

# 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

March 28, 2023

## **MAYOR DOYLE CALLED THE MEETING TO ORDER AT 7:00 P.M. AND 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 November 19, 2022 and Notice was Also Posted on the Bulletin Board at the Municipal Building, on the Borough Television Channel and the Borough Website.

## **MAYOR DOYLE LED ALL IN THE:**

### **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

## **MAYOR DOYLE REQUESTED THE:**

### **ROLL CALL OF THE MAYOR AND COUNCIL AND BOROUGH PROFESSIONALS:**

Council Member Baxter	<u><b>Present</b></u>	Absent
Council Member Fumo	<u><b>Present</b></u>	Absent
Council Member Gabriel	Present	<u><b>Absent</b></u> (excused)
Council Member Pendleton	<u><b>Present</b></u>	Absent
Council Member Thompson	<u><b>Present</b></u>	Absent
Council Member Weber	<u><b>Present</b></u>	Absent
Mayor Doyle	<u><b>Present</b></u>	Absent
Borough Attorney Mr. Zabarsky	<u><b>Present</b></u>	Absent

**MAYOR DOYLE INTRODUCED:**

**ORDINANCE** – 2023-04 – First Reading – Proposed Introduction

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN KEEPING WITH N.J.S.A. 40A:4-45.14.

Mayor Doyle entertained a:

Motion to Waive Reading and Introduce Proposed Ordinance 2023-04 as Proposed:

Motion: Ms. Thompson  
Second: Ms. Pendleton

Voting Record:

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

**ORDINANCE 2023-04**

**AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN KEEPING WITH N.J.S.A. 40A:4-45.14**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.14 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to the cost of living adjustment declared by the State of New Jersey (2.5%) 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:4-45.15 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 the Borough of Island Heights finds it advisable and necessary to increase its CY 2023 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 determine that a 1.0% increase in the budget for said year, amounting to \$25,218.26 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, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 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 1.00%, amounting to \$25,218.26, and that the CY 2023 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.

**MAYOR DOYLE INTRODUCED:**

**ORDINANCE – 2023-05 – First Reading – Proposed Introduction**

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, HEREBY RESCINDING AND REPLACING CHAPTER 5 – SECTION 3 OF THE BOROUGH CODE ENTITLED “LEGALIZED GAMES OF CHANCE”

Mayor Doyle entertained a:

Motion to Waive Reading and Introduce Ordinance 2023-05 As Proposed:

Motion: Mr. Weber

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>	Yes/No	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>
Abs.	Abs.	<u>Abs.</u>	Abs.	Abs.	Abs.	Abs.

**ORDINANCE 2023-05**

**AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, HEREBY RESCINDING AND REPLACING CHAPTER 5 – SECTION 3 OF THE BOROUGH CODE ENTITLED “LEGALIZED GAMES OF CHANCE”**

5-3. LEGALIZED GAMES OF CHANCE

5-3.1 Introduction

This chapter is for the purpose of regulating all games of chance held, operated or conducted within the Borough, pursuant to N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq., and in accordance with the rules and regulations promulgated by the Legalized Games of Chance Control Commission in the Department of Law and Public Safety of the State of New Jersey. All applications, licenses and proceedings in connection therewith shall be subject to the provisions of such Acts and the rules and regulations and any laws, rules and regulations hereafter enacted and shall be further subject to the provisions of this chapter.

5-3.2 Issuing Authority

The Issuing Authority, as defined in N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq., responsible for approving bingo and raffle licenses shall be the Municipal (Borough) Clerk.

### 5-3.3 Conduct of Games on Sunday

Licensees authorized by law to conduct any games of chance, including raffles and bingo, shall be permitted to conduct the same on any day of the week, including Sundays as provided by N.J.S.A. 5:8-31 and N.J.S.A. 5:8-58.

### 5-3.4 License Application

### 5-3.5 Organizations Eligible for License

No license to conduct a game of chance as authorized by law shall be issued to any organization not having bona fide sites established in good faith within the State of New Jersey and actively engaged in serving one or more of the authorized purposes as defined by the rules and regulations of the Legalized Games of Chance Control Commission.

### 5-3.6 Suspension or Revocation of License

The governing body, pursuant to N.J.S.A. 5:8-30 and N.J.S.A. 5:8-57, may suspend or revoke any issued bingo or raffle license, after a hearing, for any violation of this chapter or state law. The governing body may suspend the operation of a licensed bingo or raffle pending a hearing, in which case a hearing must be held within five (5) days after such action. Notice of a hearing shall be served personally upon an officer of the licensee or the member in charge of the conduct of the bingo or raffle or sent by registered mail or certified mail to the licensee at the address shown on the license. All decisions and findings by the governing body regarding the suspension or revocation of a bingo or raffle license shall be in writing.

### 5-3.7 Licensing Fees

- A. All licensing fees due and payable to the Legalized Games of Chance Control Commission shall be collected by the Municipal (Borough) Clerk at the time that an application is submitted and shall be submitted by the applicant on an instrument (check or money order) made payable to the Legalized Games of Chance Control Commission.

- B. The licensing fee due and payable to the Borough shall be the same as the fee paid by the applicant to the Legalized Games of Chance Control Commission.
- C. The Borough licensing fee shall be waived for qualified organizations which are domiciled or have their primary place of business within the Borough.

**MAYOR DOYLE PRESENTED THE MUNICIPAL BUDGET INTRODUCTION AND ENTERTAINED MOTIONS ON EACH PROPOSED BUDGET RESOLUTION:**

Resolution 2023-46                      Approving the Introduction of the 2023 Municipal Budget as Proposed and Setting the Date of the Public Hearing as April 25, 2023 at 7:00 P.M. (By Title)

Motion: Mr. Weber  
Second: Ms. Thompson

Resolution 2023-47                      Approving the Reading of the Proposed 2023 Municipal Budget by Title Only Upon the Date of the Public Hearing On Said Proposed Budget on April 25, 2023

Motion: Ms. Thompson  
Second: Ms. Pendleton

Resolution 2023-48                      Certifying Compliance by the Borough with the United States Equal Opportunity Commissions Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964

Motion: Mr. Baxter  
Second: Ms. Thompson

Motion to Adopt Budget Resolutions 2023-46, 2023-47 and 2023-48:

Motion: Ms. Pendleton  
Second: Mr. Fumo

Council Member 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>	Yes/No	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>
Abs.	Abs.	<u>Abs.</u>	Abs.	Abs.	Abs.	Abs.

**APPROVAL OF PRIOR MEETING MINUTES**

Resolution 2023-49                      Approving the Proposed Minutes Regular Meeting of the Mayor and Council Conducted on March 14, 2023 (By Title)

Motion: Mr. Weber  
Second: Ms. Thompson

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>	Yes/No	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>	<u>Yes/No</u>
Abs.	Abs.	<u>Abs.</u>	Abs.	Abs.	Abs.	Abs.

**MAYOR DOYLE:**

**RESOLUTIONS – CONSENT AGENDA**

Resolution 2023-50                      Approving the Application of Kevin Madjeski – Adrenaline Sports Academy – for the Use of Memorial Field for Baseball Practice Sessions – Wednesday through Friday – March 15 to July 15, 2023 – Between the Hours of 5:00 P.M. and 7:00 P.M. (By Title)

Motion: Mr. Weber  
Second: Mr. Fumo

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

None

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

**John Pendleton** – Commented on the maintenance of the Memorial Field baseball diamond

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

Motion: Mr. Weber  
Second: Ms. Thompson

Voting Record:

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

**MAYOR DOYLE INTRODUCED THE:**

**BILL LIST AND PROCUREMENTS**

Resolution 2023-51

Approving Payment of all of the Items on the Bill List Submitted by the Purchasing Agent and the Invoice Submitted by Onsolve, LLC for Code Red (Reverse 911 Calling) Services for 2023 (By Title)

Motion: Ms. Pendleton  
Second: Mr. Weber

Discussion/Comments: None

Voting Record:

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

**MAYOR DOYLE INTRODUCED THE:**

**Council Member Reports**

**Mr. Baxter** – Reported that our Municipal Court continues with a smooth implementation of the e-ticket system and that collections have been improving in cases where fines are imposed.



**Mr. Fumo** – Our First Aid Squad will be having their annual Flower Sale starting the Thursday before Easter.

Our Fire Company is planning to be moved into their new facility by the end of this week. They are planning to have an open house for residents at a later date. They are preparing their fire boat for launch and gearing up for Summerbrew at Wanamaker on June 24<sup>th</sup>.

**Mr. Weber** – Our Elementary School will be issuing report cards on April 7<sup>th</sup>. They are preparing their kickball and tennis clubs for the spring.

Central Regional Schools have a new steering committee to deal with bullying issues and a smartphone app for students to use in finding crisis support resources.

Our librarian (Sally Harrison) retired and a new librarian will soon be implemented as the library system is working on a five year strategic plan to better serve patrons.

**Ms. Thompson** – Our Construction Office has processed permits totaling \$25,500.00 so far this year and our Code Enforcement Office has sold over 400 Recreation Badges, the badge price will increase to \$25.00 on May 1<sup>st</sup>.

**Ms. Pendleton** – Our DPW repaired a sewer main collapse at Summit and Oak Avenues, an entire section of the old main had to be replaced.

DPW is preparing the mowers for the spring season, Wanamaker Field will be mowed for the easter egg hunt.

Pot hole repair by our DPW has been on-going, approximately thirty potholes around town have been recently repaired.

More boardwalk maintenance by our DPW was required after a car apparently drove up on the boardwalk crushing the joists.

DPW cleared the corner of Park and Westray Avenues of a hazardous buildup of rain water that was causing pedestrians and school kids to walk in the middle of the road. Yard debris and over growth was cleared to allow the water to flow away properly.

DPW will remove the ice-eaters from all public docks this week.

With the nice weather boardwalk replacement by DPW will begin again.

At the corner of Summit and Laurel Avenues overgrown brush was cut back by DPW to create a safe sightline at the stop sign. The uneven ground has been filled and leveled with topsoil, the corner has been seeded and the area prepared for planting some trees back away from the corner.

The new curbing at Van Sant Park at the corner of Simpson and Van Sant Avenues is a welcome addition, it will help to hold the park soil and mulch in place that has been washing into the street.

Tree planting by DPW will be commencing the first week of April.

**Mayor Doyle** – Our thanks to Council Member Fumo who volunteered his time to work on the tiling of the floors at the new Fire House.

We have asked the County to repair and pave the east end of Ocean Avenue this spring/summer.

Our Post Office will be repaired and painted as the weather warms.

We continue the permitting work to allow us to replace the Long Point groin to help halt the erosion.

The paving of Holly Avenue and Lake Drive is being planned for the fall.

Mayor Doyle introduced Officer Zappola from our Police Department, he commented that several Officers are currently in training as they are always working to improve their abilities and skill sets.

**MAYOR DOYLE INTRODUCED THE:**

**DISCUSSION & PRIVILEGE OF THE FLOOR (Public Comment):**

**Don Roberts** – Commented on the enforcement on our Tree Ordinance and ongoing development at Siddons Court.

**Bob MacNeal** – Commented on the enforcement of our Tree Ordinance as well as the Ordinance the Ordinance that restricts contractors from working on Sunday.

The meeting was adjourned at 7:40 P.M. by Unanimous Consent.

**Respectfully Submitted,**

**Sean Asay  
Borough Clerk**