

# Mayor and Council Newsletter

Borough of Island Heights  
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Official Council Meeting Minutes

July 16, 2024

## **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 22, 2023 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:**

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

**MAYOR DOYLE INTRODUCED:**

**ORDINANCE 2024-06 – FINAL READING – PUBLIC HEARING  
PROPOSED ADOPTION**

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING BOROUGH CODE CHAPTER 12-1.3 – ENTITLED – INSPECTION – CERTIFICATE OF COMPLIANCE

The Public Hearing on Proposed Ordinance 2024-06 is now open, persons who wish Comment, please ask to be recognized and state your name for the record.

Public Comments:

No Comments

Mayor Doyle entertained a:

Motion to Close Public Hearing:

Motion: Ms. Thompson

Second: Mr. Fumo

Voice Vote:                      Yes: Unanimous                      No:

Mayor Doyle entertained a:

Motion to Waive Reading and Adopt Ordinance 2024-06  
As Introduced:

Motion: Mr. Baxter

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 2024-06

### AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING BOROUGH CODE CHAPTER 12-1.3 – ENTITLED – INSPECTION – CERTIFICATE OF COMPLIANCE

The following shall replace Borough Code Chapter 12-1.3 and shall add 12-1.4 and 12-1.5:

#### 12-1.3 **Rental Certificate**

- A. A Rental Certificate issued by the Borough Office of Code Enforcement shall be required:
  - 1. Prior to occupancy by tenants of any improved commercial or residential property in the Borough
  - 2. Upon a change of tenancy of any improved commercial or residential property being rented in the Borough
- B. In keeping with the foregoing, property owners shall make application for a Rental Certificate on a form prescribed by the Borough. Upon making application for a Rental Certificate, the property owner shall pay the inspection fee of \$100.00, prior to the scheduling of an inspection.
- C. The property owner shall provide the following to the Office of Code Enforcement prior to the Rental Certificate inspection:
  - 1. A copy of a property insurance declaration for the subject property showing a minimum coverage of \$500,000.00 for liability for negligent acts and omissions, combined property damage and bodily injury or death that occurs on the property in keeping with N.J.S.A. 40A:10A-1.
  - 2. A Landlord Registration Form completed on the Form prescribed by the State of New Jersey in keeping with N.J.S.A. 46:8-28 (this form must also be provided to the tenant by the property owner)

3. A Lead Based Paint Safe Certificate (for properties constructed in 1977 or prior) in keeping with N.J.A.C. 5:28A
  4. A Chimney Certification prepared by a Licensed Chimney Sweep or HVAC Contractor
  5. A Heating System Certification prepared by a Licensed HVAC Contractor or a Licensed Plumber attesting that the heating system is in good order and safe to operate
  6. A list of all tenants who will occupy the property with telephone numbers for each adult tenant
- D. Upon performing an inspection of a property for issuance of a Rental Certificate, the Code Enforcement Officer shall inspect at a minimum the following:
1. That the property exterior is in good order with no overgrown grass, weeds or other vegetation
  2. That there is no debris or trash being stored on the property
  3. That the structure has street address numbers in place on the front of the structure that are a minimum of two inches in height and made of reflective material
  4. That each staircase of four (4) or more steps has secure handrails in place
  5. That the plumbing system is operating and water is flowing from each interior faucet
  6. That the utilities including electricity, natural gas, and water are on and functioning
  7. That the electrical outlets are in good working order and that ground force interrupt (GFI) electrical outlets are in place in all bathrooms, kitchens, exterior areas and near any other water sources
  8. That all range type stoves are equipped with an anti-tip device attached to the wall

9. That smoke detectors are mounted and functional in all bedrooms and that a smoke detector is present in the hallway outside of the bedrooms and that one functioning smoke detector and one functioning carbon monoxide detector is mounted on each level of the structure
  10. That a Fire Extinguisher (rating of 2A-10BC) is mounted within ten (10) feet of the kitchen area
  11. That all interior doors open and close smoothly and securely
  12. That all exterior doors open and close smoothly and have functioning locks
  13. That all windows have functioning locks and when raised will stay in the open position to allow for safe egress
- E. If the subject property passes the Rental Certificate inspection, the Borough Office of Code Enforcement shall issue a Rental Certificate to the property owner on a form prescribed by the Borough.
- F. If the subject property fails inspection, the property owner may request a reinspection within thirty (30) days upon payment of a \$50.00 reinspection fee. After thirty (30) days, the property owner must submit a new application for Rental Certificate inspection.
- G. A Rental Certificate shall be valid for two (2) years from the date of issuance or until there is a change in tenancy. Upon any change in tenancy, the property owner must apply for a new Rental Certificate in keeping with the foregoing.
- H. It shall be the responsibility of property owners to immediately report any change in tenancy to the Borough Office of Code Enforcement, failure to so shall be considered a violation of the provisions of this section of the Borough Code.

#### **12-1.4 Resale Certificate**

- A. A Resale Certificate issued by the Borough Office of Code Enforcement shall be required:
1. Prior to the sale or transfer of any improved commercial or residential property in the Borough

- B. In keeping with the foregoing, property owners shall make application for a Resale Certificate on a form prescribed by the Borough. Upon making application for a Resale Certificate the property owner shall pay the inspection fee of \$100.00, prior to the scheduling of an inspection.
- C. The property owner shall provide the following to the Office of Code Enforcement prior to the inspection:
1. A Chimney Certification prepared by a Licensed Chimney Sweep or HVAC Contractor
  2. A Heating System Certification prepared by a Licensed HVAC Contractor or a Licensed Plumber attesting that the heating system is in good order and safe to operate
- D. Upon performing an inspection of a property for issuance of a Resale Certificate, the Code Enforcement Officer shall inspect at a minimum the following:
1. That the property exterior is in good order with no overgrown grass, weeds or other vegetation
  2. That there is no debris or trash being stored on the property
  3. That the structure has street address numbers in place on the front of the structure that are a minimum of two inches in height and made of reflective material
  4. That each staircase of four (4) or more steps has secure handrails in place
  5. That the plumbing system is operating and water is flowing from each interior faucet
  6. That the utilities including electricity, natural gas, and water are on and functioning

7. That the electrical outlets are in good working order and that ground force interrupt (GFI) electrical outlets are in place in all bathrooms, kitchens, exterior areas and near any other water sources
  8. That all range type stoves are equipped with an anti-tip device attached to the wall
  9. That smoke detectors are mounted and functional in all bedrooms and that a smoke detector is present in the hallway outside of the bedrooms and that one functioning smoke detector and one functioning carbon monoxide detector is mounted on each level of the structure
  10. That a Fire Extinguisher (rating of 2A-10BC) is mounted within ten (10) feet of the kitchen area
  11. That all interior doors open and close smoothly and securely
  12. That all exterior doors open and close smoothly and have functioning locks
  13. That all windows have functioning locks and when raised will stay in the open position to allow for safe egress
- E. If the subject property passes the Resale Certificate inspection, the Borough Office of Code Enforcement shall issue a Resale Certificate to the property owner on a form prescribed by the Borough.
- F. If the subject property fails inspection, the property owner may request a reinspection within thirty (30) days upon payment of a \$50.00 reinspection fee. After thirty (30) days, the property owner must submit a new application for Resale Certificate inspection.
- G. A Resale Certificate shall be valid for one (1) year from the date of issuance.

#### **12-1.5 Transfer Certificate**

- A. If a property owner wishes to sell or transfer an improved commercial or residential property within the Borough and said property cannot pass a Resale Certificate inspection in keeping with Borough Code Section 12-1.4, the property owner may apply to the Borough Office of Code Enforcement for a Transfer Certificate.

- B. An application for a Transfer Certificate shall be made on a form prescribed by the Borough and the application fee shall be \$100.00.
- C. The issuance of a Transfer Certificate shall be approved under the following circumstances:
  - 1. Upon submission of an application by a property owner and payment of the application fee of \$100.00
  - 2. Upon receipt of a letter from the buyer or the buyer's agent attesting that the buyer acknowledges and understands that the subject property may not be occupied until the new owner receives a Resale Certificate or a Certificate of Occupancy issued pursuant to the New Jersey Uniform Construction Code (UCC) from the Borough Office of Code Enforcement or the Borough Construction Official.
- D. A Transfer Certificate shall be valid for the sale or transfer of a property for one hundred and eighty (180) days from the date of issuance.
- E. Upon taking ownership of a property that was the subject of a Transfer Certificate, the new owner shall have a maximum of one hundred and eighty (180) days to obtain a Resale Certificate or a Certificate of Occupancy under the UCC.

**MAYOR DOYLE INTRODUCED:**

**ORDINANCE 2024-07 – FINAL READING – PUBLIC HEARING  
PROPOSED ADOPTION**

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, A BOND ORDINANCE APPROPRIATING ONE MILLION DOLLARS (\$1,000,000.00) AND AUTHORIZING THE ISSUANCE OF NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00) IN BONDS OR NOTES OF THE BOROUGH OF ISLAND HEIGHTS FOR THE PURCHASE OF A NEW FIRE TRUCK

The Public Hearing on Proposed Ordinance 2024-07 is now open, persons who wish To comment, please ask to be recognized and state your name for the record:



Public Comments:

**Mike Dellarocca** - Inquired about the possibility of trading in the old truck to reduce cost of new truck.

Mayor Doyle entertained a:

Motion to Close Public Hearing:

Motion: Ms. Thompson  
Second: Mr. Weber

Voice Vote:    Yes: Unanimous        No:

Mayor Doyle entertained a:

Motion to Waive Reading and Adopt Ordinance 2024-07  
As Introduced:

Motion: Mr. Weber  
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>	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 2024-07**

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, A BOND ORDINANCE APPROPRIATING ONE MILLION DOLLARS (\$1,000,000.00) AND AUTHORIZING THE ISSUANCE OF NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00) IN BONDS OR NOTES OF THE BOROUGH OF ISLAND HEIGHTS FOR THE PURCHASE OF A NEW FIRE TRUCK

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

**Section 1. Appropriation for Project-Down Payment**

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general capital improvement to be made or acquired by the Borough of Island Heights, in the County of Ocean, State of New Jersey (the “**Borough**”). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of money therein stated as the apportionment made for said improvement or purpose, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to ONE MILLION DOLLARS (\$1,000,000.00), including the aggregate sum of FIFTY THOUSAND DOLLARS (\$50,000.00) as the down payment for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11 and more particularly described in Section 3 and now available by virtue of an emergency appropriation by the Borough Council.

**Section 2. Authorization of Bonds**

For the financing of said improvement or purpose and to meet the part of said ONE MILLION DOLLARS (\$1,000,000.00) in appropriations not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of NINE HUNDRED FIFTY THOUSAND DOLLARS (950,000.00) pursuant to the Local Bond Law of New Jersey (the “**Local Bond Law**”). In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3. Description of Project**

The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
Purchase of New Fire Truck, including all apparatus, equipment and supplies necessary and incidental to such purchase.	\$1,000,000.00	\$950,000.00
TOTAL	<u>\$1,000,000.00</u>	<u>\$950,000.00</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

**Section 4. Authorization of Notes**

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Borough in a principal amount equal to the said principal of bonds not exceeding NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as she may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Council of the Borough at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law.

The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. His signature upon said note(s) shall be conclusive evidence of such determination.

**Section 5. Capital Budget**

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

**Section 6. Additional Matters**

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

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is **20 years**.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by **NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00)**, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.
- (d) Amounts not exceeding **TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00)** in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the construction or acquisition of such improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

**Section 7. Ratification of Prior Actions**

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

**Section 8. Application of Grants**

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

**Section 9. Full Faith and Credit**

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

**Section 10. Official Intent to Reimburse Expenditures**

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

**Section 11. Effective Date**

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

**MAYOR DOYLE INTRODUCED:**

**ORDINANCE 2024-08 – PROPOSED INTRODUCTION**

An Ordinance of the Borough of Island Heights, County of Ocean, State of New Jersey, hereby Repealing and Replacing Chapter 16 of the Borough Code entitled - Water and Sewer

Mayor Doyle entertained a:

Motion to Waive Reading and Introduced Proposed Ordinance  
2024-08:

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 2024-08**

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, HEREBY REPEALING AND REPLACING CHAPTER 16 OF THE BOROUGH CODE ENTITLED - WATER AND SEWER

**The following shall repeal and replace Chapter 16 of the Code of the Borough:**

**Chapter 16 WATER AND SEWER**

**16-1 WATER AND SEWER UTILITY**

The water and sewer systems of the Borough are operated by the Borough as one (1) utility under the name and designation of "Borough of Island Heights Water and Sewer Utility." Under the provisions of this Ordinance, the Borough of Island Heights Water and Sewer Utility is the exclusive provider of water and sewer services to properties located within the Borough of Island Heights.

**16-2 SUPERVISION OF WATER AND SEWER UTILITY**

Subject to the provisions of this chapter and of such other Ordinances and Resolutions as may be adopted by the Governing Body, the Borough Director of Public Works shall exercise general supervision and control and shall be in direct general charge of the water supply system and the sewer system of the Borough, including all physical plants and property therewith.

### 16-3 WATER AND SEWER SERVICE RATES

The Borough of Island Heights Water and Sewer Utility shall be governed by this section as to the furnishing of water and sewerage service, both within and without the Borough.

#### A. Water Service Rates

Rates for Water Service for each water meter per quarter shall be as follows:

Rate Per Meter	Quarterly Allotment
\$100.00	7,000 Gallons

B. Water usage in excess of the basic quarterly allotment of seven thousand (7,000) gallons per meter shall be charged to the user at a rate of \$3.25 for each 1,000 gallons of water used.

C. The quarterly base rate for water shall be charged for each metered connection to the water system regardless of usage or status

#### D. Sewer Service Rates

Rates for Sewer Service per quarter for each connection to the Sewer System shall be as follows:

Rate Per Connection
\$140.00

E. The quarterly base flat rate for sewerage shall be charged for each connection to the sewer system regardless of usage or status.

## **16-4 WATER AND SEWER UTILITY BILLING SCHEDULE**

A. Water and Sewer Utility Charges shall be billed quarterly on the following dates:

1st Quarter: February 15 – Payment Due March 15th

2nd Quarter: May 15 – Payment Due June 15th

3rd Quarter: August 15 – Payment Due September 15th

4th Quarter: November 15 – Payment Due December 15<sup>th</sup>

If the payment due date falls on Saturday, Sunday or a Borough recognized Holiday, the payment due date shall be the next business day.

## **16-5 DELINQUENT WATER AND SEWER UTILITY ACCOUNTS**

A. Water and Sewer Utility Accounts not paid in full by the due date shall accrue interest at the rate of eighteen (18%) percent per year until paid in full.

B. All unpaid water and sewer utility charges, along with interest thereon, shall become a lien upon the lands served thereby at the end of each year.

## **16-6 WATER SERVICE DISCONNECT/CONNECTION FEES**

A. Water Service Disconnects shall be performed at no cost for construction, renovation or other approved activities only by the Borough Public Works Department upon receipt of a written request from the property owner or their authorized agent. Upon receipt of a request from the property owner to restore said water service, a reconnection fee of \$800.00 shall be paid to the Borough prior the reconnection being performed by the Borough Public Works Department.



- B. All new connections to the Water Utility System shall be performed by the Borough Public Works Department with a service line brought to the utility right of way of the property to be connected. A new water service connection fee of \$5,000.00 plus the cost of the water meter shall be paid to the Borough for each new service connection to the water system.
  
- C. The water service connection on the applicant's property shall be completed by the property owner or a licensed plumber and inspected by the Borough Construction Office and/or the Director of the Borough Public Works Department.

#### **16-7 WATER SERVICE SHUT OFFS AND ACTIVATIONS**

- A. Water Service Shut Offs shall be performed at no cost and only by the Borough Public Works Department. Shut offs will be performed only upon written request from the property owner or their authorized agent. Upon request, the water service will be reactivated upon payment of a \$200.00 activation fee to the Borough.

#### **16-8 WATER METERS**

- A. All properties connected to the Borough Water System shall install a water meter provided by and owned by the Borough on each connection point to the water system. All costs related to the installation of the meter shall be borne by the property owner.
  
- B. It shall be the responsibility of property owners to protect Borough water meters from any damage. Replacement of damaged meters shall be billable to property owners.
  
- C. Any property owner who alters or tampers with any Borough water meter or who willfully damages any water meter shall upon conviction of a violation thereof be punishable by the penalty stated in Borough Code Chapter 1-5. The continuation of such violation for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

- D. Periodically, the Borough shall undertake the replacement of some or all water meters to assure ongoing accuracy and reliability in water metering. Property owners shall cooperate with the Borough in the replacement of said meters by providing access to their property upon receiving a water meter replacement notice from the Borough. After having received notice via certified mail and being given a period of thirty (30) days to allow access, property owners who fail or refuse to cooperate with the Borough in allowing property access for the replacement of water meters, shall receive an assessment of \$200.00 per quarter on their water/sewer utility bill. Said assessment shall continue until the property owner allows the Borough access to their property to complete the water meter replacement.

#### **16-8 SEWER SERVICE CONNECTION FEES**

- A. A Connection Fee of \$3,000 shall be paid to the Borough for each new connection to the Borough Sewer System.
- B. New connections to the Borough Sewer System shall be performed only by a licensed plumber acting on behalf of a property owner under the supervision of the Director of Public Works.
- C. The property owner making the new connection to the Borough Sewer System shall post a cash bond of \$3,000.00 at the time of application for connection. This cash bond shall assure the proper restoration of the street that is disturbed to complete the connection. The cash bond may be refunded to the property owner after a period of one hundred and eighty (180) days after completion of the connection, restoration of the street and inspection by the Director of Public Works.
- D. The property owner who is connecting to the Borough Sewer System must provide proof of Liability Insurance to the Borough with a minimum liability limit of one million dollars (\$1,000,000.00) and the Borough listed as an "other insured."
- E. Any damage caused by property owners or their agents/contractors to the Borough sewer system will be the responsibility of the property owner and repairs made by the Borough will be billable to the property owner.

## **16-9 WATER SYSTEM SUPPLY EMERGENCY**

- A. The Mayor or his/her designee shall have the power to declare that a water system supply emergency exists in all or a portion of the Borough.
- B. Upon making such a declaration the Mayor shall notify the Director of the Department of Public Works, the Office of Emergency Management, Island Heights Fire Company, Island Heights Police Department and the residents of the Borough.
- C. Upon the Mayor declaring that a water system supply emergency exists, all residents shall be urged to observe voluntary indoor conservation measures.
- D. During the water system supply emergency, the Mayor may impose restrictions on any or all of the following outdoor water use activities in the Borough:
  - 1. Watering of lawns and plants
  - 2. Filling of pools
  - 3. Washing of cars and boats
- E. The water system supply emergency shall remain in effect until lifted by the Mayor or until the next meeting of the Mayor and Council at which time the water system supply emergency shall be reviewed for further action by the Governing Body.
- F. The Island Heights Police Department and the Borough Code Enforcement Officer shall enforce the water use restriction(s) imposed pursuant to this section during a water system supply emergency. Any person who violates the provisions of this section shall upon conviction thereof, be subject to the penalties stated in Borough Code Chapter 1-5.

## **16-10 DISCHARGES TO THE BOROUGH STORMWATER COLLECTION SYSTEM**

- A. The discharge of stormwater from the construction and repair of facilities in the Borough is specifically regulated under Borough Code Chapter 29-3.
- B. The following discharges from properties in the Borough to the Stormwater Collection System are specifically permitted:

1. Water line flushing and discharges from potable water sources
  2. Uncontaminated ground water from sources such as sump pumps and foundation or footing drains
  3. Air-conditioning condensation (excluding contact and non-contact cooling water)
  4. Irrigation water runoff from potable water sources or private irrigation wells
  5. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
  6. Runoff from residential car or boat washing
  7. Swimming pool discharges
  8. Sidewalk, driveway and street wash water
  9. Flows from firefighting activities
  10. Runoff from the rinsing of beach maintenance equipment
  11. Runoff from the rinsing of equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods. Said rinsing of equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.
- C. This Code section shall be enforced by the Borough Police Department and the Borough Code Enforcement Officer.
- D. Any person who violates any of the terms or provisions of this section, shall, upon conviction thereof, be liable for the penalty stated in Chapter 1-5 of the Borough Code.

**MAYOR DOYLE INTRODUCED THE:**

**APPROVAL OF PRIOR MEETING MINUTES**

Resolution 2024-110      Approving the Proposed Minutes for the Regular Meeting of the Mayor and Council Conducted on June 4, 2024 (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 INTRODUCED THE RESOLUTIONS ON THE CONSENT AGENDA:**

Resolution 2024-111      Authorizing the Mayor and the Borough Clerk to Approve an Agreement to Allow for the Sale of Block 17 – Lot 8 – 135 Central Avenue and to Thus Release any Reversions or Other Deed Restrictions in Favor of the Borough as Necessary to Facilitate Said Sale

Motion: Ms. Thompson  
Second: Mr. Fumo

Resolution 2024-112      Authorizing the Mayor and the Borough Clerk to Enter Into an Agreement with the County of Ocean to Allow for the Use of the Ocean County Sheriffs Department Law Enforcement Training Facility by Staff of the Island Heights Police Department

Motion: Ms. Thompson  
Second: Ms. Pendleton

Resolution 2024-113

Approving the Use of the Wanamaker Gazebo by Michelle Brodbeck for a Wedding Ceremony on August 11, 2024, Between the Hours of 2 PM and 3 PM (By Title)

Motion: Ms. Thompson

Second: Mr. Weber

Resolution 2024-114

Approving the Hiring of Jacqueline Bryant as a Part Time Administrative Assistant and Deputy Code Enforcement Officer with an Effective Date of June 8, 2024 at an Hourly Rate of \$16.50

Motion: Mr. Fumo

Second: Mr. Weber

Resolution 2024-115

Approving and Authorizing the Submission of the 2025 NJDOT Municipal Aid Grant Application for Cedar and Laurel Avenue and Ensor Place, Requesting a Total Grant Amount of \$474,000.00

Motion: Mr. Weber

Second: Mr. Fumo

Resolution 2024-116

Approving a Fire Protections Services Agreement Between the Borough and the Island Heights Volunteer Fire Company with an Effective Date of January 1, 2024 (By Title)

Motion: Ms. Pendleton

Second: Mr. Baxter

Resolution 2024-117

Approving the Hiring of Aidan McCully as a Part Time Seasonal Laborer in the Department of Public Works with an Effective Date of June 8, 2024 at an Hourly Rate of \$16.50

Motion: Mr. Fumo

Second: Ms. Thompson

Resolution 2024-118

Approving the Hiring of Constantino Iannone as a Part Time Laborer in the Department of Public Works with an Effective Date of June 8, 2024 at an Hourly Rate of \$19.00

Motion: Mr. Weber  
Second: Mr. Baxter

Resolution 2024-119

Approving the Appointment of Michael Cipriano as a Class II Police Officer for the Island Heights Police Department with an Effective Date of June 8, 2024 at an Hourly Rate of \$31.00

Motion: Mr. Weber  
Second: Mr. Fumo

Resolution 2024-120

Authorizing the Mayor and the Borough Clerk to Execute an Intergovernmental Agreement Between the Borough and the County of Ocean Providing for Grant Funding of up to \$535,000.00 for Improvements to the Borough's Drinking Water Transmission and Distribution System

Motion: Ms. Thompson  
Second: Mr. Baxter

Resolution 2024-121

Approving the Awarding of a Contract for Structural Engineering Services to Morgan Engineering of Island Heights, New Jersey in an Amount Not to Exceed \$9,000.00

Motion: Ms. Pendleton  
Second: Mr. Weber

Resolution 2024-122

Approving an Agreement Between the Borough and BJ Rose Design for Graphic Art and Television Production Services (By Title)

Motion: Mr. Weber  
Second: Mr. Fumo

Resolution 2024-123

Approving the Insertion of a Special Item of Revenue in the 2024 Budget of the Borough Pursuant to N.J.S.A. 40A:4-87 - 2024 Clean Communities Grant - \$5,839.14

Motion: Ms. Thompson  
Second: Mr. Fumo

Resolution 2024-124

Approving the Insertion of a Special Item of Revenue in the 2024 Budget of the Borough Pursuant to N.J.S.A. 40A:4-87 - 2024 Local Recreation Improvement Grant \$63,000.00

Motion: Ms. Thompson  
Second: Ms. Pendleton

Resolution 2024-125

Approving the Refund of an Escrow Balance to Transcend Wireless of Mahwah, New Jersey in the Amount of \$98.75

Motion: Ms. Pendleton  
Second: Ms. Thompson

Resolution 2024-127

Approving the Use of the Wanamaker Complex by the Island Heights Volunteer Fire Company for a Car Show on August 10, 2024 (Rain Date August 11<sup>th</sup>) (By Title)

Motion: Mr. Fumo  
Second: Mr. Weber

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. Thompson  
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>	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 INTRODUCED THE:**

**BILL LIST AND PROCUREMENTS:**

Resolution 2024-126

Approving Payment of all of the Items on the Bill List Submitted by the Purchasing Agent (By Title)

Motion: Ms. Thompson

Second: Mr. Weber

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>	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 INTRODUCED THE COUNCIL MEMBER REPORTS:**

**Mr. Weber** – Sue Cowdrick will give us an update on the Central Regional Schools at our next meeting. Our thanks to our Fire Company for everything they did at the Elementary School for Flag Day Ceremony.

**Mr. Baxter** – Our next Municipal Court session will be August 12<sup>th</sup>. One hundred two summons were issued by our Police in June. Planning Board has no pending applications.

**Ms. Pendleton** – Public Works has been busy with regular summer property maintenance.

Nine new shade trees have been planted on Borough property.

DPW has obtained two new benches that will replace deteriorating benches at Camp Meeting Ground.

On July 19<sup>th</sup>, our Peto Museum will be concluding their summer concert series with The Kutz.

The Peto Cup is August 2<sup>nd</sup> at the Toms River Yacht Club.

**Ms. Thompson – Our** Community Garden is going great. The Boy Scouts donated a Kiosk to the garden so the gardeners can share things amongst themselves like maps and recipes.

Our residents continue to have difficulty obtaining Real IDs from NJMVC due to our lack of residential mail delivery.

Year to date, our Construction Office has collected \$52,100.00 in permit fees, completed 94 certificate inspections and issued four violations totaling \$2,250.00.

My thanks to our Mayor for working out the financing of the new Fire Truck and finding a new home for our First Aid Squad.

**Mr. Fumo -** For the month of June, our Fire Company had 36 emergency calls and responded to 100%. Summer Brew was a success. They participated in a boat parade on 7/7/2024 and assisted with the Beachwood and Lavallette fireworks.

Our First Aid Squad has been helping with training for all of our first responders and keeping their certifications up to date.

**Mayor Doyle –** Expressed the feelings of the Governing Body that the recent occurrence of political violence in Pennsylvania is completely unacceptable and must be condemned. He expressed the condolences and best wishes of the Governing Body for those who were killed and wounded.

He explained the current financial position of the Borough related to short and long term debt and the options that will be available to the Borough in financing the new fire truck.

**MAYOR DOYLE INTRODUCED THE PRIVILEGE OF THE FLOOR (PUBLIC COMMENT):**

**Elana Defonzo –** Commented on the sale of Borough Recreation Badges.

**Bob MacNeal –** Commented on the Borough Television Channel.

**MAYOR DOYLE ENTERTAINED A MOTION FOR ADJOURNMENT:**

Motion: Mr. Weber

Second: Ms. Thompson

The meeting was adjourned at 7:45 PM by unanimous consent.

**Respectfully Submitted,**

**Sean Asay  
Borough Clerk**