

Mayor and Council Newsletter

Borough of Island Heights
One Wanamaker Municipal Complex
Post Office Box 797
Island Heights, New Jersey 08732-0797
(732) 270-6415
www.islandheightsborough.gov



Official Council Meeting Minutes

June 15, 2021

MAYOR DOYLE read the following:

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

MAYOR DOYLE led all in the:

PLEDGE TO THE FLAG OF THE UNITED STATES OF AMERICA

MAYOR DOYLE requested the:

ROLL CALL OF THE MAYOR AND COUNCIL:

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

MAYOR DOYLE introduced the:

ORDINANCES:

Ordinance 2021-06 – Capital Projects – Public Hearing – Proposed Adoption

The Public Hearing on Proposed Ordinance 2021-06 is now open, persons who wish to comment on the Proposed Ordinance, please ask to be recognized and state your name for the record:

Public Comments: None

Mayor Doyle entertained a:

Motion to Close the Public Hearing:

Motion: Mr. Weber
Second: Ms. Pendleton

Voice Vote: In Favor: Unanimous Opposed_____

Mayor Doyle entertained a:

Motion to Adopt Proposed Ordinance 2021-06 as Introduced:

Motion: Ms. Thompson
Second: Mr. Baxter

Voting Record:

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

ORDINANCE 2021-06

ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, CAPITAL ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF ISLAND HEIGHTS AND APPROPRIATING \$235,000 FROM THE CAPITAL IMPROVEMENT FUND THEREFOR

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1.

The improvements described in Section 2 of this ordinance are hereby authorized to be undertaken by the Borough of Island Heights, County of Ocean, State of New Jersey (the "Borough"), as general capital improvements. For the improvements or purposes described in Section 2, there is hereby appropriated the sum of \$235,000 as required by the Local Bond Law. The total sum is now available by virtue of surplus funds available within the Capital Improvement Fund.

SECTION 2.

The Borough hereby authorizes the appropriation of \$235,000 from the Capital Improvement Fund for the following various capital improvements, in the following amounts, including all materials and work necessary or incidental thereto and further including all related costs and expenditures incidental thereto:

- | | |
|---|--------------|
| (a) Purchase of Mason Dump Truck | \$80,000; |
| (b) Erosion Repair at Long Point | \$65,000; |
| (c) Construction of Tennis/Pickle Ball Courts | \$80,000; |
| (d) Repair Portions of Boardwalk | \$10,000.00. |

SECTION 3.

The improvements described in Section 2 of this ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

SECTION 4.

Any grant moneys received for the purposes described in Section 2 hereof shall be applied to the direct payment of the cost of the improvements.

SECTION 5.

The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget will be filed with the Division of Local Government Services.

SECTION 6.

This ordinance shall take effect immediately upon final adoption and publication as required by law.

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

Sean Asay
Borough Clerk

FIRST READING: April 27, 2021

PUBLICATION: May 2, 2021

FINAL READING: June 15, 2021

PUBLICATION WITH STATEMENT: June ____, 2021

Ordinance 2021-07 – Amending and Supplementing Borough Code Chapter 7 - Traffic – Public Hearing and Proposed Adoption

The Public Hearing on Proposed Ordinance 2021-07 is now open, persons wishing to comment on this Proposed Ordinance should ask to be recognized and state your name for the record.

Public Comments: Lynda Grinfelds – What Ordinance sections are being revised?

Mayor Doyle – This Proposed Ordinance would amend and supplement certain sections of Chapter 7 of the Borough Code

Mayor Doyle entertained a:

Motion to Close the Public Hearing:

Motion: Mr. Fumo
Second: Ms. Pendleton

Voice Vote In Favor: Unanimous Opposed_____

Mayor Doyle entertained a:

Motion to Adopt Proposed Ordinance 2021-07 as Introduced:

Motion: Ms. Thompson
Second: Mr. Fumo

Voting Record:

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

ORDINANCE 2021-07

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 7 - TRAFFIC

(Items underlined are New Language)

(Items in Bracket [] are Thus Deleted)

§ 7-3.3 Parking Prohibited at All Times, on Certain Streets.

Name of Street	Side(s)	Location
<u>River Ave</u>	<u>East</u>	<u>From the Northeast Corner at the Intersection with Ocean Avenue To the Southerly Corner of the Property Line of Block 1 – Lot 1.03 (28 River Avenue)</u>

§ 7-3.4 Parking Prohibited During Certain Hours on Certain Streets.

a. No person shall park [, stop, idle, or permit to park, stop or idle] any motor vehicle (including motorcycles), nor shall any vehicle be parked, stopped, or idled, between the hours specified below on any day [, except Sundays and public holidays, upon any of the following described streets or parts of streets].

Name of Street	Side	Hours	Location
Lake Drive	Any	10:00 PM Through 6:00 AM	Parking Area the Termination of Lake Drive (Boy Scout Island)

Name of Street	Side	Hours	Location
Ocean Avenue	South	10:00 PM Through 6:00 AM	East End (Long Point Beach Angle Parking Spaces)

Summit Avenue	Any	10:00 PM Through 6:00 AM	East End (Wanamaker Beach Parking Area)
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§ 7-5 ONE-WAY STREETS.

Name of Street	Direction	Limits
Simpson Avenue [8:00 AM to 4:00 PM]	North	From Summit Avenue to Lake Avenue

§ 7-11 SPEED LIMITS.

Name of Street	Speed Limit	Location
West End Avenue	25	[River Avenue to Summit Avenue]

From the Southerly Intersection
With River Avenue to the
Northerly Intersection with River
Avenue

West End Avenue

[County – Summit Avenue to Route
37]

County Street – From the Northerly
Intersection with River Avenue to
The Intersection with State Highway
37

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading by the Mayor and Council of the Borough of Island Heights on April 27, 2021 and will be further considered for final passage and adoption at **Borough Hall**, Island Heights, New Jersey 08732 on June 15, 2021 at **7:00 P.M.**, or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Borough of Island Heights to the members of the general public who shall request same.

FIRST READING: April 27, 2021

PUBLICATION: May 2, 2021

FINAL READING: June 15, 2021

PUBLICATION WITH STATEMENT: June ____, 2021

SEAN ASAY
Borough Clerk

Ordinance 2021-08 – Amending and Supplementing Chapter 32 of the Code of the Borough to Prohibit the Operation of any Cannabis Business within the Borough – Introduction and First Reading

Motion to Waive Reading and Approved the Proposed Ordinance as Introduced

Motion: Ms. Thompson
 Second: Ms. Pendleton

Voting Record:

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

ORDINANCE 2021-08

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING AND SUPPLEMENTING CHAPTER 32 OF THE CODE OF THE BOROUGH OF ISLAND HEIGHTS ENTITLED “ZONING”

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;

- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Mayor and Council of the Borough of Island Heights has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Island Heights in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Borough of Island Heights’ residents and members of the public

who visit, travel, or conduct business in the Borough of Island Heights, to amend the Borough of Island Heights' zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough of Island Heights; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Island Heights, except for the delivery of cannabis items and related supplies by a delivery service.
2. Section 32-7 entitled "Prohibited Uses" of the Borough of Island Heights Code is hereby amended by adding to the list of prohibited uses, so as Section 32-7 shall be amended and shall read as follows: "All uses not expressly included in the ordinances are prohibited. Adult book stores as defined in N.J.S.A. 2C:34-3A are expressly excluded in all zones within the Borough. All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service shall be prohibited."
3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Island Heights Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
5. This ordinance shall take effect upon its passage and publication and filing with the Ocean County Planning Board, and as otherwise provided for by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and approved on first reading at the regular meeting of the Mayor and Council of the Borough of Island Heights, in the County of Ocean, held on the 15th day of June, 2021 and will be considered for second reading and final passage at the regular meeting of said Borough Council to be held on the 17th day of August, 2021 at 7:00 p.m. at the Borough Hall located at 1 East End Avenue, Island Heights, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Sean Asay
Borough Clerk

Ordinance 2021-09 – Amending and Supplementing Borough Code Chapter 4, Section 4-14.1 of the Borough Code Entitled “Prohibited Conduct” – Introduction and First Reading

Motion to Waive Reading and Approved the Proposed Ordinance as Introduced:

Motion: Ms. Pendleton
Second: Mr. Weber

Voting Record:

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

ORDINANCE 2021-09

**AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING
AND SUPPLEMENTING CHAPTER 4 SECTION 4-14.1 OF
THE CODE OF THE BOROUGH OF ISLAND HEIGHTS,
ENTITLED “PROHIBITED CONDUCT”**

WHEREAS, in 2020's general election, New Jersey voters approved a ballot measure supporting the legalization of recreational marijuana for persons at least 21 years of age; and

WHEREAS, the issue of recreational marijuana has been a prevalent topic in the New Jersey legislature since the election of Governor Phillip D. Murphy in 2017; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (CREAMM Act), which concerns the development, regulation, and enforcement of a recreational cannabis marketplace for persons 21 years of age or older; and

WHEREAS, the Act already provides that the fines or civil penalties that may be assessed for the smoking of tobacco in designated places under N.J.S.A. 26:3D-55, et seq., known and cited as the "New Jersey Smoke-Free Air Act," shall be applicable to the smoking, vaping, or aerosolizing of cannabis items; and

WHEREAS, the Smoke-Free Air Act allows a municipality to enact an ordinance preventing an individual from smoking or carrying lighted tobacco in any public place, including, but not limited to, places of public accommodation; and

WHEREAS, municipalities are given the discretion to enact an ordinance making it unlawful for any person who is of legal age to consume a cannabis item in a manner not from smoking, vaping, or aerosolizing in a public place, as well; and

WHEREAS, pursuant to N.J.S.A. 40:48-1 et seq., the governing body of every municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this state or the United States, as it may deem necessary and proper for the good government, order and protections of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by law; and

WHEREAS, the Borough of Island Heights is a body politic and corporate in law pursuant to N.J.S.A. 40A:60-1 et seq.; and

WHEREAS, the Legislature of the State of New Jersey in N.J.S.A. 40:48-2, provides that the governing body of a municipality may make, amend, repeal, and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by any law; and said Legislature in the New Jersey Smoke-Free Air Act, provides for prohibitions regarding smoking, and therein, by N.J.S.A. 26:3D-63, expressly authorizes municipalities to enact ordinances under the authority of N.J.S.A. 40:48-1 or 40:48-2, or by any other statute or regulation adopted pursuant to law for the purposes of protecting life and property from fire or protecting public health, and prohibiting smoking, and further, expressly authorizes municipal ordinances to provide restrictions on or prohibitions against smoking equivalent to, or greater than those provided under the New Jersey Smoke-Free Air Act; and

WHEREAS, the Legislature of the State of New Jersey in N.J.S.A. 2C:33-13b, provides that the owner and/or operator of a public place, such as public parks and recreational areas, may prohibit smoking on such property.

WHEREAS, the Mayor and Council of the Borough of Island Heights is concerned by the potential health problems posed by the use of tobacco and any other matter that can be smoked,

including smoke or vapor from an electronic smoking device, and therefore believes the banning of the use such products within the Borough of Island Heights will address these concerns, and is necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by law.

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

SECTION I.

- A. The Borough Code of Island Heights, Chapter 4 is hereby amended and supplemented under § 4-14.1 titled “Prohibited Conduct,” such that Section 4-14.1(j) shall read as follows:

Smoking is hereby Prohibited within any Public Place or any Borough Building or portion of any Borough Building owned or leased by the Borough of Island Heights, Ocean County, New Jersey.

As used in this article, the following terms shall have the meanings indicated:

CANNABIS ITEM – Any item available for lawful consumption pursuant to the NJ Cannabis regulatory enforcement assistance and marketplace modernization act.

PUBLIC PLACE - Any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol consumption is not allowed, including, but not limited to, a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, playground, recreation area, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure, or area, and shall include, but not be limited to, the public outdoor locations enumerated in Borough Code Chapter 19, Section 19-2.1.

SMOKING – The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, including any handheld electronic device which vaporizes a liquid (e.g., e-cigarettes, e-cigs, electronic nicotine delivery systems, electronic non-nicotine delivery systems, personal vaporizers, PVs), or any other matter or substance which contains tobacco, marijuana, cannabis, cannabis item or any other matter that can be smoked.

SECTION II.

All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

SECTION III.

In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION IV.

This Ordinance shall take effect immediately upon its final passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and approved on first reading at the regular meeting of the Borough Council of the Borough of Island Heights, in the County of Ocean, held on the 15th day of June, 2021 and will be considered for second reading and final passage at the regular meeting of said Borough Council to be held on the 13th day of July, 2021 at 7:00 p.m. at the Borough Hall located at 1 East End Avenue, Island Heights, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

FIRST READING:	June 15, 2021
PUBLICATION:	June ____, 2021
FINAL READING:	July 13, 2021
PUBLICATION WITH STATEMENT:	July ____, 2021

Sean Asay
Borough Clerk

MAYOR DOYLE introduced the:

APPROVAL OF PRIOR MEETING MINUTES

Resolution 2021-103	Approving the Proposed Minutes for the Regular Meeting (Closed and Public Sessions) Conducted on May 11, 2021
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Motion: Ms. Pendleton
Second: Mr. Weber

Comments/Discussion: None

Voting Record:

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

MAYOR DOYLE introduced the:

RESOLUTIONS on the CONSENT AGENDA

Resolution 2021-104 Approving the Use of the Memorial Field Soccer Fields by Amy Loki (Soccer Shots) on Wednesdays between the Hours of 4:45 PM and 7:30 PM (July 7 to August 18) and Sundays between the Hours of 8:45 AM and 11:30 AM (July 11 to August 22)

Motion: Mr. Fumo
Second: Mr. Baxter

Resolution 2021-105 Approving the Final List of Participants in the Community Garden for Calendar Year 2021

Motion: Ms. Pendleton
Second: Mr. Fumo

Resolution 2021-106 Authorizing the Island Heights Farmers Market to be Held at the Wanamaker Complex on Tuesdays between the Hours of 2 PM and 6 PM (June 22 to September 28)

Motion: Ms. Thompson
Second: Mr. Weber

Resolution 2021-107 Approving the Use of the Central Avenue Pavilion by Joy Elmore for a Wedding Ceremony on September 18, 2021 Between the Hours of 11 AM and 12 Noon

Motion: Mr. Weber
Second: Ms. Pendleton

Resolution 2021-108 Approving the Awarding of a Contract for the 2020 CDBG Sidewalk and Ramp Improvement Project to Earle Asphalt of Farmingdale, New Jersey in an Amount Not to Exceed \$25,412.13

Motion: Mr. Fumo
Second: Mr. Weber

- Resolution 2021-109 Approving the Appointment of Sean Asay as Acting Municipal Clerk Effective on July 1, 2021 for a Period of One Year at an Hourly Rate of \$20.00
- Motion: Ms. Pendleton
Second: Ms. Thompson
- Resolution 2021-110 Approving the Use and Closure of Sections of River Avenue and Simpson Avenue for the 2021 Island Heights Yacht Club Junior Olympics Sailing Championship – July 18th thru July 20, 2021
- Motion: Mr. Gabriel
Second: Mr. Baxter
- Resolution 2021-111 Authorizing a Tax Lien Redemption on Block 38.01 - Lot 13 - 213 Summit Avenue in an Amount Totaling \$41,825.47 Payable to C&E Tax Lien Fund 1 of Philadelphia, Pennsylvania
- Motion: Ms. Thompson
Second: Mr. Fumo
- Resolution 2021-112 Authorizing a Tax Lien Redemption on Block 38.02 – Lot 13.01 - 171 Lake Avenue in an Amount Totaling \$13,717.05 Payable to Trystone Capital Assets of Brick New Jersey
- Motion: Ms. Thompson
Second: Mr. Weber
- Resolution 2021-113 Authorizing the Sale of Certain Borough Property namely a 2003 GMC Truck Model C4500 – Vehicle Identification Number 1GDC4E1173F513734
- Motion: Mr. Weber
Second: Mr. Baxter
- Resolution 2021-114 Authorizing the Use of the Island Heights Pickleball Court by Dominique D’Amico-Violante (PBA Local 352) for a Pickleball Tournament on July 10, 2021 between the Hours of 9 AM and 5 PM
- Motion: Mr. Fumo
Second: Ms. Thompson

Resolution 2021-115 Approving the Insertion of a Special Item of Revenue (Clean Communities Grant Totaling \$4,540.33) into the 2021 Municipal Budget in Keeping with N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Motion: Ms. Thompson
Second: Mr. Weber

Resolution 2021-116 Approving the Insertion of a Special Item of Revenue (Body Worn Camera Grant Totaling \$20,380) into the 2021 Municipal Budget in Keeping with N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Motion: Mr. Baxter
Second: Mr. Fumo

Resolution 2021-117 Approving the Use of the Wanamaker Complex Field and Parking Lot by the Island Heights Elementary School for a Graduation Ceremony on June 17, 2021 between the Hours of 5 PM and 10 PM

Motion: Mr. Weber
Second: Ms. Pendleton

Resolution 2021-118 Approving the Proposal from the Borough Engineer to Provide Advertisement and Bidding Related Services for a Proposed Wireless Communication Lease on the Borough Water Tower in an Amount Not to Exceed \$2,430.00

Motion: Ms. Thompson
Second: Mr. Fumo

Resolution 2021-120 Approving the Following New Members of the Island Heights Volunteer Fire Company:

1. Robert Rizzolo
2. Christopher Maher
3. Robert Bender

Motion: Mr. Weber
Second: Ms. Pendleton

Comments/Discussion by Council Members of Items on the Consent Agenda:

None

Comments/Discussion from the Floor on Items on the Consent Agenda:

None

Mayor Doyle entertained a:

Motion for Adoption of all of the Resolutions on the Consent Agenda:

Motion: Ms. Pendleton
Second: Ms. Thompson

Voting Record:

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

Note: Mr. Baxter and Ms. Thompson abstained as to Resolution 2021-105
Mayor Doyle abstained as to Resolution 2021-110

MAYOR DOYLE introduced the:

BILL LIST AND PROCUREMENTS

Resolution 2021-119

Approving Payment of all of the Items on the Bill List Submitted by the Purchasing Agent and:

Payment to Earle Asphalt in the Amount of \$90,885.20

Motion: Ms. Thompson
Second: Mr. Fumo

Discussion/Comments: None

Voting Record:

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

DISCUSSION & PRIVILEGE OF THE FLOOR

Lynda Grinfelds – What are the names and positions of the people who work in the Borough Administration Office?

What topics am I allowed to ask about?

On what will we be spending the American Rescue Plan funds that the Borough will be receiving?

Why are we having a yard sale in June? How was the date selected? I think June is too hot for a yard sale.

Are we doing speed enforcement in the Borough?

People are speeding on West End Ave.; I can hear them through my windows which are 75 feet away.

Drivers are speeding down the hill on West End Ave.

Mayor Doyle – If you contact the Borough Clerk, he can provide the information to you that you are requesting.

James McGarry – I would like to get some more information on the sewer easement that is owned by the Toms River Municipal Utility Authority off of Garden Avenue. The Authority was on the easement recently and they cleaned out weeds and underbrush. The Authority put a chain across the access road and it is blocking access to my property.

Mayor Doyle – Please give your contact information to the Borough Clerk and I will work with you and the TRMUA to get the issue resolved.

Bethanne Cousins – Can we get more speed limit signs on Central Ave.? When are crabbing and fishing allowed? Is it all the time? Can we limit the hours for crabbing and fishing? For what activities in the Borough do you need a recreation badge?

How do I get an item on the Council Meeting agenda?

What will be sold at the Borough Farmers Market?

Do our police vehicles have traffic radar?

Mayor Doyle – The Borough Recreation Badge is for the use of our recreation facilities by persons ages 13 and over. Yes, our police vehicles have traffic radar.

Ms. Pendleton – Farm and fresh food and related products will be sold at the Farmers Market

Mr. Weber – Our traffic and speed enforcement in the Borough is returning to pre-pandemic levels but it will take time to get people to give up bad driving habits.

GOVERNING BODY REPORTS

Mr. Fumo – Our Elementary School year ends on June 18th. The Island Heights School Board will meet next on July 14th. The Elementary School will be having two “Sea Devil Summer Academy” sessions starting on July 6th, they are no cost, contact the school office for more information.

Check the Island Heights Library website for their reading programs which will be available for adults and children. They will also be having several sessions of “Storytime in the Park” around the Borough.

Mr. Weber – Our First Aid Squad has already answered 95 calls for service this year. Our Fire Company attended and participated in the 125th Anniversary Celebration for Toms River Fire Company #1. Two of our Police Officers are scheduled to attend line supervisor training. Officer Zappola completed crash investigation training. Our Police Officers will be equipped with body worn cameras by the end of 2021.

Ms. Thompson – For those interested in Borough history, you can now find 20 years of our Borough Newsletter on our website. We continue to ask all of our property owners to bring their water/sewer utility balances up to date. The no interest grace period will be ending on July 1st. If you need payment assistance or want help with a payment plan, please call the Borough Administration Office. Please help us to keep the storm drain intakes clear of leaves and other debris as heavy downpours of rain are common this type of year and can lead to street flooding and property damage.

Mr. Gabriel – Our Public Works staff are working to keep up with the landscaping needs on all of our Borough properties. Last week they replaced the lightning rod on top of the Central Ave. Pavilion. New beach sand was placed on Wanamaker Beach in keeping with the permit we obtained from the State.

Mr. Baxter – Summer Code Enforcement is operating seven days a week and 925 recreation badges have been sold to date. Routine issues are feeding of waterfowl and dogs on the boardwalk. Residents with noise complaints should contact the Police Department. Persons who have property maintenance complaints are requested to put them in writing by letter or email to our Code Enforcement Office. All property owners are asked to be conscientious about the maintenance of their property and to please obtain permits when removing trees or having work done on their property that is covered by the construction code.

Ms. Pendleton – Our Town Wide Yard Sale is on June 19th and we expect over sixty properties to participate between 8 AM and 3 PM. Our Farmers Market will start on June 29th between the hours of 2 PM and 6 PM. Please come out and support the market. Our Recreation Committee will be having a great summer program for our young people with different activities each Monday. Please contact the Borough Administration Office or check our website for all of the details and regular updates. We will be having several “Movie Nights” this summer with the first on June 30th at 8 PM. On June 20th the Cultural and Heritage Cottage will reopen for tours by the public, they can be reached at 732-929-2646.

The Peto Museum will be having a free benefit concert on June 18th at 7 PM, all are welcome.

Our Board of Health under Chair Joanne Moy is actively working on community health initiatives. Our COVID vaccination clinic was conducted on June 2nd and the second round will be on July 1st starting at 10 AM at Borough Hall.

We will be sponsoring a Blood Drive at our Elementary School on August 21st from 2 PM to 8 PM. Please pre-register to give blood.

Mayor Doyle – The Borough has applied for and received a number and County, State and Federal Grants. These grants help to fund Borough Operations and Capital Projects with no impact on our property taxes in the Borough. We have been granted or received:

Clean Communities Grant - \$4,500.00
Accreditation Grant (JIF) - \$20,000.00
Body Worn Camera Grant (AG) - \$22,000.00
American Rescue Plan - \$175,000.00

In addition the Borough sold our decommissioned dump truck for \$6,800.00 that will be applied to the cost of our new truck.

Over the past two years the County has completed over one million dollars of road and other improvements in the Borough and the Borough has received over \$500,000.00 in grants from the State Department of Transportation to fund road work in the Borough.

Most of the ARP will be received next year and will help to support our infrastructure needs.

Mayor Doyle entertained a Motion for:

ADJOURNMENT and the meeting was adjourned by unanimous consent at 8:05 PM.

Respectfully Submitted,

**Sean Asay
Borough Clerk**

PLEASE CALL TO CONFIRM MEETINGS

Items of Interest:

- ❑ The **Island Heights Environmental Committee** regularly scheduled meeting is Wednesday, July 21, 2021 at 7:00 PM held at the borough hall.
- ❑ The **Island Heights Board of Education** regularly scheduled meeting is Wednesday, August 11, 2021 at 6:15 PM at the Island Heights Grade School, 115 Summit Avenue, Island Heights.
- ❑ The **Island Heights Planning Board** regularly scheduled meeting is Thursday, August 12, 2021 at 7:00 PM held at the borough hall.
- ❑ The **Island Heights Mayor and Council** regularly scheduled meeting is Tuesday, August 17, 2021 at 7:00 PM held at the borough hall.
- ❑ The **Central Regional Board of Education** regularly scheduled meeting is Thursday, August 19, 2021 at 7:00 PM at the Board of Education building, Forest Hills Parkway, Bayville.
- ❑ **All municipal offices will be closed** on Monday, September 6, 2021 in observance of Labor Day.

AT THIS TIME PLEASE CALL TO CONFIRM OFFICE HOURS.

The **Municipal Clerk's Office, Tax Collector & Water/Sewer Office**, are open Monday – Friday 9:00 AM until 3:00 PM and Monday evening 6:00 PM until 8:00 PM; Fire Official, Construction and Municipal Court are open Monday evening 6:00 PM until 8:00 PM. The Tax Assessor is available by appointment only. Please call the borough hall at (732) 270-6415 for days and times of offices not listed above.

purchasingagent@islandheightsborough.gov

April D. Elley, Newsletter Editor (732) 270-6415