendel said that the County sent invitations to tour the recycling center to all the elected officials in the county. There was a breakfast and everyone was treated well. There were three members from Island Heights who represented half of the people who attended from the rest of the entire county.

Councilmember Snow reported that the Borough will be running the Recreation Program again this year. It is for children in Kindergarten through 6th Grade. It will be abbreviated this year. Recreation will start the week after the 4th of July and continue into the first week of August. The same young lady that we had last year for sports, will be doing the sports program Monday, Tuesday and Thursday nights. There is a new volunteer that will be doing the arts and crafts program which will be on Wednesday nights. One person is currently a college student, going into her junior year, training to become a grade school teacher. The other person is a certified High School English teacher. She also works in the children's department at the Manchester Library. She is accustomed to setting up crafts and working with children. Councilmember Thompson thinks it will be a really good program this year.

Mayor Silver reported that he had made shared services agreement with Toms River for beach cleaning. They will be coming to clean the Summit Avenue beach the week of June 6th. The machine they use will sift the sand and take out the debris. This shouldn't take them more than 2 hours at the rate of \$45 per hour.

Toms River will also be coming in to do street sweeping of town roads that are not controlled by the County. There will be a parking schedule enacted that will be announced through the Code Red system when they come to clean the streets.

The County will be finishing striping the middle of the street on West End Avenue. They will enhance the stop lines and paint a new yellow line down the center of the road continuing down to River Avenue.

Mayor Silver reported that the Borough Engineer submitted the paper work to the County to have the County repair the bulkhead by the boat ramp. Hopefully within the next 30 days the County will be able to repair the bulkhead and stop the soil loss there.

Mayor Silver asked if there was any update with the Dillon's Creek bulkhead. Councilmember Asay said that Toms River continues to pursue the Yacht Club. The Yacht Club is asserting that as soon as they are financially able, they will do it. Hopefully, they are financially able soon. It is financially wiser to invest in fixing the bulkhead than pay fines to the Township.

Councilmember Asay also reported that the idea of a boat ramp dumping into Dillon's Creek is on hold. The Army Corps of Engineers has not issued a permit for it. They have received a permit from the DEP, but the Corps of Engineers still has the project under review at this point. A number of people have submitted their objections to the DEP the same way they had submitted their objections to Toms River about a boat ramp dumping into Dillon's Creek which we are already having trouble keeping open. Councilmember Asay said having people dumping boats off a ramp into the channel is not really what we want. Hopefully someone will hear our plea.

10. PRIVILEGE OF THE FLOOR

William Hummel of 18 Ocean Bend, said he does not have an opinion regarding the parking pay stations. He decided to try to collect some information to see whether or not it made sense. He asked some people to count cars and he made a spreadsheet with a lot of counts on it. But the people counting the cars aren't consistent. As an example, he has car counts for 2:00 and 4:00 and some days there is no count at all.

Mr. Hummel asked if the police could do a count when they drive by every day. Mayor Silver asked Lt. Arnold if it was possible. Lt. Arnold said that it would fluctuate if they did the count and asked specifically what times they are looking for. Mr. Hummel said that getting a count on warm weekends was easy. He was more interested in getting counts on cold and windy days. He also wanted to figure out how many people are getting out of their cars or staying in their cars. He wants to know how many cars are occupied and unoccupied. Mr. Hummel said he wanted to get the winter counts to see if we can count on revenue during the winter.

Mayor Silver said that some people come down and park and stay in the car. They wouldn't be feeding the station until a policeman comes by. Mr. Hummel said that it is clear that there are a lot of strong feelings about it. He said there are a lot of negative feelings about it. People come up to him and ask him what will happen with the north/south streets. He tells them everyone is going to have a permit and they will tow cars that don't have a permit. Then they come up with another objection. The one objection that opponents come up with is that it is going to affect our cute little Victorian town.

Lt. Arnold said he has received a lot of feedback and emails also. He said a lot of it is misinformation. People took parking stations and turned it into parking meters. He said someone broke down the cost of Lines will be painted, the spots will be numbered, a couple of parking stations will go in. People are saying the Borough is putting in 125 parking meters. That was not the plan.

Ann Kempton, 76 River Avenue, said she drives by there a lot and counts the cars. She has probably over 100 counts. She counts how many are occupied and how many aren't. She has them all in her cell phone for her information. She says she is opposed to it, but she doesn't want to be opposed to it without having any facts. She started counting in March and has information up to today. She offered to share her information. Mr. Hummel asked if she would text her information to him. He said the only thing he adds is the temperature on the day of the counts.

Councilmember Snow said she thinks it is wonderful that everyone is taking down all of this information. Mayor Silver said that Mr. Hummel has been working really hard. He put together a large spread sheet. Mrs. Kempton will send Mr. Hummel the information she has. Mr. Hummel said if anyone wants to text him their number counts, please feel free to do so.

Councilmember Snow remarked that there is a lot of misinformation. People are coming up to her and asking her not to vote it through tonight and she has to explain that this is only a public discussion at this point. A lot of people thought this was going to be a done deal and voted on. It is just discussion and data collection. Councilmember Thompson and Mayor Silver thanked Mr. Hummel and Mrs. Kempton.

Lisa DeFeo, 176 Lake Avenue, would appreciate anything Council could do about passing an ordinance doing something about Airbnb. She also asked for an explanation about the Council's concern about being sued by Airbnb.

Mayor Silver said that Toms River passed their Airbnb ordinance and they made a differential about what you can do on the island and the inland. They are now being sued because they are allowing it on the island and once you cross the bridge it cannot take place. Councilmember Wudzki said it was considered discriminatory because it is not the same ordinance throughout the town. Mrs. DeFeo said that the Council would not be doing that and it wouldn't be a concern.

Mayor Silver stated that the corporation, Airbnb, has been fighting major cities who don't want them operating in their cities. Airbnb has been taking them to court saying that it is discriminatory and shouldn't be allowed. Mr. Hummel said that there are some high stakes with a lot of money involved with the apartment owners in big cities. Airbnb has gotten to be huge and they are spending millions and millions of dollars in court because everywhere they go, people fight them. Mr. Hummel thinks that Airbnb has been winning in those cities. Mayor Silver confirmed that they have been winning.

Mrs. DeFeo said that she was under the impression that the owners must be present in an Airbnb. Mayor Silver said that many owners are renting without being present and there is no oversight. He said that the structure must be that there is a registration fee if you are going to have that property available, and have a certificate of occupancy each time. When someone vacates, an inspector has to come back in to make sure someone didn't disable the smoke detectors or take the fire extinguisher from the home. Otherwise the homeowner is liable if a fire starts and there are no smoke detectors or fire extinguishers in the home.

Mayor Silver said that he is trying to bring this issue to the table and work out the legalities like other towns are doing. When you move into the Borough you don't want that next to you. We are trying to do it tactfully and trying to do something that won't backfire on us.

Mrs. DeFeo expressed her opinion that when she says something during the privilege of the floor section of the meeting, she would not like her name, address and what was said going into the newsletter. She had issues with how the Municipal Clerk depicted what she had said during the public portion of the meeting. She asked that either she is quoted verbatim or don't put anything in the newsletter.

Meeting minutes are not required to be verbatim. They are a synopsis of what was said. Anything that is spoken during a public meeting is subject to being put into the meeting minutes.

Borough Attorney, Michael O'Connell, said that the Assembly Budget Committee is addressing taking up and addressing a bill on Airbnb that has been introduced. They will discuss it tomorrow. The hope is that that bill will eventually become law and create a uniform system that all municipalities would have a set system in place. It would permit municipalities to tax and set up a uniform system to follow.

Marci Rush from Toms River Fitness came to ask why there was a problem with her bringing her yoga class to the boardwalk. She said they come once in a blue moon and is not sure why a nice policeman came and asked her what was going on. Several years ago she was asked to get insurance, which she got and provides anytime someone asks. She has been doing this for approximately seven years and this is the first time there has been an issue.

Mayor Silver said that we have to figure out a happy location for them where they are not interfering with the traffic on the boardwalk. Mayor Silver said he did not see them on the boardwalk, but was told they were blocking the foot traffic there. Ms. Rush said they do not block foot traffic, they line up on the side of the boardwalk.

Mayor Silver said that there was a fee structure in place for the utilization of Borough property. Any time you have a function you need authorization and also need to supply a certificate of insurance. Ms. Rush said years ago someone asked to see her insurance certificate which she showed to them and was told to go ahead.

Councilmember Bendel said he wasn't sure that they were blocking the boardwalk, but her people were out in the street. It is a concern to see all those people in the street. There is always the opportunity that there will be an accident. It isn't just the boardwalk; it is the street as well.

Mayor Silver said it would be better to have a fixed area for them such as Long Point Park or somewhere like that. Mayor Silver said that Ms. Rush needs a schedule for when she will be here. Ms. Rush said that she sees many people doing this, she isn't the only one. Councilmember Asay told Ms. Rush that she isn't being singled out. He asked if this was an event being run under the auspices of Toms River Fitness. Ms. Rush replied "yes and no, it depends." She does special things with the people she trains, it varies. Councilmember Bendel asked if those people are paying her. She said yes they were. Councilmember Asay said any organization that wants to organize an event on Borough property must prepare an application and submit it to the Borough Clerk. It is then placed on a meeting agenda for consideration by the Borough Council. Ms. Rush said that it isn't a planned event. It is just a random thing usually based on a random night. Councilmember Asay said he disagreed with her. If he brought 40 people to the boardwalk and the pavilion to do a singular activity, that would be an organized event. Ms. Rush said the other night was the biggest group she has ever had. Councilmember Asay said his opinion is that would be an organized event and it needs to be permitted. She would need to apply to the Borough and get permission to keep doing it; otherwise she will keep getting complaints. He said he will get complaints and then he will have to contact the police department or code enforcement to handle it.

Ms. Rush said she wasn't looking to make any trouble. She is just looking to work out and everybody to be at peace. A lot of people exercise down there. Mayor Silver told Ms. Rush that she will need to apply for an application and indicate if it will be once a week or every other week. The Borough also needs her certificate of insurance on file. Councilmember Snow asked if other towns require her to do anything. She said she goes to Seaside and Toms River and they do not require anything.

Ms. Rush asked what the Borough would like from her. Mayor Silver told her that she needs to supply a certificate of insurance in the amount of \$500,000, naming the Borough of Island Heights

as additionally insured. Also she needs to submit an application along with the insurance to the Borough Clerk.

Bethanne Cousins, 186 Central, said that her water smells like a swimming pool with a lot of chlorine. She asked if that is normal. Mayor Silver said it is and it isn't. Sometime this happens when the mixing process originally takes place before it goes through the distribution system. It is normal. When the weather gets hot the water gets chlorinated more. Mrs. Cousins asked if there were certain times of the year when it gets more chlorine. She is afraid to water her plants with it. Councilmember Bendel asked her if this was recent. She said it has been all along, but not all week long. It's usually just a couple of days. Mayor Silver said it shouldn't be excessive. When there is flow in the system there is a good mixing process occurring when it leaves the plant. Councilmember Thompson asked Mrs. Cousins to ask her neighbors if they are having the same problem.

Mrs. Cousins said the trucks on Central Avenue are speeding and banging up Central Avenue. Mayor Silver said unfortunately, the County came and got their speed monitor. He said he is aware that there is a problem with school buses and the Post Office truck speeding up Central Avenue. The Police Department will address the situation.

Mrs. Cousins also asked the Council to address the bamboo problem. Mayor Silver said that a bamboo ordinance is currently being worked on. Councilmember Snow also told Mrs. Cousins that she could join the Environmental Committee which meets the third Wednesday of every month. They welcome new members.

Mayor Silver reported that they had requested that the County do a study to reduce the speed limit. Lt. Arnold said he spoke with the County and they told him that at this time it does not warrant changing the speed limits on the roads that they checked. Councilmember Bendel asked what they were looking for. Lt. Arnold said excessive speeding. He explained that there is a formula that the County needs to go through in order to change the speed limit. They did not see anything that would meet the criteria. Mayor Silver said that he sat on Central Avenue and monitored the speed radar unit as people drove past coming down the hill. He said the speed always wound up being between 37 and 41.

Councilmember Bendel said that he thought it was ridiculous that the County thought that the speed limit should be 35. He would like to take it to another level above the County, such as the Board of Freeholders. An ordinance reducing the speed limit to 25 miles per hour on Borough roads was discussed.

11. EXECUTIVE SESSION FOR CONTRACT, LITIGATION AND PERSONNEL MATTERS

Resolution To Move Into Executive Session 2017-79

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

		Snow	X			
		Thompson	X			
	X	Wudzki	X			
		Mayor Silver	X			

Motion to Move Back Into Regular Meeting 10:11 p.m.

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

12. ADJOURNMENT 10:11 P.M.

First: Bendel Second: Berglund All In Favor

Respectfully Submitted By:

Katherine Fenton-Newman, RMC, CMR
Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
May 23, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki
Attorney O’Connell

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O’Connell
Present	X	X	X	X	X	X	X	X
Absent								

2. PUBLIC COMMENT

3. PROCLAMATION

A. Maureen McGarry for Being Selected as a Year 2017 Mayors’ Scholar

Mayor Silver presented the following Proclamation to Maureen McGarry:

*Borough of Island Heights
Office of the Mayor
County of Ocean, State of New Jersey
Proclamation*

WHEREAS, in each high school academic year, and in every high school within Ocean County, as well as each of the Ocean County Vocational Technical Schools, the Ocean County Mayors’ Association upon the recommendation of the Ocean County Superintendents’ Roundtable selection committee chooses a member of the Senior class of the High School or Vocational Technical School who have distinguished themselves by academic achievement and interest in history, government and community involvement as a *Mayors’ Scholar*; and

WHEREAS, since its inception in 1994, the Ocean County Mayors’ Association Scholarship Award Program has provided over \$634,000 in individual scholarship awards to students worthy of distinction and recognition of their efforts; and

WHEREAS, Maureen McGarry, a senior class member of Donovan Catholic High School was selected as worthy of the recognition as a “**Mayors’ Scholar**” for the year 2017, and will be awarded a scholarship on May 25, 2017; and

WHEREAS, such distinction as “**Mayors’ Scholar**” recognizes the personal dedication and effort toward individual educational advancement of Maureen McGarry.

NOW, THEREFORE, I, Jeffrey B. Silver, Mayor of the Island Heights, County of Ocean, State of New Jersey by virtue of the authority vested in me as Mayor of the Borough of Island Heights hereby proclaim in celebration, the recognition of Maureen McGarry as a “**Mayors’ Scholar**”. This significant award is hereby recognized in the Borough of Island Heights and thus, do urge the citizens of the Borough of Island Heights to congratulate Maureen McGarry as well.

Signed this 25th Day of May, 2017

Jeffrey B. Silver
Mayor, Borough of Island Heights

4. PRESENTATION

A. James Priolo, Borough Engineer, to discuss permitting for work on Boy Scout Island.

Mr. Priolo explained the permitting work involved with the erosion problems on Boy Scout Island. He recommended a conceptual plan for shoreline stabilization, such as rip rap-type stabilization and a potential concept of a breakwater to prevent some of the wave action causing a problem on Boy Scout Island. The process he is recommending is to do a pre-application meeting with the Army Corp of Engineers and the Department of Environmental Protection (DEP). This is called a joint permit processing meeting. Mr. Priolo explained that the concept for what you want to do is taken to a meeting with the Army Corp and the DEP where they will tell you what you can and can’t do, whether it is permissible, and the process of what is required.

Mayor Silver said that it is a lengthy process which takes many months to get the okay. He is looking to get the permitting process under way. He said he is looking to do rip rap or beach prisms to prevent the eroding, not a bulkhead.

Mr. Priolo said that this was just a pre-application meeting. It is not a permit application. The pre-application meeting will give the engineer the opportunity to talk to the Army Corp and DEP about the different types of options you could do and to find out what is permissible and what is not.

Council President Berglund asked what the extent of Mr. Priolo’s involvement would be as the engineer. Mr. Priolo said his firm would do a concept, which would basically be rip rap type stabilization and show a cross section on an aerial map. They will bring their environmental experts to the meeting with them as well as their environmental permitting staff and talk through the process. It is not a full design, it is just a concept.

Council President Berglund asked how much of the Engineer’s time would be needed for getting ready for the meeting. Mr. Priolo said it would probably be eight to ten hours of work. The meeting would be held in Trenton at the DEP.

Councilmember Asay asked Mr. Priolo what he thought was the cause of the erosion. Mr. Priolo said if what is there now was not properly engineered on the upland side, storms could wash through. Sandy probably had a big impact as well as a lot of wave action from boats out there. Over time, if it wasn't done right from the start, it would have that type of an effect. Councilmember Asay asked what type of design would make it right. Mr. Priolo said different types of designs could help. A rip rap slope wave stabilization can be engineered to slow the impact of the wave action. Additionally, you have to make sure that the soil from upland doesn't wash back through it. There are measures underneath that can prevent that as well.

Councilmember Asay asked what a breakwater would be. Mr. Priolo said that a breakwater would be further out into the water. When the boats are going by and creating a ripple wave action, it would break that up. It could be a floating breakwater or a permanent breakwater, but it can't be in the channel.

Brian Hall, 136 Bay Avenue, said it sounds very expensive and the rip rap would have to be at the mean high water mark. He asked if there has been any consideration that the DEP has found that the Route 37 debris must be removed prior to any construction. He asked Mr. Priolo if he looked into bio log technology to create a living shoreline, which is more cost efficient. Mr. Priolo said all those things would be considered as part of the pre-application meeting. Bio logs and living shorelines are all options the Borough can discuss at the meeting with the Army Corp and DEP.

Mr. Hall said the breakwater, without ice protection, is a one season thing with a cold winter. Mr. Priolo agreed. Mr. Hall wants a cost analysis before the project moves forward so the tax payers understand what the cost is versus the gain. Mr. Priolo agreed that it could be very expensive and that is why an analysis needs to be done before going for a full permit application. Mr. Hall asked what the investment would be to go to the meeting. Mr. Priolo said it would cost a couple thousand dollars. Mayor Silver said that permitting is still needed to do the living shoreline.

Mary Judge, Vansant Avenue, said she went around town years ago looking for living shoreline sites. Boy Scout Island was considered to have the most potential because the existing rip rap would make the permitting easier because there was already something in the water. She was wondering if any grant opportunities had been explored to look into a living shoreline.

Councilmember Snow said about a year ago, when she attended a recycling coordinators' meeting, there was a person who would come out and put compressed leaves in place and do a study as an experiment. She offered to reach out to that person and see if they would like to do the study. Mayor Silver said that you still need to do paperwork to put anything into the water.

Bob MacNeal, 237 Ocean Avenue, said that it seems to him that much of the erosion is caused by powerboats and jet skis. He suggested putting a "no wake" zone in that area so the boats won't create massive waves. Lt. Arnold said the police department doesn't have a water vessel so policing would be up to the State Police. Mayor Silver said maybe we could get the State Police involved more in getting a "no wake" zone. But even if the Borough goes ahead and does that, there is still paperwork that needs to be done to stabilize the area. Brian Hall said you can't run at a wake speed within 250 feet of the shoreline. He said jet skis do a tremendous amount of environmental damage to the bottom. They do not do damage wake-wise. They are more noise

pollution and sight pollution. Mr. Hall said that it would be a monumental task to classify the Toms River into a 50% range in the no wake zone. He didn't know what would be involved with that and didn't think it was possible.

Mr. Hall told Councilmember Snow that bio logs are spun coconut in a rope design. If she would like to see it, she can walk between his travel lift and his west end bathhouse. He said it is a fine example of bio log technology at work. That is how he stabilizes his shoreline. It works well and is cost effective. He said he had to pay for that, and there are certain things the Borough simply can't afford to do. He warned Mayor Silver to be careful about the "can of worms" he opens, because the concrete from Route 37 can really create "a bad scene."

Gloria Bonelli, 21 Central Avenue, asked Brian Hall; if he didn't go through the DEP to put in his bio logs, could they do something like that at Boy Scout Island. Mr. Hall said he wasn't a professional and couldn't answer that question. He referred to Mary Judge for an answer. Mrs. Bonelli asked Mary Judge if this could be done without going through a long and expensive process. Mary Judge said you can't do anything to Boy Scout Island without a DEP permit. Council President Berglund said that where Mr. Hall put the bio logs was at an existing high water mark and wasn't infringing on areas that would require permitting. Mr. Hall said you wouldn't be able to get it at Boy Scout Island. Council President Berglund told the audience he wasn't speaking about Boy Scout Island. He was referring to Mr. Hall's specific instance on his property which is not the same, in any way, as what Boy Scout Island is. Mr. Hall said that when you go to the DEP they will ask you the same thing, "where is the mean high water mark?" It is all the same.

Brian Gabriel, 185 Summit Avenue, asked if we still have an active Environmental Committee and if they could be enlisted to take a look at it and find out if it is a simple permitting process for the bio log and the living shoreline idea. He doesn't think Boy Scout Island was ever designed to be a park. He thinks it would be a great idea to enlist the committee who has a relationship with the Barnegat Bay Partnerships to get some ideas. Mayor Silver asked Mary Judge if she was still involved with the committee. She replied she was still involved with the Environmental Committee and the Barnegat Bay Partnership. She said she had tried before and got nowhere with different administrations. She said there is no such thing as simple permitting. What she heard before was that the permitting would be simpler at Boy Scout Island as opposed to somewhere like Long Point because there was already material in the water. She said that living shorelines are a new technology and there are people in her office who could take it on. Mayor Silver said that paper work would still need to be done. He didn't know if Ms. Judge would want to take on the task of doing that.

Mr. Priolo once again explained that they would only be going for a pre-application meeting which is not a permit application. It is just to lay out different options and talk through it at the same time with the Army Corp and DOT. You could lay out ten ideas with them and the benefit of that is it is inexpensive and you get a full understanding of each of the ideas in terms of the difficulty of the permitting, etc. It is not filing for one particular thing. It is simply sitting around a table with them and talking about what we want to do and what the level of difficulty would be and if it is allowed or not allowed, easier permit or difficult permit.

Mr. Hall said that the idea here should be how do we save money and accomplish the goal. He believes that rather than apply for different things, the Borough should give the engineer a directive

of “this is what we want to do and this is the budget.” He doesn’t think the Borough should be spending money they don’t have. He thinks the Environmental Committee should do the research. Mr. Priolo said that they would get authorization from the Borough before they did anything like that.

Councilmember Thompson said that she thought the Borough was asking the Engineer to engage with the Army Corp and DEP at one table and look at all the options. The Engineer wasn’t going to engineer anything just to get to that table, he was just going to understand what they would be willing to consider. She asked Mr. Priolo if he would make sure to talk about the bio log and the living shoreline. Mr. Priolo said she is correct. For an example, he already knows Council is not interested in bulkheads. Councilmember Thompson confirmed that Mr. Priolo isn’t doing any engineering, he is only going to have a conversation and put together some maps so he can have that conversation. Then, because the Environmental Committee is willing to be involved, perhaps an appropriate next step would be to come back and sit down with the committee and the Mayor and talk about what the Army Corp and DEP are willing to do. Mr. Priolo agreed.

Councilmember Thompson said it sounded like he needs to do some legwork first with the permitting agencies to know what is on the table and what is doable. Then, with the expertise of Mary Judge and the rest of the committee, sort through that and come back to Council for a discussion. Mr. Hall said that with the topography of Boy Scout Island there is a lot of engineering work that needs to be done before Mr. Priolo sits down with the DEP and Army Corp. Mr. Hall said they want to see facts on a paper. Councilmember Thompson said that is not what she heard Mr. Priolo say. Mr. Priolo said he doesn’t agree with Mr. Hall. He can get enough information for the pre-application meeting without a full survey where they would approximate and put some plans together.

Linda Lane, 42 River Avenue, asked what the cap and the budget would be. Councilmember Thompson said that everyone would like to see the least expensive option, but you can’t figure out how much you have to spend until Mr. Priolo gets to the table with the DEP and Army Corp.

Mayor Silver pointed out that this property is on the Borough’s Green Acres inventory and it is up to the Borough to maintain the property. It is on the Recreational Open Space Inventory and the State comes around once a year to make sure the Borough is maintaining the inventory list. He asked Mr. Priolo if there would be penalties if the Borough doesn’t maintain the properties on the list. Mr. Priolo said there could be. Councilmember Snow asked if we know what the requirements are for this property. Mr. Priolo said he would have to follow up on that with her.

Mary Judge said that she thought both projects had been done in Ocean Gate and was wondering if anyone had spoken with anyone there about their success or failure. They were experiencing erosion and put in a living shoreline. She thought they might have used the beach prisms. The Mayor said he knows they accomplished putting the prisms in but does not know what the outcome was.

Council President Berglund offered to go with Mr. Priolo to the pre-application meeting. Mr. Priolo said that anyone is invited to go with him.

Patty Hall, 136 Bay Avenue, asked if there were any photos of Boy Scout Island showing the erosion. Council President Berglund told her there were. She asked if the public would be able to see them after Mr. Priolo's meeting. Mr. Priolo said yes.

Brian Hall asked to change the subject while the engineer was there. He said Lake Avenue has turned into a duck pond. Every time it rains, the road fills up to at least the center line of the road creating a dangerous situation as well as a health situation. Standing water on the south side of Lake Avenue is creating a mosquito haven. Something happened to the drainage. Mayor Silver said the problem is under the properties' driveways on the south side. The Mayor said he has a package to give the engineer about it in his hands. Mr. Hall said it is an urgent situation because it is an urgent problem.

Dan Janquitto from 214 Lake Avenue said his property is at the "s" turn. The Borough had created a ditch that went down that side of the street to an underground pipe that ran off to the creek. That ditch is in disrepair and the people who own property there have pipes that have collapsed. His property is taking the brunt of the water and even the other properties are going under. He said it is bad. He has a disabled son with an elevator shaft. The elevator shaft is filling with water and destroying the equipment in the elevator shaft. He is 263 feet from the road. He would like to find an amiable solution with the neighbors to get the ditch working again so the drainage could run through it. He has no problem replacing pipe underneath his own property if he can get the other owners to do the same thing. Right now Lake Avenue is flooded and his property is filled up to his house.

Council President Berglund said he spoke to Jon Brodbeck about the problem that morning. There are several homeowners involved and the culverts that go underneath their driveways are on private property. To maintain them, the town would jet vac the culverts. According to Jon, the culverts have deteriorated and he is afraid if he puts his machinery in there he might create a condition where the asphalt wouldn't be supported anymore. He could do more damage. He believes it would cost in the neighborhood of \$3,000 if the Borough were to fix it. But the Borough can't do that on private property unless the property owner would reimburse the Borough. The water on the south side would drain to the west until it got to the culvert that the Borough maintains that is underneath Lake Avenue. Then there is a ditch that goes into Dillon's Creek.

Mr. Janquitto said that he would talk to the neighbors and he didn't believe there would be a problem coming together with trying to repair the pipes under their driveways. He said the culvert existed prior to the houses being built. He thinks it is the town's responsibility to keep it clear going underneath Lake Avenue. Council President Berglund said that would be correct. Mr. Janquitto said that maybe the Borough could get permission from the owners to have Jon clear the pipes and if it collapses then it's replaced, if it doesn't it is clear. Council President Berglund said that if it does collapse, the Borough could replace it with a piece of plastic pipe and put stone on it and the owner would be liable for the time and material for the Borough to do the work.

Mayor Silver asked the Borough Attorney if he saw any problem with the Borough fixing the pipes if the homeowners give some sort of release. Attorney O'Connell did not see any problem as long as there is a release given. Mr. Janquitto said he will get together with the other homeowners

involved. Mayor asked how many homes would be involved. Mr. Janquitto believed there were four homes.

Mayor Silver dismissed Mr. Priolo and thanked him.

5. EXECUTIVE SESSION FOR CONTRACT DISCUSSION 7:45 p.m.

Resolution 2017-94

Motion to go into Executive Session Meeting at 7:28 p.m.:

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

Motion to Enter Back into Regular Meeting 8:31 p.m.

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

6. ORDINANCE

**Ordinance 2017-01 Amending and Supplementing Chapter 17 of the Borough Code
Entitled "Solid Waste Management" Introduction (First Reading)**

Michael O'Connell, Borough Attorney, explained that this ordinance had previously passed but is now being reintroduced to fix a procedural glitch. The ordinance is being introduced by title only, per State Statute. This makes everyone aware that the governing body is considering making changes to an existing ordinance law. It will be published in a newspaper to let people know when it will be discussed, which will be at the next meeting on June 13th. It will then be discussed further and voted on and either succeed or fail. The ordinance is not completely in writing yet, but the ordinance will indicate that the Borough will require commercial properties to pay for and arrange for their own garbage "solid waste" collection. The existing ordinance does not specifically say if the Borough would collect for commercial solid waste collection. It was blank on the issue. It was very clear about saying that residents will have recycling pickup but commercial property owners must provide their own recycling collection. That wasn't always what was done, but it was the law.

Attorney O'Connell went on to say that the new ordinance will be written to say that commercial properties will have to pay for their own pick up. It will then be published and then there will be a full discussion and vote at the next meeting. He told the audience that comments would normally be taken during the public hearing which will be held at the next meeting. The governing body had decided that since so many people were there now, they would take public comments at this meeting as well.

Gloria Bonelli, 21 Central Avenue, wanted to know why the ordinance was being changed. Mayor Silver said that over the decades Island Heights tax payers have been paying for the tonnage from the commercial properties in town. Some commercial properties pay for their own solid waste collection, such as Dillon's Creek Marina. It was an entitlement that the commercial properties could leave out their tonnage, which would be in excess of the tonnage from a residential home, for the tax payers to pay the difference. Mrs. Bonelli asked why a commercial property would be punished if their tonnage wasn't in excess of a residential property. She said she has a three family house and the way it was written, it is up to a two family structure. She asked if that meant after forty years of paying taxes, her garbage or recycling isn't going to be picked up. Mayor Silver asked her if she was the landlord. Mrs. Bonelli said she was the landlord and she had two tenants. Mayor Silver said she would have to pay for a contractor to collect her garbage and recycling. Mrs. Bonelli objected vehemently. Mayor Silver thanked her for her comments.

Linda Lane, 42 River Avenue, asked were the exact figures the Borough would be saving. Mayor Silver replied that it has to do with excessive tonnage which is generated by commercial properties. It costs the town approximately \$80 per ton. Ms. Lane said she wanted to know the difference between commercial properties, cottage industries and residences. Mayor Silver said other municipalities do not provide commercial collection. It has always been an entitlement here. Ms. Lane said she doesn't live in another town, she lives in Island Heights. She wants to know how much the town is saving. She figured it was \$1,200 a business and there are 30 businesses in town. Mayor Silver said he didn't have the math yet. Ms. Lane said he should. Mayor Silver said there are approximately 37 commercial properties in Island Heights and it varies for the amount of tonnage that they put out. There is an in-season for marinas and it varies with the time of year as to how much tonnage they put out. Mrs. Lane strongly opposes the ordinance and said she felt like the ordinance was punishing her.

Brian Hall said he chose to have dumpsters because he didn't want to deal with pails. That was a voluntary thing as to the way he chose to do business. He said the recycling is insane. The town gets credits for all the tonnage for the recyclable material. The recycling benefits the town. Mayor Silver said it averages around \$6,000 a year from recycling. Mr. Hall said this will reduce the amount of credits the town will get back. Mayor Silver said the credits will still come back to the Borough. A member of the audience remarked that people can throw their recycling in the dumpster. Mayor Silver acknowledged that happens. Mayor Silver said that we are not looking to take recycling away. It will be done by the contractor instead of the town. We would still get the credits back. It would still have to be reported. Mr. Hall said that would not happen.

Mr. Hall had a concern about not being able to take recycling to the dumpsters at public works. Mayor Silver told him that people will still be able to bring recycling to Public Works. Mr. Hall said that every morning there will be garbage trucks running around town. Mr. Hall said all the

commercial property would have to have dumpsters. Mayor Silver said dumpsters wouldn't always be necessary. Garbage trucks use robo cans as well.

Councilmember Snow said that she thought the meeting was getting very personal and what the Council was here for was to hear what the public had to say. She said Council is going to take what they say into consideration as we go through the process.

Gill Ronquits, 131 Laurel Avenue, asked if he could still bring his recyclables to the town. Mayor Silver told him of course he could. He said he recycles 99% of the material. He puts out 2 garbage cans at a time for his business. He contacted five garbage companies that would come in and pick up garbage. He said he agrees with Mr. Hall. Laurel Avenue has six different businesses and you could have six different garbage trucks coming on six different days to pick up garbage.

Mayor Silver asked what the Auto Body Shop does with their garbage. The owner said he has two dumpsters. He said trash pickup is the only benefit he gets from the town. He has no children in school, he pays for his water and sewer and all he gets is a little bit of garbage pickup. Mayor Silver told him he gets more benefits than that like snow removal and police protection.

Linda Lane, 42 River Avenue, asked if paper work would have to be filled out for recycling according to the ordinance. Attorney O'Connell told Ms. Lane the language was in the existing ordinance since 2009. Nothing is being changed. Councilmember Wudzki said that the paperwork was a County regulation, not the Borough's regulation. Ms. Lane said she was in Toms River for 28 years and never had to fill out a form for Toms River.

Brian Gabriel asked if this was just for properties in the commercial zone of the Borough tax map or properties that are in the residential zone such as bed and breakfasts and real estate offices included. Mayor Silver said they don't fall into mixed use. Commercial areas would be portions of Central, Route 37, and areas like that. Mr. Gabriel said there seems to be a ton of questions by the public. He felt it would be smarter, rather than to introduce an ordinance by title only and just come back at the next meeting and vote for it and be barraged by questions, maybe the ordinance should be laid out so that all the residents in town can see the inner workings of the ordinance. Mayor Silver said we have to do the process. There is a certain amount of days for things to get published. Mr. Gabriel wanted the ability for everyone to see the entire ordinance and then vote on it. Mayor Silver said the process is starting tonight.

The Borough Attorney said there is no publication for the ordinance tonight because this is the announcement. The Council is saying that the Council is going to address this. It gets published in the newspaper and that is why there is a discussion and vote. Many people started speaking at the same time at the Borough Attorney. The Borough Clerk told the audience that the ordinance will be posted on the website, it will be posted at the post office and it will be posted on the bulletin board at Borough Hall. This is the standard for every single ordinance the Borough does. It also gets published in the newspapers.

A member of the public said the Borough should send every commercial property a letter making them aware of what the Borough proposes to do. Mayor Silver said we go through everything in accordance with the State guidelines. We do the postings. We do the print work. Our website will have the ordinance on there. We hold open meetings.

Linda Tavares of Cozy Cove Marina said no one knew about the ordinance. She said that the Borough should have let everyone know about it.

Members of the audience, who have already spoken, continued to express their opposition to the ordinance.

Anna Vivola of 17 Central Avenue said she lives above her hair salon and she is considered commercial residential. Would she be included? Mayor Silver said that these are things that need to be discussed and clarified before the meeting of the 13th.

Mayor Silver closed discussion on the Ordinance and told the audience they would have another opportunity to speak on June 13th.

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE BOROUGH CODE ENTITLED "SOLID WASTE MANAGEMENT"

WHEREAS; the Mayor and Council of the Borough of Island Heights desire to amend Chapter 17 of the Borough Code entitled "Solid Waste Management,"

NOW, THEREFORE, BE IT ORDAINED that Chapter 17 is amended as follows:

Section 17-1, Collection of Garbage and Refuse, is amended to add a new sub-section:

17-1.7 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of Garbage and Refuse.

Section 17-2, Recycling, is amended to read as follows:

17-2.3 Definitions.

Commercial establishments shall mean those properties used primarily for commercial purposes, including but not limited to boat clubs, houses of worship, marinas, professional offices, repair shops, restaurants, and retail stores; and those multiple dwelling residential buildings containing more than four (4) dwelling units.

17-2.5 Separation of Recyclables and Placement for Disposal.

- c. Every commercial establishment and multifamily dwelling consisting of five (5) or more dwelling units shall submit annually to the Municipal Recycling Coordinator, proof of removal of designated recyclable materials from their premises including the total weight and type of recycling material collected and recycled, and the vendor(s) providing said service.

17-2.12 Nonresidential Establishment Compliance Requirement.

- a. All commercial establishment generators of solid waste shall be required to comply with the provisions of this section.
- b. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial establishment property owner or their designee unless the municipality provides for the collection of designated recyclable materials. All commercial establishments which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- c. Every commercial establishment shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

Section 17-3, Yard Waste Collection Program, is amended to add a new sub-section:

17-3.6 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of a Yard Waste Collection Program.

This ordinance shall become effective upon publication as required by law.

Motion to Introduce Ordinance 17-01

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

7. RESOLUTIONS

Resolution 2017-80 Accepting the Resignation of Vicky Mickiewicz, Tax Assessor effective June 30, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ACCEPTING THE RESIGNATION OF
VICKY MICKIEWICZ, TAX ASSESSOR**

WHEREAS, Vicky Mickiewicz has tendered her resignation as the Borough of Island Heights' Tax Assessor effective June 30, 2017; and

WHEREAS, Vicky Mickiewicz has faithfully served as the Borough's Tax Assessor since her appointment on January 1, 1986; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby accepts Vicky Mickiewicz's resignation as Tax Assessor.

BE IT FURTHER RESOLVED, that the Mayor and Council extend their most sincere appreciation to Vicky Mickiewicz for her more than 31 years of dedicated service to the Borough of Island Heights and its citizens and wish her much happiness and success for her future.

Councilmember Asay offered his thanks and appreciation to Mrs. Mickiewicz. Mayor Silver announced that Mrs. Mickiewicz has done 31 years of service in the Borough of Island Heights.

Public Comment - None

Roll Call

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

**Resolution 2017-81 Appointing Katherine Fenton-Newman as Borough Clerk
Effective May 23, 2017 through May 22, 2020**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
APPOINTING KATHERINE FENTON-NEWMAN
AS BOROUGH CLERK EFFECTIVE
MAY 23, 2017 THROUGH MAY 22, 2020**

WHEREAS, pursuant to N.J.S.A. 40A:9-133, the Borough of Island Heights (the “Borough”) is required to employ a Registered Municipal Clerk; and

WHEREAS, N.J.S.A. 40A:9-133 states that the term of office of the Municipal Clerk shall be three years and that the term shall be deemed to have begun as of the actual date upon which a person serving as municipal clerk is appointed; and

WHEREAS, Katherine Fenton-Newman has successfully completed the required five courses offered through Rutgers, The State University, and passed the required State examination administered by the Division of Local Government Services, Department of Community Affairs and has been certified as a Registered Municipal Clerk in accordance with the requirements of Chapter 174, Law of 1985.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Island Heights, County of Ocean, State of New Jersey as follows:

1. That Katherine Fenton-Newman be and hereby is appointed as Borough Clerk of the Borough of Island Heights for a term commencing on May 23, 2017 and ending on May 22, 2020; and
2. That Katherine Fenton-Newman shall be compensated at a rate of \$23.46 an hour (includes the position of Registrar of Vital Statistics)
3. Working hours will not exceed 28 hours per week
4. Hours are Monday through Thursday, 8:00 a.m. through 3:00 p.m.
5. The hours worked in conjunction with Council Meetings shall reduce the day office hours to ensure overall hours are kept at 28 hours, unless authorized by the Mayor
6. No health benefits, sick, vacation or personal time will be provided.

Public Comment - None

Roll Call

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

Resolution 2017-82 Approving Application for Use of Pavilion and the Contiguous Property By Christine Maloney of the Island Heights Public Library for Watching the Solar Eclipse on August 21, 2017, 1:00 P.M. to 4:00 P.M.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

**APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS
PROPERTY BY CHRISTINE MALONEY OF THE ISLAND HEIGHTS PUBLIC LIBRARY
FOR WATCHING THE SOLAR ECLIPSE ON AUGUST 21, 2017,
1:00 P.M. TO 4:00 P.M.**

WHEREAS, Christine Maloney of the Island Heights Public Library, located at 121 Central Avenue, Island Heights, NJ, 08732, has submitted an Application for Use of Pavilion and the Contiguous Property for watching the solar eclipse with an educational lecture and themed stories and activities on August 21, 2017 between the hours of 1:00 p.m. and 4:00 p.m.; and

WHEREAS, the proper insurance binder has been submitted and the application fee has been waived; and

WHEREAS, the Acting Borough Clerk has confirmed that there are no conflicting events being held at the Pavilion on the requested date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property by Christine Maloney for watching the solar eclipse with an educational lecture and themed stories and activities on August 21, 2017 between the hours of 1:00 p.m. and 4:00 p.m.

Public Comment - None
Roll Call

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

**Resolution 2017-83 Approving a Social Affairs Permit for the Barnegat Bay
Foundation on June 2, 2017.**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING A SOCIAL AFFAIRS PERMIT FOR THE
BARNEGAT BAY FOUNDATION
ON JUNE 2, 2017**

WHEREAS, the Barnegat Bay Foundation located at P.O. Box 364, Island Heights, NJ 08732 has applied for a Social Affairs Permit to use on June 2, 2017; and

WHEREAS, the Barnegat Bay Foundation will be holding their annual fundraiser/gala event on the same day.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve a Social Affairs permit for the Barnegat Bay Foundation on June 2, 2017; and

BE IT FURTHER RESOLVED, that the Barnegat Bay Foundation must coordinate with the Island Heights Police Department to ensure proper police protection for the event.

Public Comment - None

Roll Call

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

Resolution 2017-84 Authorizing the Settlement of a Tax Appeal Before the New Jersey Tax Court

RESOLUTION NO. 2017 - 84

RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF A TAX APPEAL BEFORE THE NEW JERSEY TAX COURT

WHEREAS, Eva J. Herzog filed an appeal to the New Jersey Tax Court of the 2016 property tax assessment for property known and designated as Block 56, Lot 13 as shown on the tax map of the Borough of Island Heights entitled "Eva J. Herzog v. Island Heights Borough, Docket No. 011255-2016; and

WHEREAS, the parties have reached a settlement which is set forth in the Stipulation of Settlement attached hereto and made a part hereof as Schedule A.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Island Heights, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby authorize Christopher J. Connors, Esquire of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris and Connors to execute the Stipulation of Settlement, a copy of which is attached hereto and made a part hereof as Schedule A.

2. That a certified copy of this resolution shall be forwarded by the municipal clerk to Christopher J. Connors, Esquire and the Tax Assessor of the Borough of Island Heights.

DASTI, MURPHY
MCGUCKIN, ULAKY,
KOUTSOURIS & CONNORS
COUNSELLORS AT LAW
620 WEST LACEY ROAD
P.O. BOX 1057
FORNED RIVER, N.J. 08731

Councilmember Asay asked that this be tabled until it could be discussed in executive session later in the meeting because there were questions that needed to be answered regarding the settlement.

Public Comment - None
Roll Call on Motion to Table

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

**Resolution 2017-85 Approving the Award Winning Marine Science Camp K-8th
Grades, July 31 Through August 4, 2017, 9:00 a.m. to 2:00 p.m.,
Monday through Friday**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING THE AWARD WINNING MARINE SCIENCE CAMP
K-8TH GRADES, JULY 31 THROUGH AUGUST 4, 2017
9:00 A.M. TO 2:00 P.M. MONDAY THROUGH FRIDAY**

WHEREAS, the Award Winning Marine Science Camp will be held July 31 through August 4, 2017 from 9:00 a.m. to 2:00 p.m. Monday through Friday for grades K-8; and

WHEREAS, the camp focuses on the preservation of the marine eco system through active hands-on learning with new curriculum to include: sharks, whales, oceans of the world, plate tectonics, continental drift, pelagic fish, seining, sampling, water quality testing, marine mammal rescue drills, kayaking and more; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Marine Science Camp to be held July 31 through August 4, 2017 from 9:00 a.m. to 2:00 p.m. Monday through Friday for grades K-8.

BE IT FURTHER RESOLVED, that the Mayor and Council urge anyone interested to go to www.marinesciencescamp.com or call 732-250-8124 for information regarding the camp.

Public Comment - None
Roll Call

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

**Resolution 2017-86 Supporting Legislative Action Requesting the State of New Jersey
and Federal Government to Perform a Comprehensive Study of
Potential Mitigation to Reduce Future Impacts of Major Storms
that Cause Major Damage to Lives and Properties Surrounding
Barnegat Bay.**

**RESOLUTION OF WATERFRONT COMMUNITIES, IN THE COUNTY OF OCEAN, STATE OF NEW
JERSEY, SUPPORTING LEGISLATIVE ACTION REQUESTING THE STATE OF NEW JERSEY AND
FEDERAL GOVERNMENT TO PERFORM A COMPREHENSIVE STUDY OF POTENTIAL MITIGATION
TO REDUCE FUTURE IMPACTS OF MAJOR STORMS THAT CAUSE MAJOR DAMAGE TO LIVES AND
PROPERTIES SURROUNDING BARNEGAT BAY**

WHEREAS, on October 29, 2012, Superstorm Sandy made landfall near Atlantic City, New Jersey causing tens of billions of dollars of damage to communities surrounding Barnegat Bay. Superstorm Sandy affected, in some way, virtually every household, business and community in New Jersey. The emotional, financial and physical impacts are still being felt by our coastal communities; and

WHEREAS, a comprehensive strategy that expeditiously, efficiently and effectively addresses mitigation strategies, to reduce the impacts from future major storms needs to be addressed; and

WHEREAS, historical data and projections indicate that coastal storms of similar magnitude or greater will continue to be a serious threat to our communities; and

WHEREAS, all scientific and empirical data collected during the post Superstorm Sandy indicate the majority of the destruction was caused by excessive wave “run up” resulting from wave action as well as dune failure on Long Beach Island. All waves are the function or interaction of wind energy over water, the speed of the wind over water and time and the unencumbered distance the wind travels over the water known as “Fetch”. Although it would be impossible to address all factors that contribute to coastal flooding, we can address one of the most severe threats, wave heights, and wave run up, by controlling the fetch or distance waves travel unencumbered over the water in Barnegat Bay; and

WHEREAS, numerous issues including dredging of the portion of our coastal inland waterway that transverse Barnegat Bay have become necessary due to the hazards that currently exist. The restoration and creation of elevated nesting areas and habitat (berms) for our shore birds and other species that have been lost due to coastal development, and rises in sea levels should also be addressed; and

WHEREAS, FEMA identifies “V-zones” or coastal high hazard areas as those areas “where wave action and/or high velocity water can cause structural damage in the 100-year flood”, the reduction of “fetch” or distance a wave can travel unobstructed over water can have a significant impact on reducing future damage in major coastal storms. Therefore, reducing fetch will reduce wave height and run up; and

WHEREAS, currently the Federal government is constructing mitigation project on Cedar Bonnet Island in Barnegat Bay utilizing dredge materials to establish a 20 foot high berm on the Island to restore habitat as part of the mitigation project. Therefore, the creation of additional berms needs to be considered; and

WHEREAS, Barnegat Bay contains dozens of small marsh islands between Long Beach Island and the Mainland that can also support berms made up of dredge materials directly from Barnegat Bay. The utilization of these dredge materials directly from Barnegat Bay would result in significant cost savings as the major cost driver of dredging is the dewatering and disposal of these dredge materials which typically accounts for up to 80% of the total cost of dredging. The monetary cost of construction of these berms is minor relative to the cost that would occur from any future major storms. The creation of berms on these marsh islands within the bay will serve to block or dampen the waves in the Bay associated with these storms, from all wind and wave directions, protecting both Long Beach Island as well as mainland and serve as an economic disposal site for dredged materials.

NOW, THEREFORE BE IT RESOLVED, a comprehensive study of the utilization of dredging portions of Barnegat Bay, and using those dredge materials to establish berms on various small marsh islands throughout the Bay, as a cost effective proven methodology to reduce future damage from major coastal storms needs to be undertaken.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to neighboring communities adjacent to Island Heights, to support the intent of this resolution and adopt the same, forwarding their concerns to appropriate decision makers.

Public Comment - None
Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	X			
		Bendel	X			

X		Berglund	X			
		Snow	X			
		Thompson	X			
	X	Wudzki	X			
		Mayor Silver	X			

Resolution 2017-87 Approving the Closure of Lake Avenue from the Island Heights Grade School to the First Entrance of Dillon’s Creek Marina for the Island Heights Grade School Fun Run Friday, June 2, 2017 from 2:00 to 2:30 p.m.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING THE CLOSURE OF LAKE AVENUE FROM THE ISLAND HEIGHTS
GRADE SCHOOL TO THE FIRST ENTRANCE OF DILLON’S CREEK MARINA
FOR THE ISLAND HEIGHTS GRADE SCHOOL FUN RUN
FRIDAY, JUNE 2, 2017 FROM 2:00 TO 2:30 P.M.**

WHEREAS, the Island Heights Grade School PTO is planning their annual Fun Run on Friday, June 2, 2017 from 2:00 to 2:30 p.m.; and

WHEREAS, the Fun Run is a student run fundraiser to raise money for the annual end of the year Carnival for which the students collect pledges based on their commitment to participating in a one-mile running and walking event; and

WHEREAS, the Island Heights Grade School PTO requests that Lake Avenue be closed from the Island Heights Grade School to the first entrance of Dillon’s Creek Marina for the students to utilize the street for the Fun Run.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the request of the Island Heights Grade School PTO to close Lake Avenue from the Island Heights Grade School to the first entrance of the Dillon’s Creek Marina on Friday, June 2, 2017 from 2:00 to 2:30 p.m. in order for students to hold their Fun Run event.

Public Comment - Renee Pasalano from the PTO explained that every year the school does a Fun Run and all the money they raise goes to an end of the year carnival. They usually run around the playground, but this year, with the help of the gym teacher, they decided to do something different. The children will come outside about 1:45 and do their stretches and run or walk from the entrance of Island Heights Grade School to Dillon’s Creek. Going will be .5 miles and coming back will be another .5 miles. They are asking for that section of Lake Avenue be closed from 2 to 2:30 for the Fun Run. Mrs. Pasalano said that she has coordinated everything with the police and fire department.

Roll Call

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

Councilmember Wudzki recused herself from the vote.

Resolution 2017-88 Appointing Alec Mazzaccaro as Summer Seasonal Laborer at a Rate of \$12.50 Per Hour Not to Exceed 35 Hours Per Week

RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING ALEC MAZZACCARO AS SUMMER SEASONAL LABORER AT A RATE OF \$12.50 PER HOUR NOT TO EXCEED 35 HOURS PER WEEK

WHEREAS, the Borough of Island Heights, Department of Public Works is in need of Summer Seasonal labor; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, that the Governing Body hereby appoints Alec Mazzaccaro as Summer Seasonal Laborer for the Borough of Island Heights, at an hourly of \$12.50 per hour, not to exceed 35 hours per week, with seasonal employment ending on September 4, 2017.

Public Comment - None

Roll Call

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

Resolution 2017-89 Approving Application for Use of Pavilion and the Contiguous Property by Matthew Sura and Melissa Massar for their Wedding Ceremony on June 9, 2017

RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY,

**APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS
PROPERTY BY MATTHEW SURA AND MELISSA MASSAR FOR THEIR WEDDING
CEREMONY
ON JUNE 9, 2017**

WHEREAS, Matthew Sura and Melissa Massar, located at 1021 Twin Oaks Drive, Toms River, NJ, 08735, has submitted an Application for Use of Pavilion and the Contiguous Property for their wedding ceremony on June 9, 2017.

WHEREAS, the proper insurance binder has been submitted and the application fee of \$75.00 has been paid; and

WHEREAS, the Borough Clerk has confirmed that there are no conflicting events being held at the Pavilion on the requested date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property by Matthew Sura and Melissa Massar for their wedding ceremony on June 9, 2017.

Public Comment - None
Roll Call

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

**Resolution 2017-90 Appointing the Following Lifeguards for the 2017 Season: Jamie
Prior and Patience Harrington**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING THE FOLLOWING LIFEGUARDS FOR THE 2017 SEASON**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights, that the Governing Body hereby appoints the following lifeguards for the 2017 Season at the following rate of pay:

Jamie Prior as Head Lifeguard	\$11.21/Hour
Patience Harrington	\$10.46/Hour

Public Comment - None
 Roll Call

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

Resolution 2017-91 Appointing Colleen Silver as Badge Checker at the Rate of \$10 Per Hour for the 2017 Summer Season

This item was removed from the agenda during the meeting per Mayor Silver.

Resolution 2017-92 Providing for Amendments to Temporary Appropriations Approved Prior to the Final Adoption of the 2017 Municipal Budget

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN PROVIDING FOR AMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2017 MUNICIPAL BUDGET.

WHEREAS, an emergent condition has arisen with respect to increase in temporary appropriations and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and

WHEREAS, N.J.S.40A: 4-20 provides for the creation of a temporary emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1051 (N.J.S. 40A: 4-20) including this resolution total \$1,433,939.78 Current Fund and \$628,525.00 Water & Sewer Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Island Heights (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J. S 40A: 4-20:

1. Emergency temporary appropriations be and the same are hereby made in accordance with the attached list
2. That said emergency temporary appropriation will be provided for in the 2017 Municipal Budget.

Public Comment - None
 Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	X			

		Bendel	X			
X		Berglund	X			
		Snow	X			
		Thompson	X			
	X	Wudzki	X			
		Mayor Silver	X			

Resolution 2017-93 Award of Bid for Solid Waste and Recycling Collection Service

Public Comment

Roll Call

This item was tabled pending further discussion. Motion to table:

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

9. OATH OF OFFICE

A. Katherine Fenton-Newman as Borough Clerk

The Borough Clerk asked that this item be pulled from the agenda and that she be sworn into office in the Municipal Building the next day due to the length of the meeting. Her request was granted.

10. BILL LIST

Public Comment

Roll Call

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

11. PURCHASE ORDERS

A. Approving the Following Purchase Order:

Vendor: AC Schultes

Item: New Motor with Install for Well #9 (Emergency)

Amount: \$8,425.00

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

B. Approving the Following Purchase Order:

Vendor: HD Supply

Item: 2" Service Materials for Richard Yetman Builder Ocean Avenue

Amount: \$2,441.00

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

Councilmember Thompson recused herself from the vote.

C. Approving the Following Purchase Order:

Vendor: Sign-Ups Signs & Promotions

Item: Vehicle Letter for 2 Ford Interceptors

Amount: \$1,220.00

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

12. COUNCIL REPORTS

Councilmember Asay had no report.

Councilmember Bendel reported that the Planning Board is working on the Master Plan.

Council President Berglund reported that we need to readdress the fees for a 2" and a 1 1/2" service. The costs are substantially increased and our fees have not kept up with the increase.

Council President Berglund said that a water leak developed this afternoon where Bay and Summit come together. The leak is where we tried to save money by tying into the old service instead of running all the way from the main. They will be digging in the morning.

Mayor Silver asked how the water and sewer project was going. Council President Berglund said it was getting closed out. They are working on a punch list.

Councilmember Snow had no report.

Councilmember Thompson requested a meeting to be scheduled with the budget committee.

Councilmember Wudzki reported that she had an updated Farmers Market Registration Form. She believes we are all set to go and hopefully get a resolution on the June 13th meeting. She had one more thing she had to look into for the registration form. She is hopeful to get it started for the first week when school ends on June 26th.

Mayor Silver reported he was working on beach cleanup. We contracted with Toms River to bring their beach screening machine to Summit Avenue beach.

The County has scheduled the striping to be done on West End Avenue from Triangle Park and continue up West End over the hill. They will also enhance the stop lines.

Councilmember Asay asked the Mayor for a stop line at the end of Ocean going into River Avenue. Mayor Silver asked him to remind him, and he will ask them to put it on his list.

13. PRIVILEGE OF THE FLOOR

A resident asked if there was something that could be done about the jellyfish at the Summit Avenue beach. She suggested putting a net up around the bathing area. She said Ocean Gate put up a net around their bathing area to help. Mayor Silver said he would communicate with Ocean Gate and see what they did to help with the jellyfish.

14. EXECUTIVE SESSION FOR CONTRACT AND PERSONNEL MATTERS

Motion to move back into Executive Session made at 9:37 p.m.

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

		Thompson	X			
		Wudzki	X			
		Mayor Silver	X			

Motion to recenter Regular Meeting at 10:23 p.m.

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

Resolution 2017-84 Authorizing the Settlement of a Tax Appeal Before the New Jersey Tax Court

Public Comment - None

Roll Call

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

15. ADJOURNMENT AT 10:24 P.M.

First: Bendel Second: Snow All In Favor

Respectfully Submitted By:

Katherine Fenton-Newman, RMC, CMR
Borough Clerk

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
June 13, 2017
7:00 P.M.**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

1. ROLL CALL

Councilmember Asay
Councilmember Bendel
Council President Berglund
Mayor Silver

Councilmember Snow
Councilmember Thompson
Councilmember Wudzki
Attorney O’Connell

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O’Connell
Present	X	X	X	X	X	X	X	X
Absent								

2. PUBLIC COMMENT - None

3. ORDINANCE

Ordinance 2017-01 Public Hearing (second reading)

ORDINANCE 2017-01

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE BOROUGH CODE ENTITLED “SOLID WASTE MANAGEMENT”

WHEREAS; the Mayor and Council of the Borough of Island Heights desire to amend Chapter 17 of the Borough Code entitled “Solid Waste Management,”

NOW, THEREFORE, BE IT ORDAINED that Chapter 17 is amended as follows:

Section 17-1, Collection of Garbage and Refuse, is amended to add a new sub-section:

17-1.7 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3,

Definitions, shall be eligible for the collection of Garbage and Refuse.

Section 17-2, Recycling, is amended to read as follows:

17-2.3 Definitions.

Commercial establishments shall mean those properties used primarily for commercial purposes, including but not limited to boat clubs, houses of worship, marinas, professional offices, repair shops, restaurants, and retail stores; and those multiple dwelling residential buildings containing more than four (4) dwelling units.

17-2.5 Separation of Recyclables and Placement for Disposal.

- c. Every commercial establishment and multifamily dwelling consisting of five (5) or more dwelling units shall submit annually to the Municipal Recycling Coordinator, proof of removal of designated recyclable materials from their premises including the total weight and type of recycling material collected and recycled, and the vendor(s) providing said service.

17-2.12 Nonresidential Establishment Compliance Requirement.

- a. All commercial establishment generators of solid waste shall be required to comply with the provisions of this section.
- b. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial establishment property owner or their designee unless the municipality provides for the collection of designated recyclable materials. All commercial establishments which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- c. Every commercial establishment shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

Section 17-3, Yard Waste Collection Program, is amended to add a new sub-section:

17-3.6 Eligibility for Collection.

Residences and Institutional establishments, as defined in Borough Code 17-2.3, Definitions, shall be eligible for the collection of a Yard Waste Collection Program.

This ordinance shall become effective upon publication as required by law.

Mayor Silver began by saying that there shall be respectful dialogue from the public and any member of the public displaying any dialogue or behavior that is disrespectful or disruptive shall be removed from the meeting. He also set a three minute per person limit on public comment. Mayor Silver then opened the Public Hearing.

Dan Milne, 145 Central Avenue, Unit 10A, on behalf of the condominium association, stated that the condominiums are private residences with no business entities, and believes they are being categorized as a business. There are 24 families that live in the facilities and don't generate that much garbage.

Borough Attorney O'Connell told Mr. Milne that condominiums fall under the category of residences, so the condominiums would still receive residential pickup. Under the Municipal Services Act, which is the State law, a municipality cannot treat a condominium differently as a single-family, stand alone, home.

Mr. Milne strongly recommended that taking away garbage pickup for commercial entities would deter business owners from coming into Island Heights. They will go to another town. Mayor Silver said that in Toms River, businesses are responsible for their own trash pickup. Mr. Milne said that he feels municipal trash pickup for businesses would be an incentive for new businesses.

Brian Hall, 136 Bay Avenue & Dillon's Creek Marina 243 Lake Avenue, asked Mayor Silver to explain the recycling pickup section in the Ordinance. He asked if the Borough will continue to pickup recycling at businesses. Mayor Silver told him that it is an option that has been put back in the Ordinance. Depending on the contract the Borough enters into with the contractor, recycling would be picked up from commercial entities if Council decides to. Attorney O'Connell said that the Borough was returning to the language that was in the original Ordinance which is the current, existing law in the Borough. Mr. Hall stated that the answer is "definitely, maybe." Attorney O'Connell said that he was correct depending on how much it will cost the Borough. Bid specifications are currently being worked on.

Mr. Hall asked if the plan in the future was that the public works truck would not pick up anything. Mayor Silver said that would be correct if we go in that direction. Mr. Hall asked how Council could move forward with the Ordinance without knowing all the answers. Attorney O'Connell said the existing law has always been that commercial properties must be responsible for their own recycling. Whether it was enforced or done is a different story. The current code in Island Heights is that commercial properties are responsible for their own recycling and homeowners are not. Councilmember Asay added that the Ordinance also says commercial properties are responsible for their own pickup unless the Borough chooses to pick up that recycling. Since the Ordinance was adopted in 1988 the Borough has been exercising the option to pick up the recycling up to now. It is not being changed if the Ordinance was adopted tonight.

Mr. Hall said he was still having problems understanding the intent of the Ordinance. Attorney O'Connell told him that the wording for the recycling pickup for businesses is staying the same as the existing Ordinance. It has always been the prerogative of the Borough to decide to pick up

recycling for businesses. Additionally, garbage and recycling collection services must go out to bid and afterwards it will be up to the Council to determine what is affordable and what is not.

Councilmember Thompson clarified that there are two things happening tonight. One is; the Ordinance will be changed so that commercial and multifamily residential will be responsible for their own pickup. The second is; Mayor and Council are considering awarding a garbage collection contract which addresses Mr. Hall's question of if the Borough will pick up commercial recycling. Council must deliberate on the cost effectiveness of the Borough having to pick it up or having a contractor pick it up. Since that is later in the agenda, we don't know yet. The Council must discuss it.

Gloria Bonelli, 21 Central Avenue, asked if Section 17-2.5 C referring to recyclables is wording that has always been there. Mayor Silver said yes. She wanted it clarified that even though recyclables have been picked up in the past, when the Borough signs the new contract, there may be a change to the recyclables. Mayor Silver said the Ordinance always allowed the Borough to pick up recycling or not to pick up recycling. Pick up was always done by municipal employees and now there is an option in the bid specifications to have an outside contractor perform that service. Ms. Bonelli said she agreed with Mr. Hall that it was confusing because collection has always been done in the past, even though the wording was there, and it was never enforced. She said this new contract may change that and it may be enforced. Mayor Silver told her she was correct.

Linda Tavares, owner of Cozy Cove Marina, 10 Lake Drive, asked if there was a significant savings for the Borough to pick up recyclables since the Borough's trucks have been doing it and the Borough has its own recycling center and generates its own money. Councilmember Asay said he can't answer the question because Council is deliberating on specific bids that have been submitted by contractors, which will be discussed in Executive Session this evening. What Council is balancing out is the continued cost of maintaining our truck, the fuel, maintenance, etc., plus the staffing salaries, benefits, etc., versus the service being done by a private hauler. Those are the numbers the Council is currently looking at and deciding on how to proceed.

Ms. Tavares asked if a private contractor was hired, would they be putting the recycling they collect into the Borough's recycling center or taking them elsewhere. Councilman Asay explained that when recycling is currently picked up at the curb, it isn't put in the Borough's recycling center. The Borough employees take the truck directly to the County in Lakewood and dump the truck at the recycling center in Lakewood. The recycling center in the Borough is for the residents who decide to bring their own recycling there. When we load our garbage truck they take it out to the County recycling center and empty it.

Mrs. Tavares asked how Council is planning on handling businesses with residences on top of them. How will it be distinguished whose trash is whose? Attorney O'Connell said that by definition commercial property is property which is primarily used for commercial purposes. If you have an office complex that has an apartment above it, it is primarily commercial. If you have a residential home but have a shop in your basement, or if you have a work from home office, that is a residential property.

Mrs. Tavares asked if the people running businesses out of their home or the people who have construction vehicles parked in their driveway will have their garbage picked up, but the apartment above the Deli will not. Attorney O'Connell said that was correct and Mayor Silver confirmed it.

Tom Gavin, 42 River Avenue, said there was nothing in the Ordinance about cottage industry which lets you have three employees on the property in the town. How will that be addressed? Mayor Silver said that these are things that we are looking to change. Councilmember Thompson responded by saying that Section 17-2.3 identifies properties used primarily for commercial purposes, which is the distinguishing language, versus property which is a residence with a cottage business, which is permitted by zoning. Mr. Gavin said you need to register your cottage business with the town.

Patty Hall, 136 Bay Avenue, asked if commercial properties would be allowed to bring their recycling to the Borough's recycling center. Mayor Silver told her they would be allowed. She also asked if the Borough would be downsizing the Department of Public Works. Mayor Silver said that it was very possible.

Linda Tavares said that there seems to be a lot of unanswered questions. There is no data to prove how much we are saving or how much could potentially be saved. We don't know who is classified as what. She wanted Council to delay the vote tonight and pick it up again next time. Mayor Silver said that if the Borough saved \$100 a month multiplied by 32 commercial properties, the Borough would save \$3,200 per month. Multiply that by 12 it comes out to \$38,000 annually. If it was a 5 year contract it would be \$192,000 in savings. He admitted there would be variables in season and out of season. Mrs. Tavares said that it would be that much savings per month if you have seasonal businesses. Mayor Silver said a savings is a savings. We could save almost \$200,000 over five years and that is a savings.

Dan Milne asked if the Borough has looked into shared services. Mayor Silver said the building, plumbing and construction officials are all shared services. Toms River was asked and they had no interest. Councilmember Asay said that the problem with Toms River is that we are not a big enough addition for them to add staff or trucks. It adds to their workload without creating enough revenue for them to expand their operations. It would put such a strain on their workload that there was no upside for them to do it and their answer was "no." Mr. Milne asked if Council has looked to other small towns. Mayor Silver said that the biggest municipality would be our neighbor who would have enough workforce and vehicles to perform those types of services. They are not interested. Councilmember Bendel said that it was an interesting discussion, but if anyone is considering sharing services for Public Works, he is opposed. Public Works is one of the services that makes this town Island Heights. We have a level of service that we are used to and he is not interested in turning that over and sharing services with anyone. We have done that in other areas and we should continue to look into it, but not there.

Mr. Milne said he was speaking about sanitation. Has the Borough investigated other small towns? Bill Hummel, 18 Ocean Bend, said that Pine Beach is across the river, Lavallette is along the beach, it would cost a lot of money to run trucks per mile. The idea isn't cost effective. Mr. Milne said they actually drive up Route 37 through Toms River.

Rob Ciliento, Owner of Playabowls, takes his garbage to the dump at least once a week. He said there is a problem every time he takes his recyclables there. Mayor Silver asked him if it is dirty cardboard. Mr. Ciliento said it was clean plastic bins and cardboard boxes. Mayor Silver said it has to be corrugated cardboard and not plastic bags. Councilmember Snow said that we don't recycle plastic bins and it has to be corrugated cardboard. Councilmember Thompson told him he probably is bringing the wrong type of cardboard.

William Hummel, 18 Ocean Bend, said that it sounds like the Ordinance is left over from a time when we got paid for recyclables and wants to know why businesses have to measure and weigh everything and have annual reports. Councilmember Snow said we have to report to the County on a quarterly basis what is being recycled. The money is constantly fluctuating due to the market. It is not a constant. Councilmember Asay said we still make money on it. It is weighed when we tip it. Based on that, we get our share of the profits from the County each year.

Mr. Hummel asked if businesses are going to have to get the report monthly from their service provider and then convert it to an annual report. Councilmember Asay said that if a commercial entity was paying someone to pick up their recycling they are required to generate a report. That is not the Borough's requirement, it is the County and State's requirement.

Mr. Hummel asked how you do that without a scale and a truck. Mayor Silver began to explain and Ms. Tavares interrupted by saying she could answer the question. The carting companies report it to the County. She said there is no reason for commercial properties to report it at all. Whoever picks up the recyclables reports it to the County. Mayor Silver said we have a recycling coordinator. Ms. Tavares said commercial properties would have no way to know how much recycling they have. They would have to get it from the individual carting companies that pick it up.

Councilmember Asay told Mr. Hummel that this is a recycling ordinance which was adopted in 1988. From what he was told, the ordinance was based on model language that was supplied to the Borough by the County/State for how they wanted you to set up a recycling program. This is why all those details are in the ordinance. No one on the Council in 1988 sat and wrote all that stuff. They were given a model ordinance on how to adopt a recycling program. You can read it all in 7-2. Mayor Silver said it was a form letter from the County at that time.

Mr. Hummel asked if he was a business, would he still be required to submit an annual report. Councilmember Asay said he would not if the Borough was still picking it up. If the Borough wasn't picking it up, he would have to submit an annual report. The Borough has to require it because it is State law. It is not unique to Island Heights.

Ms. Tavares asked if the Recycling Coordinator coordinates with the County. Council answered yes. Ms. Tavares said that she was sure the coordinator could get the information from the County. Councilmember Asay said that this language is probably dated. If commercial entities are using private haulers, all of this is probably now collected at the County level. Ms. Tavares said that this furthers her point that we are voting on something that all the bugs aren't worked out. Attorney O'Connell said that this isn't what was being voted on. This is part of the existing ordinance that isn't being touched.

Gloria Bonelli commented that she looked into recycling and the interesting thing is that they are very lax about enforcing any of the rules they put out. She agrees that there has to be a simpler way for commercial businesses to report recycling. Councilmember Snow said the State came up with these laws and the municipalities are responsible for enforcing them. All members of the Council that have been on the tour of the recycling center can tell you that plenty of things taken to the recycling center are actually garbage that has to be removed. The State and County come up with the laws and the municipality is required to enforce it. Brian Hall said that Ocean County Health Department does enforce recycling rules. Last year they paid him a surprise visit.

Dan Janquitto, lives at 214 Lake Avenue, and his business is Beachwood Canvass at 39 Lake Avenue, said to Attorney O'Connell that when he first moved into town, and received planning board approval, they said he was not required to provide garbage pickup due to the number of people he had working there. The number of people working there has not increased and his business has decreased by 50% since Superstorm Sandy. Does this override his planning board approval? Attorney O'Connell said yes, this would become the new law for the Borough.

Mr. Janquitto said he looked at his tax rate for his house and his business and it is the same for both. Now that garbage pickup will be taken away from the business, he wanted to know how much of the tax rate goes toward garbage collection. Mayor Silver said garbage is not broken out into the tax rate. Mr. Janquitto said that he assumes he would not be getting a tax reduction because he is not getting garbage pickup.

Mr. Janquitto said he does not put that much garbage out. He tries to compact everything at his house and probably puts a can out once every two weeks. As far as his business, he has 10 cans which were put out only a quarter or half full. Now he has told his employees to compact the cans before they put them out. He has watched and he does not put out more than one or two cans a pickup. As a result they are not putting out any more than residential garbage. He suggests that when Council goes around town they look at the places that have an awful lot of cans out because they have businesses and construction garbage coming back home. Council might want to visit limiting 2 or 3 cans of garbage per pickup. Mayor Silver told him that is the language with the trash contractor. There is language limiting how many cans can be put out per pickup. Mr. Janquitto asked if the extra cans will be rejected by the contractor. Mayor Silver told him they would be rejected. He said that is something that would be kept on with the new contractor as part of the bid specifications. Mayor Silver said for years he has been working on trying to get a handle on businesses that bring home their trash from their job site and dispose it here. Mr. Janquitto said that trying to limit tipping fees with limiting the number of cans collected makes sense to him. Mr. Janquitto suggested that Council revisit the issue in a year and see if there was a savings. Mayor Silver said part of changing laws (ordinances) is that if things don't work out, you can always go back and make a change. You keep amending it and customizing it until it works best.

A member of the audience said if a business hires its own contractor to do the recycling you have to fill out the paperwork, by law, to the County. If you take care of your own recycling, is that required? Councilmember Snow said that if they bring it over to the Borough's recycling center it is still being weighed and taken to the County. You don't have to file any reports because it is coming from the Borough.

Gloria Bonelli said it seems cumbersome to fill out all these reports and weigh things. If someone hires a contractor to pick up their recycling, doesn't the contractor get paperwork when they tip it? If all the business used the same carting company, is there a way the carting company could do the paperwork instead of the businesses? Mayor Silver said that part of the problem is that they have to come in here with an empty truck. They have to do all the report filing. Councilmember Snow said the individual businesses wouldn't be doing the report filing, it would be the carting company they were using that would put in the reports. Ms. Bonelli said that the language says something different. Mayor Silver said the businesses should estimate the weight of what they put out. Councilmember Snow said if necessary, she could reach out to the County and have them pull the reports from the past year for every town and our report if people would like to see how it is reported. She could report next meeting on how it actually works.

Tom Gavin asked who the Borough's Recycling Coordinator is. Mayor Silver told him Oscar Cradle is the Borough's Recycling Coordinator through a shared services agreement with the Borough of South Toms River.

There being no further comments, Mayor Silver asked for a motion to close the public hearing.

Motion to close Public Hearing:

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

Councilmember Asay said that he echoes a lot of what people said here tonight. He does not think that this addresses the issue. He doesn't think changing definitions in the recycling ordinance is the way to do it. He doesn't think the way to do this is to single out entities by type. He believes the way to do this is to address the garbage by saying if you are going to put limits on garbage, if you are above that limit; you are going to have to make arrangements. If it is material that is hazardous or not appropriate for the Borough to pick up, you make your own arrangements. Mayor Silver said that the contractor has to enforce that. The Borough has no way to monitor that. Who would be the enforcing entity? Councilmember Asay said that we have code enforcement that enforces our codes. If we make a determination that a particular property is not going to be picked up because it is non-household or hazardous or too voluminous for the Borough to pick up via the ordinance. Mayor Silver said it has to do with the fact that they have consumers that are disposing of their refuse after they have enjoyed their time or doing maintenance on their properties. He told Councilmember Asay that he could vote however he wants to: yes, no or abstain.

Motion to adopt Ordinance:

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

4. EXECUTIVE SESSION FOR CONTRACT AND LITIGATION MATTERS

Resolution 2017-113

Motion to Enter into Executive Session Meeting at 7:48 p.m.:

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

Motion to Re-enter Regular Meeting at 8:07:

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

5. APPROVAL OF MEETING MINUTES

The meeting minutes of May 9, 2017 and May 23, 2017 were voted on as a consent agenda.

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

		Mayor Silver	X			
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6. RESOLUTIONS

Resolution 2017-95 Approving Application for Use of Pavilion and the Contiguous Property by George Smith for a Wedding Ceremony on August 27, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS
PROPERTY BY GEORGE SMITH FOR A WEDDING CEREMONY
ON AUGUST 27, 2017**

WHEREAS, George Smith, located at 410 Brentwood Place, Forked River, NJ, 08731, has submitted an Application for Use of Pavilion and the Contiguous Property for a wedding ceremony on August 27, 2017; and

WHEREAS, the proper insurance binder has been submitted and the application fee of \$75.00 has been paid; and

WHEREAS, the Borough Clerk has confirmed that there are no conflicting events being held at the Pavilion on the requested date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property by George Smith for a wedding ceremony on August 27, 2017.

Public Comment - None
Roll Call

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

Resolution 2017-96 Approving a Social Affairs Permit for the Rotary Club of Toms River on September 9, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

**JOHN F. PETO STUDIO MUSEUM, INC.
ON JUNE 30, 2017**

WHEREAS, the John F. Peto Studio Museum, Inc. located at 102 Cedar Avenue, Island Heights, NJ 08732 has applied for a Social Affairs Permit to use on June 30, 2017; and

WHEREAS, the John F. Peto Studio Museum, Inc. will be holding their annual museum fundraiser event on the same day.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve a Social Affairs permit for the John F. Peto Studio Museum, Inc. on June 30, 2017; and

BE IT FURTHER RESOLVED, that the John f. Peto Studio Museum, Inc. must coordinate with the Island Heights Police Department to ensure proper police protection for the event.

Public Comment - None
Roll Call

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

**Resolution 2017-62 Providing for Amendments to Temporary Appropriations
Approved Prior to the Final Adoption of the 2017 Municipal
Budget**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY
OF OCEAN PROVIDING FOR AMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED
PRIOR TO THE FINAL ADOPTION OF THE 2017 MUNICIPAL BUDGET**

WHEREAS, an emergent condition has arisen with respect to increase in temporary appropriations and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and

WHEREAS, N.J.S.40A: 4-20 provides for the creation of a temporary emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1051 (N.J.S. 40A: 4-20) including this resolution total \$1,353,821.78 Current Fund and \$497,2253.00 Water & Sewer Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Island Heights (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J. S 40A: 4-20:

1. Emergency temporary appropriations be and the same are hereby made in accordance with the attached list
2. That said emergency temporary appropriation will be provided for in the 2017 Municipal Budget.

Mayor Silver explained that this will allow the Borough to continue to pay salaries, insurance and bills. The Borough does not have all the data it needs to introduce its yearly budget as of yet. The outstanding issues preventing introduction of the budget are: awarding the contracts to do the revaluation, awarding a garbage collection contract, Length of Service Award Program (LOSAP) for the Fire Company, and the CWA contract which is currently being negotiated.

Public Comment - None

Roll Call

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

Resolution 2017-63 Approving the Use of the Camp Meeting Grounds by the Island Heights Cultural and Heritage Association for Its Annual Fundraising Garden Tour on June 10, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING USE OF THE CAMP MEETING GROUNDS
BY THE ISLAND HEIGHTS CULTURAL AND HERITAGE ASSOCIATION
FOR IT'S ANNUAL FUNDRAISING GARDEN TOUR ON JUNE 10, 2017**

WHEREAS, the Island Heights Cultural and Heritage Association holds a fundraising garden tour each year; and

WHEREAS, the Island Heights Cultural and Heritage Association is desirous of utilizing the Camp Meeting Grounds on June 10, 2017 to sell refreshments and have a performance of the Ocean County String Band in order to raise funds for their organization.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Island Heights Cultural and Heritage Association’s request to utilize the Camp Meeting Grounds for the performance of the Ocean County String Band and to sell refreshments on June 10, 2017.

Public Comment - None
Roll Call

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

Resolution 2017-64 Accepting Proposal for Professional Services for Boy Scout Island Beachfront Protection by Maser Consulting, P.A.

Mayor Silver explained that Boy Scout Island has been eroding away. Superstorm Sandy did damage to it and it wasn’t included in the roster at the time for rehabilitation. Maser has submitted a proposal for professional services for shoreline protection for Boy Scout Island. Stabilization consists of an old roadway, concrete debris, and pavement debris from Route 37, which was placed there for stabilization many years ago and has not worked. Phase I consists of Maser’s office preparing two concept plans. The first plan will be a bulkhead design to provide enhanced waterfront access as well as shoreline stabilization. The second plan will be for beach replenishment. The estimated fee for the 2 plans would be \$1,750.

The proposal also would require location maps, site photographs, written project description of the concept, attendance from an environmental scientist, an engineer experienced in coastal preparation and documentation of the discussion with the appropriate State authorities. The estimated cost for this phase is \$2,500. This brings the total estimated fee to \$4,250.00.

Public Comment: Brian Gabriel, 95 Summit Avenue, questioned why the governing body was spending money on stopping the erosion of the Island when there are other pressing monetary issues. Councilmember Asay also questioned the validity of the spending money for the proposal. Councilmember Thompson said that, as she recalled, CAFRA and DEP rules would not allow a bulkhead if the area was never previously bulkheaded. She also suggested tabling the item until council members could go to Boy Scout Island to go review the area and erosion.

Betsy Hyle, 266 Summit Avenue, suggested that riprap was not a good way to combat erosion. Long Point is also eroding. Barnegat Bay Partnership has a “Paddle for the

Edge” program that maps and looks at tides and how much and how quickly the erosion is happening. There are grants that you can apply for through that program. She suggested a science project for students to GPS and map the erosion at Boy Scout Island. She asked Council for permission to do a project like that.

Mayor Silver said the money would come through grant money, perhaps in the form of a low interest loan. Mrs. Hyle said they were able to do a student project at Long Point which stopped the erosion 20 years ago for free through he “Paddle for the Edge” program.

Councilmember Bendel motioned that this item be **TABLED** until Council Members had a chance to go out to Boy Scout Island and evaluate the erosion problem.

Roll Call

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

6. BILL LIST

Public Comment

Roll Call

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

7. PURCHASE ORDERS

The following Purchase Orders were read and approved as a consent agenda:

Councilmember Asay explained that these purchase orders were for the police department to migrate away from the current software they are utilizing and moving over to the County and the Spillman software.

A. Approving the Following Purchase Order:

Vendor: Ocean County Sherriff’s Department

Item: Spillman Computer Software as per the County’s Agreement

Amount: \$4,500.00

B. Approving the Following Purchase Order:

Vendor: SHI

Item: NetMotion Mobility License 1 device-volume-100-249 licenses Win - with Analytics Module/Policy Module/Network Access Control NetMotion

Wireless

and NetMotion Mobility - Premium Maintenance-3 Years Net Motion

Wireless

Amount: \$2,823.77

C. Approving the Following Purchase Order:

Vendor: Morpho Trak, LLC

Item: Maintenance & Support Contract for LiveScan Unit

Amount: \$2,897.06

D. Approving the Following Purchase Order:

Vendor: The Rodgers Group, LLC

Item: Sworn Full Time and Sworn Part Time Personnel

Online Training Module for Directive Management System. Covers

required

trainings a per AG Guidelines.

Amount: \$4,500.00

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

8. ITEM FOR DISCUSSION - NONE

9. COUNCIL REPORTS

Councilmember Wudzki reminded everyone that the public hearing for the school budget is Wednesday, May 3rd, at 7:00 p.m. at the Island Heights School.

Councilmember Wudzki reported that she did some research on the surrounding communities with farmers markets. She also went on social media and asked what people look for while attending a farmers market. She found that there is a demand for an evening farmers market.

She handed Council members a printout of information on the area farmers markets as well as revenue estimates of what the Borough may charge if the decision was made to have one. People

have given her feedback that they would like to have the market at Wanamaker Complex or the Boardwalk. She thinks it could be something that could grow.

The next step would be to figure out what type of vendors would be appropriate. She also said that the vendors she spoke to were interested in coming on a Monday. She hopes more vendors and farmers will return her phone calls later in the month. Councilmember Wudzki suggested charging a lower fee for vendors to begin with as an incentive for them to participate. Councilmember Asay suggested getting food trucks in also. Councilmember Wudzki said that the vendors ideally, would go beyond produce.

Councilmember Thompson reported that a complete revaluation is being bid and the goal is to have the revaluation completed by October.

Councilmember Asay reported that he spoke to Nancy Wolfe, who is in the director level of the Cable TV Unit in Trenton, regarding the Borough's renewal of the franchise agreement with Comcast. She said she has received it and is in the process of reviewing it. She was hopeful that the Borough would receive an answer within the next 90 days if there were no issues.

She told him that, contrary to what Comcast told Councilmember Asay, the language of the Borough's Ordinance was supposed to be submitted to the Board of Public Utilities Cable Television Unit for them to review before the Borough adopted it. Hopefully, what we have is adequate to move it along.

Councilmember Asay reported that the two new police vehicles have arrived and are in various stages of being prepared to be in-service. Mayor Silver said one is being lettered. He had to put one vehicle without lettering in-service because the F-150 would not start. That vehicle will be lettered when we receive the other vehicle back from lettering.

Councilmember Asay reported that there will be a shredding program on September 23rd from 9 a.m. to 11 a.m. in the Public Works yard. A shredding truck will be on hand to shred documents. See flyer below:

**OCEAN COUNTY
2017 RESIDENTIAL
DOCUMENT SHREDDING PROGRAM**

sponsored by
THE OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS
and
THE OCEAN COUNTY DEPARTMENT OF SOLID WASTE MANAGEMENT

- The Residential Document Shredding program is to provide residents and taxpayers with the opportunity to recycle their old documents and files safely and securely. Commercial and business documents are not accepted.
- The service representatives are uniformed, bonded and insured. Papers are shredded by pierce and tear method.
- The shredding unit features an automatic feeding and dumping system, eliminating human contact with your documents and forms.
- Each vehicle is limited to 6 boxes or bags of documents each day.

<p>APRIL</p> <p>BERKELEY TWP. Recycling Center 630 Pinewood Kaswick Rd. Saturday, April 8 9 a.m. - 1 p.m.</p> <p>PLUMSTED TWP. 121 New Egypt/Albion Rd. Saturday, April 22 9 a.m. - 1 p.m.</p> <p>SOUTH TOMA RIVER BORO. Rec Center Parking Lot 1 Drake Lane Saturday, April 29 9 a.m. - 11 a.m.</p> <p>MAY</p> <p>LITTLE EGGS HARBOR TWP. L.E.H. Community Center 319 West Calabrese Way Wednesday, May 3 9 a.m. - 1 p.m.</p> <p>POINT PLEASANT BORO. Recycling Center, 907 Arthur Ave. behind Slop & Shop Saturday, May 13 9 a.m. - 1 p.m.</p> <p>SHABIDE PARK BORO. Public Works Garage 1201 Barnegat Ave. Saturday, May 20 9 a.m. - 11 a.m.</p> <p>JUNE</p> <p>LAKEHURST BORO. Public Works Yard, 800 Myrtle St. Saturday, June 3 9 a.m. - 1 p.m.</p>	<p>STAFFORD TWP. Southern Recycling Center 379 Haywood Rd. Saturday, June 10 9 a.m. - 1 p.m.</p> <p>BRICK TWP. Public Works Yard 636 Ridge Road Saturday, June 17 9 a.m. - 1 p.m.</p> <p>BARNEGAT TWP. Municipal Complex 900 West Bay Ave. Saturday, June 24 9 a.m. - 1 p.m.</p> <p>JULY</p> <p>LAKEWOOD TWP. Public Works Yard A. America Ave. Friday, July 14 9 a.m. - 1 p.m.</p> <p>OCEAN GATE BORO. Municipal Bldg Rear Parking Lot 801 Ocean Gate Ave. Saturday, July 22 9 a.m. - 11 a.m.</p> <p>OCEAN TWP. Municipal Complex 50 Railroad Ave. Saturday, July 29 9 a.m. - 1 p.m.</p>	<p>AUGUST</p> <p>LACEY TWP. Recycling Center, 820 Municipal Ln Saturday, August 12 9 a.m. - 1 p.m.</p> <p>JACKSON TWP. Rear Municipal Building Lot 85 West Veterans Highway Saturday, August 19 9 a.m. - 1 p.m.</p> <p>TOMS RIVER TWP. Riverside Park, 250 Riverwood Dr. Friday, August 25 9 a.m. - 1 p.m.</p> <p>SEPTEMBER</p> <p>LONG BEACH TWP. Recycling Center 7510 Long Beach Blvd. Saturday, September 16 9 a.m. - 11 a.m.</p> <p>ISLAND HISTORIC BORO. Public Works Garage, 130 Laka Ave. (end Laurel Ave.) Saturday, September 23 9 a.m. - 11 a.m.</p> <p>POINT PLEASANT BEACH Public Works Yard, 301 Cooke Rd. Saturday, September 30 9 a.m. - 1 p.m.</p> <p>OCTOBER</p> <p>MARLBOROUGH TWP. Public Works Yard, 1380 Route 70 Saturday, October 14 9 a.m. - 1 p.m.</p> <p>EAGLEWOOD TWP. Municipal Complex, 148 Division St. Saturday, October 21 9 a.m. - 1 p.m.</p> <p>BLANCHWOOD BORO. Municipal Complex, 1800 Pleasant rd. Saturday, October 28 9 a.m. - 1 p.m.</p>
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The program is for all paper documents and paper forms. Paper clips and staples DO NOT have to be removed. Unacceptable items are: X-Rays, CDs, floppy disks, micro film and file folders.

All events will run the complete scheduled time or until the truck is full, whichever occurs first. The truck has an 8,000 lb. capacity.

This FREE service is sponsored by the Ocean County Board of Chosen Freeholders

Please call the Ocean County Department of Solid Waste Management at 732-506-5047

Councilmember Asay reported that the Parking on Central Avenue issue was discussed with the Code Enforcement Officer and Morgan Engineering. Morgan Engineering will take steps to provide their employees with additional off-street parking.

Councilmember Bendel had no report.

Council President Berglund reported that the work on the sewer and water improvements started on March 6th with some test pits and actual installation began on March 8th. According to the accelerated schedule from Vollers, it is anticipated that all of their work will be completed in early to mid May, which is right on schedule. Paving should be done before Memorial Day.

60% of the water system has been completed. Which means the main valves and hydrants have been put in. The remaining work is for the services.

The sewer is 50% done. They are working on installation between Ocean and Summit with some manhole work being done.

Council President Berglund reported that people are beginning planting and weeding in the community garden.

Council President Berglund said that the grasses along River Avenue were started with, and expanded by, grants and by people working on them. The original section has matured. The clumps of grass are expanding and the center part is being squeezed in and dying back. Council President Berglund said that they took the clumps of grass from the initial area, split them and replanted them a couple of feet away. This way the center part will grow.

Council President Berglund reported that public works has begun summer grass mowing. He also reported that when one of the pumps for one of the municipal wells was turned on, sparks flew out of the motor. Right now there is a loaner motor on one of the wells. Depending on what they find when they go to repair the broken motor, the bill may be from \$5,000 to \$10,000. Water service is fine with the loaner motor for now.

10. PRIVILEGE OF THE FLOOR

Joyce Kane, 28 River Avenue, asked why the Town Wide Garage Sale used to be held at the end of September and now it varies. What determines the dates?

Betsy Hyle said that it always used to be held in June and about four years ago they decided to try it also in September. However, it wasn't very successful in September. There was a decision not to hold it in September any longer because people were saying they weren't getting the crowds like they had in June.

Mrs. Kane asked if there was any chance to bring back the fall sale? Mayor Silver said that if we could get a consensus or poll asking for a September Town Wide Garage Sale we could have one in 2018.

11. EXECUTIVE SESSION FOR CONTRACT AND PERSONNEL MATTERS AT 8:00 P.M.

Resolution 2017-65

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

12. ADJOURNMENT AT 8:29 P.M.

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

		Wudzki	X			
		Mayor Silver	X			

Respectfully Submitted By:

**Katherine Fenton-Newman
Acting Borough Clerk**

**APPROVING A SOCIAL AFFAIRS PERMIT FOR THE
ISLAND HEIGHTS VOLUNTEER FIRE COMPANY #1
ON JUNE 24, 2017**

WHEREAS, the Island Heights Volunteer Fire Company #1 located at 15 Lake Avenue, Island Heights, NJ 08732 has applied for a Social Affairs Permit to use on June 24, 2017; and

WHEREAS, the Island Heights Volunteer Fire Company #1 will be holding their annual Summerbrew event on the same day.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve a Social Affairs permit for the Island Heights Volunteer Fire Company #1 on June 24, 2017.

This is for the Fire Department's Annual Summerbrew on June 24, 2017.

Public Comment - None
Roll Call

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

**Resolution 2017-38 Providing for Amendments to Temporary Appropriations
Approved Prior to the Final Adoption of the 2017 Municipal
Budget**

**RESOLUTION 2017-38
RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY
OF OCEAN PROVIDING FOR AMMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED
PRIOR TO THE FINAL ADOPTION OF THE 2017 MUNICIPAL BUDGET.**

WHEREAS, an emergent condition has arisen with respect to increase in temporary appropriations and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and

WHEREAS, N.J.S.40A: 4-20 provides for the creation of a temporary emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1051 (N.J.S. 40A: 4-20) including this resolution total \$1,067,036.16 Current Fund and \$361,550.00 Water & Sewer Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Island Heights (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J. S 40A: 4-20:

1. Emergency temporary appropriations be and the same are hereby made in accordance with the attached list
2. That said emergency temporary appropriation will be provided for in the 2017 Municipal Budget.

Public Comment - A member of the audience asked when Council would anticipate final adoption of the budget. Chief Financial Officer Gorman said final adoption wouldn't be until the Borough receives its financial aid from the Governor which probably won't be until late April.

Roll Call

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

Resolution 2017-39 Approving Application for Use Of Pavilion and the Contiguous Property for Use by Shirley Carhart on June 10, 2017

**RESOLUTION 2017-39
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS PROPERTY
FOR USE BY SHIRLEY CARHART ON JUNE 10, 2017**

WHEREAS, Shirley Carhart, located at 1109 Lakewood Road, Manasquan, NJ 08736, has submitted an Application for Use of Pavilion and the Contiguous Property for a wedding ceremony on June 10, 2017;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property for Shirley Carhart for her daughter's wedding on June 10, 2017.

Public Comment - None

Roll Call

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

X		Berglund	X			
		Snow	X			
		Thompson				X
		Wudzki	X			
		Mayor Silver	X			

Resolution 2017-40 Approving an Application for a Blue Light Permit for Island Heights Fire Department Member Dustin Gabriel

**RESOLUTION 2017-40
BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
APPROVING AN APPLICATION FOR A BLUE LIGHT PERMIT
FOR ISLAND HEIGHTS FIRE DEPARTMENT MEMBER DUSTIN GABRIEL**

BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the application for a Blue Light Permit for Island Heights Fire Department Member Dustin Gabriel; and

BE IT FURTHER RESOLVED, that the Mayor may execute, and the Borough Clerk may attest to the application.

Public Comment - None
Roll Call

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

Resolution 2017-41 Approving Special Events Application for Barnegat Bay Partnership on Sunday, June 4, 2017 from 10 a.m. to 4:00 p.m.

**RESOLUTION 2017-41
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING A SPECIAL EVENTS APPLICATION FOR BARNEGAT BAY
PARTNERSHIP
SUNDAY, JUNE 4, 2017 FROM 10 A.M. TO 4:00 P.M.**

WHEREAS, Barnegat Bay Partnership, P.O. Box 2001, Toms River, NJ 08754, has submitted a Special Even Application to use Wanamaker Complex, Summit Avenue Beach,

Central Avenue Dock, Maple Avenue Soccer Field for parking for the 20th Annual Barnegat Bay Festival on June 4, 2017; and

WHEREAS, Barnegat Bay Partnership is also applying to Ocean County Engineering Department for a Parade Permit in conjunction with the 20th Annual Barnegat Bay Festival; and

WHEREAS, Barnegat Bay Partnership has submitted the proper paperwork and insurance certificates necessary per Borough Ordinance 95-06.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Special Event Application for Barnegat Bay Partnership's 20th Annual Barnegat Bay Festival on June 4, 2017; and

BE IT FURTHER RESOLVED, that the Acting Municipal Clerk is hereby authorized to complete the Municipality's section of the Parade Application and affix a certified copy of this resolution hereto.

Public Comment - Betsy Hyle of the Barnegat Bay Partnership asked if the roadwork would be complete before their event. Mayor Silver said work would be finished by the time of the event.

Roll Call

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

Resolution 2017-42 Approving Special Events Application for Barnegat Bay Foundation on June 2, 2017

**RESOLUTION 2017-42
RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING A SPECIAL EVENTS APPLICATION FOR BARNEGAT BAY
FOUNDATION
JUNE 2, 2017 FROM 5:00 P.M. TO 9:00 P.M.**

WHEREAS, Barnegat Bay Foundation, P.O. Box 364, Island Heights, NJ 08732, has submitted a Special Even Application to use Wanamaker Field for a Benefit Gala, buffet, music, wine/beer, on June 2, 2017; and

WHEREAS, Barnegat Bay Foundation has submitted the proper paperwork and insurance certificates necessary per Borough Ordinance 95-06.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby approve the Special Event Application for Barnegat Bay Foundation’s Benefit Gala on June 2, 2017.

Public Comment – Betsy Hyle of the Barnegat Bay Partnership said that it was the Festival’s 20th year overall and 11th year in Island Heights. If anyone wants to come as an exhibitor or vendor, please see Betsy Hyle.

Roll Call

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

Resolution 2017-44 Authorizing the Acting Municipal Clerk to Advertise for Professional Services for the Reassessment and/or Revaluation of all Property in the Borough of Island Heights.

**RESOLUTION 2017-44
BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE ACTING MUNICIPAL CLERK TO ADVERTISE
FOR PROFESSIONAL SERVICES FOR THE REASSESSMENT AND/OR
REVALUATION OF ALL PROPERTY IN THE BOROUGH OF ISLAND HEIGHTS**

WHEREAS, the Ocean County Board of Taxation, pursuant to its statutory duty to revise, correct and equalize the assessed value of all property in the respective taxing districts (N.J.S.A. 54:4-47), has determined that the assessments of Borough of Island Heights results in an unequal distribution of the tax burden for and within said municipality; and

WHEREAS, the Ocean County Board of Taxation has ordered the Borough of Island Heights and its tax assessor to implement a municipal-wide revaluation to be completed by November 1, 2017, to be effective for the 2018 tax year; and

WHEREAS, the Borough of Island Heights wishes to implement the “Fair and Open” Process for the solicitation of professional services for the reassessment and/or revaluation of all property in the Borough of Island Heights; and

WHEREAS, the request for proposals with respect to such services shall be published at least 10 days prior to the receipt of such proposals;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby authorize the Acting Municipal Clerk to advertise for requests for proposals pursuant to the Fair and Open Process in accordance with the bid specifications set forth herein.

BE IT FURTHER RESOLVED that notice of this request for proposals shall be published once in the Asbury Park Press.

Public Comment - Bill Hummel of 18 Ocean Bend wanted to know if there were statistics available from the County that compares Island Heights’ tax rate to other municipalities. He believes that they should publish something with the comparison. He was told by several Council members that it would be hard to quantify those statistics.

Roll Call

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

6. BILL LIST

Public Comment

Roll Call

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

7. PURCHASE ORDERS

A. Approving the Following Purchase Order:

Vendor: Bayside of Island Heights
 Item: 2003 GMC Manifold
 Amount: \$1,245.49

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

8. ITEM FOR DISCUSSION

A. Letter from Ocean County Mosquito Extermination Commission



Ocean County Mosquito Extermination Commission
 784 WEST BAY AVENUE - POST OFFICE BOX 327
 BARNEGAT, NEW JERSEY 08005

TELEPHONE: 609 698-6271
 FAX: 609 698-2331



MICHAEL ROMANOWSKI
 SUPERINTENDENT

BOARD OF COMMISSIONERS

DAVID E. EKELMANN, PRESIDENT
 MICHAEL H. MATHIS, TREASURER
 JOHN P. KELLY, FREEHOLDER-MEMBER
 RAYMOND GORMLEY, MEMBER
 RILEY APPELGATE, MEMBER
 BRENDAN WEINER, MEMBER
 RALPH LANUTO, MEMBER

February 7, 2017

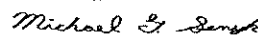
Dear Office Manager,

Now that the mosquito season has drawn to a close, we would like to thank you for your cooperation in our light trap surveillance program. Due to your continued cooperation, we are able to maintain accurate, valid and consistent surveillance of mosquito populations in your vicinity.

For every year that passes, there is an increasing importance in the data that has been collected from your trap. Your trap is one of twenty-eight (28) strategically situated throughout Ocean County. They are part of a complete surveillance program utilized by our inspectors and biologists in determining adult mosquito populations and their movements. This sampling technique, along with landing rate counts and inspectors reports, enable us to determine the severity of the mosquito infestation throughout the season. It also allows us to evaluate the effectiveness of the mosquito control program from season to season.

For your personal information, we have included a seasonal summary of the data gathered over the 2016 season. A key has been included so you may compare the results of your trap with the other traps throughout Ocean County. Your specific trap has been highlighted.

Thank you again for your assistance. We hope that we can count on your continued cooperation in the coming season.

Sincerely,

 Michael Senyk
 Assistant Superintendent

YEAR: 2010
 OCEAN COUNTY MOSQUITO COMMISSION - LIGHT TRAP SUMMARY
 MAY-SEPTEMBER MOSQUITO SPECIES AND NUMBER COLLECTED

DATE	Ae. cana	Ae. cant.	Ae. vex.	Ae. sol.	Ae. ten.	Ae. tr.	Ae. trv.	Ae. jpp.	Ae. ppp.	Ox. sal.	Ox. rest.	Ck. terr.	An. puno.	An. quad.	An. brd.	Cs. mel.	Cs. inor.	Qp. part.	Ps. col.	Ps. cil.	Ps. for.	Ur. sapp.	Cr. sign.	An. nio.	An. ebor.	An. silant.	Ae. alb.	Ae. dors.	Ae. green.	Ae. infir.	Ae. silt.	Ae. sirt.	Ox. pecc.	Ox. trawl.	Ox. minn.	Ox. more.	Ps. howard.	TOTAL	Mean Op.						
5-1	4	5	4	10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			
5-2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
5-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-11	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-12	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-14	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-15	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-17	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-18	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-20	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-23	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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5-25	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-26	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-27	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-28	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-29	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5-30	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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TOTAL	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31

9. COUNCIL REPORTS

Councilmember Asay thanked the Police Department for covering for the School Crossing Guards who have been out due to illness.

Councilmember Asay reported that the Police have been working on reports of speeding school buses throughout the borough. None have been caught but he assures the school buses are being monitored closely and are not speeding through town. They may seem like they are speeding because of their size and loudness, but they are not.

Councilmember Asay also reported that an Office of Emergency Management (OEM) meeting was held on February 15th. There will be a nuclear exercise conducted on September 26th.

He also met with the Emergency Management Director and the Captain of the First Aid Squad. They are trying to work on the First Aid's response issue. The squad is down to 9 active members. They have difficulty getting a crew together during the day and sometimes at all times during the week. They have 2 new EMT's that are in training and only have 2 active members who live in the borough. They are desperately in need of new members. They are willing to take junior members who are still in High School. They will pair the junior member up with an active EMT and start them on in-service training. They are willing to accommodate schedules and try to get new

members. The initial training is 200 hours spread over a number of weeks. Each of the active members must have 48 hours of in-service training every year. They are also willing to train drivers who will only drive the ambulance. Drivers would only need first aid and CPR training. Driver training can be done in a day to be certified to drive the ambulance.

THE FIRST AID SQUAD NEEDS MEMBERS DESPERATELY. PLEASE CONSIDER VOLUNTEERING!

Councilmember Asay was privileged to be invited and attended the Fire Company Officer Installation Dinner the last weekend in February. The Fire Company announced their 1928 Ahrens-Fox Pumper, which is still operational, was voted "Best Looking Fire Truck in Ocean County." 50 fire trucks were submitted and 8,000 votes were cast online.

The Fire Company honored two members for 60 years of service: Al Gabriel and Tim Cagney. Councilmember Asay wanted to make sure the Council recognized their 60 years of service and congratulated them.

Councilmember Bendel has no report.

Council President Berglund reported that the Island Heights Cultural and Heritage Association will be sponsoring their Annual Wine Tasting Fundraiser Dinner to benefit the Cottage Museum, on Thursday, April 20, 2017 from 7 to 9 at Caffe' Italia, Toms River, NJ. The cost is \$55 per person. If you are interested in participating, contact Kenneta Tomaso at 732-929-2815.

Council President Berglund reported that Maser Engineering has not given a recent status update on the sewer station damages that took place during Superstorm Sandy and the review that has taken place on potential fines for the Borough should we not show progress towards the resolution. In an effort to address the issues, the Department of Public Works has tried to standardize the sewer lift pumps in the lift stations. The pump itself is going to be uniform. They put a restriction in the outlet of the pipe so the head is adjusted through the orifice, but the pumping mechanism will be interchangeable from lift station to lift station. Now, we can also have a much smaller generator that will be of a more reasonable price and comply with the DEP requirements.

Tree trimming is going on in the borough. One person refused to let the utility tree trimmers on the property. Council President Berglund said that the utility has the right to clear the lines and he is not sure if the utility company will take any action against the property owner.

Councilmember Wudzki reported that she spoke to Tim from Vollers regarding the water and sewer utility work on Jaynes Avenue. All the residents received letters from Vollers about the construction. The plan is to do piece by piece work and there will not be too much interruption by way of detours, etc.

Councilmember Wudzki reached out to the school district who informed her they are aware of the construction. Luckily there are no bus stops on Jaynes Avenue.

The School is having their STEAM Fair, which is a new program this year, instead of their traditional science fair. They have outside resources coming in such as Cattus Island and the Barnegat Bay Partnership. The event will be open to the public. They will have experiments in the classrooms with hands-on, interactive, experiences. It will be a great event at the school on Thursday, April 6th, from 5 to 7 p.m.

Councilmember Snow reported that the loud sound coming off the water that sounds like a motor boat is, in fact, a construction crew dismantling the last of the ship-to-shore radio system on Good Luck Point. An unidentified member of the audience reported that he asked what the noise was and was told that it is the machine that must dig out the entire pole from the foundation. The poles cannot be cut, they must be removed in their entirety.

Councilmember Snow reported that they have received back all of the IT surveys. All employees have been covered and they now have a better idea how employees in the town use the website and computer software. We are now ready to move ahead and make the decision on the website which will be a completely new platform.

Councilmember Snow and Council President Berglund met with the Black Mountains at the Camp Methodist Meeting Ground and are still hashing out details. Work is progressing. They have a timeline and list of what they hope to achieve, what is being donated, and what grants they are working on. They continue to move forward.

Mayor Silver reported that the Eagle Scout project of the reconstruction of the bulletin board outside the Post Office was stalled last year. However, the young man who was going to do the project has now reached out to him and has expressed his desire to continue with the project. The Mayor will keep everyone informed of the progress.

10. LARRY MORGAN OF TILSON TECHNOLOGY APPEARING REGARDING RIGHT-OF-WAY REQUEST.

Larry Morgan of Tilson Technology, a hired contractor by Verizon Wireless, appeared to answer questions by the Council regarding granting right-of-way authorization to place nodes on existing utility poles in the town in an effort to enhance signal strength in Island Heights.

Mr. Morgan said that Verizon would install 1 to 15 nodes, often times they install less than 5 nodes, in communities the size of Island Heights. These nodes are installed more for enhancing data and not for voice usage. Phones are being used more for data now, than for voice. Phones are being used for emailing, texting, Facebook, taking pictures and Pokémon Go and it all soaks up the signal that is out there. Verizon Wireless has developed small cell technology that zeroes in on specific areas where signals are weak or non-existent or in areas where they expect the signal to become weak or non-existent in the future. Landlines are shrinking and the use of cell phones are growing exponentially.

Verizon identifies the areas where the signal is weak and installs a 24 to 27 inch circular antenna on the top of the utility pole. They also install a 50 to 55 inch tall radio cabinet about 15 feet up off the ground on to the pole which operates the antenna. This enhances the signal strength and increases the capacity of the signal. It doesn't increase the coverage, which is what the cell towers

do. This enhances the signal in areas where it is weak. If there are many people using their cell phones at the same time for data in that particular area the signal will become weak. It is called "signal exhaust." It prevents others from using their phones. This technology is used for that.

Attachment agreements have been reached between Verizon Wireless and all utility companies in the State of New Jersey. This allows Verizon Wireless to attach this equipment. Verizon Wireless is asking the Borough of Island Heights for permission to be in the borough's right-of-way, to access the utility poles that they are going to focus on, which are located in the borough's rights-of-way.

Mayor Silver said he would like Mr. Morgan to provide a map of where these utility poles will be. Mr. Morgan said he can't do that because he needs the authorization to be in the area to zero in on the poles that will be utilized. Mayor Silver said that this has nothing to do with installation of the product; Mr. Morgan has to do a survey and come up with locations throughout the town to find out where this enhanced cellular device would have to be installed. Mr. Morgan said that it is called "due diligence." Mr. Morgan said that it could very well be that there is no need for any of these installations in Island Heights. They may find the signal strength is fine for now and may be revisited in a year or two. If they do zero in on a pole, they must evaluate what is on the pole and if the structural integrity of the pole will pass the grade to add the equipment to it.

Verizon is being proactive and asking for permission to be in the borough's rights-of-way. They are not trying to circumvent the borough's processes. If they locate poles, they will submit on a case by case basis specific drawings and schematics for each location to the borough's approval process. If there are any red flags, they will be addressed. Verizon Wireless will pay for permits and traffic control. In a worse-case scenario, each installation will take 6 hours.

Council President Berglund asked where the power is drawn from. Mr. Morgan said that it comes from the power on the utility pole. Council President Berglund said he asked the Building Official about the permits needed for the nodes. The Building Official told him that unless they are putting in meters and are actually tying-in to electrical service, he probably would not be involved. Mr. Morgan said they would have to attach a separate meter to the pole. Mayor Silver said they would have to obtain the electrical permits through Beachwood. Council President Berglund said that if they are installing meters, they must go through the building and electrical departments for permits. Mr. Morgan agreed.

Mayor Silver said that Verizon Wireless needs the Council's approval to come in and survey the borough and see if nodes are required. Mr. Morgan said that there are areas that just don't get signals. He used the Boston Marathon bombing as an example. No one could use their phones because everyone was using their phones. This helps prevent that from happening. It insures a constant, steady, strong, signal at all times.

Unidentified members of the audience asked what the nodes would look like. Mayor Silver told them it resembled a transformer but it would be placed at the top of the pole. Council President Berglund said to think of it as the shape of a transformer but only the size of the pole in diameter.

Councilmember Bendel moved the original resolution granting Verizon Wireless right-of-way access to the borough's utility poles. Council President Berglund seconded the motion. All present members of the governing body voted unanimously in favor of the motion.

Mayor Silver told Mr. Morgan that his workers should wear ID and reflective vests while doing work in the town. Mr. Morgan said they would.

Mr. Morgan asked the Acting Clerk to email him the authorizing resolution. She said she would.

11. PRIVILEGE OF THE FLOOR

Bill Hummel, 18 Ocean Bend, asked if anyone talked to the Council about converting one of the tennis courts to a pickleball court. Mayor Silver said it was approved but there was an issue with the striping. Councilmember Snow said the issue was that the measurements of the court for pickleball were smaller than the tennis court. There is also a crack in the court that is a problem. Mayor Silver said that he wanted to get the crack filled. He said that Jill Burt came up with a schematic for the layout of the lines and it got put on hold because of the crack in the court. Mr. Hummel asked if the borough could move forward with the plans. Mayor Silver said that he could make arrangements to have the crack filled in and work on the layout for one side of the court. The Mayor said he would try to get it done for spring time.

Betsy Hyle, 266 Summit Avenue, asked about bringing back the trash cans at the pet waste stations. People are not picking up after their dogs and leaving a mess. Mayor Silver said that the borough received money from a recycling tonnage grant and he will use that to buy trash containers. Hopefully they will be here before spring.

Lisa DeFeo, 176 Lake Avenue, asked if there was any further information about the pay stations along the boardwalk. Mayor Silver said that data is being collected and a study is being done on the amount of cars parking there during the week and on weekends. Right now it is just discussion and collecting data to see what kind of revenue it could possible generate.

12. EXECUTIVE SESSION FOR CONTRACT DISCUSSION

Resolution 2017-43 was not used. There was no Executive Session meeting.

13. ADJOURNMENT - 8:10 p.m.

First: Bendel

Second: Berglund

All In Favor

Respectfully Submitted By:

Katherine Fenton-Newman
Acting Municipal Clerk

**BOROUGH OF ISLAND HEIGHTS
SPECIAL MEETING MINUTES
June 28, 2017
1:02 P.M.**

The Special Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver. Mayor Silver read the following notice: 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 was transmitted to the Asbury Park Press on June 21, 2017 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

Mayor Silver announced that former Island Heights Police Officer Mike Koehler’s son, Owen has passed away. The Mayor expressed condolences to Officer Koehler and his wife.

1. ROLL CALL

Councilmember Asay	Councilmember Snow
Councilmember Bendel	Councilmember Thompson
Council President Berglund	Councilmember Wudzki
Mayor Silver	Attorney O’Connell

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O’Connell
Present	X	X	X	X	X	X	X	X
Absent								

Also present were: Chief Financial Officer, Margaret Gorman and Police Lt. Kevin Arnold

2. PUBLIC COMMENT - NO MEMBERS OF THE PUBLIC WERE PRESENT

3. ORDINANCE

Ordinance 2017-02 - Calendar Year 2017 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

**ORDINANCE 2017-2
CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of _Borough of Island Heights in the County of Ocean finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$65,105.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Island Heights, in the County of Ocean a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Island Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$65,105.21, and that the CY 2017 municipal budget for the Borough of Island Heights be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced by the Borough Council, Borough of Island Heights at a meeting held on **June 28, 2017**. Notice is hereby given that the Ordinance will be considered for final adoption and passage at a meeting to be held by the Mayor and Council on **August 8, 2017** at 7:00 pm, at One Wanamaker Complex, Island Heights, NJ.

Chief Financial Officer Gorman explained that this is a standard ordinance in order to make a cost of living adjustment to the CAP base. This allows the Borough to keep the money in its CAP bank. If the ordinance isn't adopted the Borough would lose \$65,105.21 for this year.

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

		Thompson	X			
	X	Wudzki	X			
		Mayor Silver	X			

4. INTRODUCTION OF THE 2017 BUDGET (Read by Title Only)

Chief Financial Officer Gorman explained that the budget is introduced by title only because this allows the ordinance to be introduced and published with a public hearing date. At the public hearing the Council will entertain comments from the general public.

Councilmember Asay thanked the Mayor and CFO Gorman for the budget process this year. He also thanked CFO Gorman for the hours spent going over the budget with Councilmember Thompson and him. He again thanked CFO Gorman for the budget process, and although it wasn't as early as we would have liked, there still was a process which gets us where we want to be today. He said he would like to see the budget amended a little, but there is a budget process which the town expects and needs.

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

5. EXECUTIVE SESSION FOR CONTRACT AND LITIGATION MATTERS

Resolution 2017-115 was not used.

6. RESOLUTIONS

Resolution 2017-116 Amending the Temporary Budget

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN PROVIDING FOR AMMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2017 MUNICIPAL BUDGET.

WHEREAS, an emergent condition has arisen with respect to increase in temporary appropriations and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and

WHEREAS, N.J.S.40A: 4-20 provides for the creation of a temporary emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1051 (N.J.S. 40A: 4-20) including this resolution total \$1,612,439.78 Current Fund and \$976,132.11 Water & Sewer Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Island Heights (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J. S 40A: 4-20:

1. Emergency temporary appropriations be and the same are hereby made in accordance with the attached list
2. That said emergency temporary appropriation will be provided for in the 2017 Municipal Budget.

Chief Financial Officer Gorman explained that this amendment is needed to pay the Borough's bills.

Public Comment - None

Roll Call

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

Resolution 2017-117 Lt. Kevin Arnold Contract

Resolution 2017-117 was removed from the agenda by Mayor Silver.

7. BILL LIST

Public Comment - None

Roll Call

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

8. PRIVILEGE OF THE FLOOR

Councilmember Asay said he received an email from Nancy Wolfe at the Board of Public Utilities, Cable Television Unit, saying that the Borough had been placed on the agenda for their meeting on Friday in order to approve the Borough's Ordinance and Agreement with Comcast. He appreciates Ms. Wolfe putting us at "the top of the stack."

Councilmember Asay also reported that the State Assembly and Senate passed A4587 and is on the Governor's desk awaiting action. This would allow municipalities to impose an occupancy tax of up to 6% on what they call "transient lodging" which refers to Airbnb, as we have discussed before. If the Governor signs it and the Borough would adopt such a tax under this State law, Airbnb has agreed to collect the taxes for municipalities and simply send it to us.

9. ADJOURNMENT at 1:10 p.m.

FIRST: BENDEL SECOND: BERGLUND ALL IN FAVOR

Respectfully Submitted by:

**Katherine Fenton-Newman, RMC, CMR
Municipal Clerk**