

Mayor and Council Newsletter

Borough of Island Heights
One Wanamaker Municipal Complex
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Official Council Meeting Minutes

February 18, 2025

MAYOR DOYLE CALLED THE MEETING TO ORDER AT 7 PM 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 Newark Star Ledger on November 27, 2024 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 | <u>Present</u> | Absent |
| Council Member Fumo | <u>Present</u> | Absent |
| Council Member Gabriel | Present | <u>Absent</u> (excused) |
| Council Member Healy | <u>Present</u> | Absent |
| Council Member Pendleton | <u>Present</u> | Absent |
| Council Member Weber | <u>Present</u> | Absent |
| Mayor Doyle | <u>Present</u> | Absent |
| Borough Attorney Mr. Zabarsky | <u>Present</u> | Absent |

MAYOR DOYLE INTRODUCED:

Ordinance 2025-02 – Public Hearing - Proposed Adoption

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 19 ENTITLED – PARKS, RECREATION AND OTHER PUBLIC PLACES

The Public Hearing on Proposed Ordinance 2025-02 is now open, persons who wish to comment, please ask to be recognized and state your name for the record.

Public Comments:

None

Mayor Doyle entertained a:

Motion to Close Public Hearing:

Motion: Mr. Weber
Second: Mr. Fumo

Voice Vote: Yes: Unanimous No:

Mayor Doyle entertained a:

Motion to Waive Reading and Adopt Proposed Ordinance
2025-02 as Introduced:

Motion: Mr. Weber
Second: Mr. Baxter

Voting Record:

| | | | | | | |
|-----------------------|-----------------------|--------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Mr. Baxter | Mr. Fumo | Mr. Gabriel | Ms. Healy | Ms. Pendleton | Mr. Weber | Mayor Doyle |
| <u>Yes</u> /No | <u>Yes</u> /No | Yes/ <u>No</u> | <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 2025-02

AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 19 ENTITLED – PARKS, RECREATION AND OTHER PUBLIC PLACES

Language in brackets [] is thus deleted, language in **bold** type is thus new language.

Chapter 19. Parks, Recreation Areas and Other Public Places

§ 19-1. PARKS AND RECREATION AREAS.

§ 19-1.1. Hours of Use.

No person shall be permitted on any park or playground [with the exception of the boardwalk areas, the public docks and the first floor of the Central Avenue Pavilion] between the hours of 10:00 p.m. and 6:00 a.m. unless attending and **participating in an activity authorized by the Mayor and Council** or as otherwise permitted in this chapter.

[§ 19-1.2. Admittance to Buildings Restricted.

No person shall be allowed in or upon any recreation building at any time unless attending or participating in a meeting or activity authorized by the Board of Recreation Commissioners.]

§ 19-1.2. Alcoholic Beverages Prohibited.

Alcoholic beverages shall not be permitted on any public grounds, except as authorized by the Mayor and Council in conformance with the Division of Alcoholic Beverage Control regulations.

§ 19-1.3. Violations and Penalties.

Any person violating or failing to comply with any of the provisions of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

§ 19-2. PUBLIC DOCKS, BEACHES, FISHING AREAS AND PLAYING FIELDS.

§ 19-2.1. Naming of Beach Areas, Crabbing Areas, Fishing Areas, Public Docks and Public Lands.

The following beach areas, crabbing areas, fishing areas, public docks and public lands shall be named as follows:

a.

The public dock at the foot of Central Avenue shall be known as the "Central Avenue Dock."

b.

The beach area being that parcel of land situated in the Borough eastwardly, southeastwardly, southwardly and southwestwardly of the high land in Lot Number 17 and included in Block J as shown on the Plan of the Westrays Point Land and Improvement Company and as shown on the Official Map of the of the Borough shall be known as "Long Point Beach."

c.

The beach area lying to the east of the foot of Summit Avenue and running northwardly along the westerly shore of the Barnegat Bay to the mouth of Dillons Creek, being that parcel of land lying to the east of Lot 1 in Block 37 as shown as shown on the Official Map of the Borough shall be known as "Wanamaker Beach" as it has historically been known.

d.

The public dock at the foot of Lake Drive shall be known as the "Boat Yard Dock."

e.

The public dock at the foot of West End Avenue shall be known as the "West End Avenue Dock."

f.

The public land at the foot of Holly Avenue shall be known as "Boy Scout Island."

g.

The public land lying between River Avenue and the Toms River from Simpson Avenue westward to the end of the boardwalk shall be known as the "River Avenue Boardwalk."

h.

The public land lying north of Lake Avenue between Central Avenue and Maple Avenue containing athletic fields, a playground and sports courts shall be known as the "Betty Scammell Memorial Field."

i.

The public land lying east of East End Avenue and south of Summit Avenue to the Barnegat Bay shall be known as the "Wanamaker Complex."

j.

The public land lying south of Ocean Avenue and between East Camp Walk and West Camp Walk southwardly to the Toms River shall be known as the "Camp Meeting Ground."

k.

The public land lying south of Ocean Avenue between River Avenue and West End Avenue shall be known as "Letter Park."

l.

The public land lying north of Lake Avenue between River Avenue and West End Avenue shall be known as "Triangle Park."

m.

The pavilion situated at the south end of Central Avenue shall be known as the "Island Heights Pavilion."

§ 19-2.2. Badges Required.

No person 13 years of age or older shall be permitted to use the areas set forth in Subsection 19-2.1 for sitting upon a Borough beach, crabbing, fishing, swimming, or playing any court or field sport or using any playground or recreation equipment, unless such person shall have on his/her person and produce for inspection by a duly authorized Borough employee, a daily recreation permit or an annual recreation badge issued by the Borough for the privilege of the use of these public areas and facilities. Persons 12 years of age or under who are sitting upon a Borough beach, crabbing, fishing, swimming, or playing any court or field sport or using any playground or recreation equipment must be at all times under the supervision of a responsible adult who shall have on his/her person and produce for inspection by a duly authorized Borough employee, a daily recreation permit or an annual recreation badge issued by the Borough for the privilege of the use of these public areas and facilities. The Borough hereby exempts all active duty military personnel and military veterans from the requirement that they purchase a daily recreation permit or an annual recreation badge upon such persons providing proof of their active duty military or veteran status to a duly authorized employee of the Borough. This subsection shall not apply to clubs or organizations who have obtained prior approval from the Mayor and Council for the use of public areas or facilities on designated days.

§ 19-2.3. Fees.

a.

Borough daily recreation permits and annual recreation badges shall be priced in the following ranges:

1.

Daily recreation permits (valid for one day for persons 13 years of age and above): between \$5 and \$20 per day.

2.

Annual recreation badges (valid for one calendar year for persons 13 years of age and above): between \$10 and \$35.

b.

The Mayor and Council shall establish the fees for daily recreation permits and annual recreation badges for each calendar year by resolution.

c.

The use of public areas and facilities requiring a daily recreation permit or annual recreation badge are enumerated in Subsection 19-2.1.

d.

The fee for the use of public areas or facilities for a private event(s) shall be \$200. Said fee may be waived for nonprofit organizations upon approval by the Mayor and Council.

§ 19-2.4. (Reserved)

§ 19-2.5. Lifeguards at Bathing Beaches; Hours.

a.

The Borough establishes all beaches in the Borough as "swim at your own risk."

b.

Unless otherwise posted or informed by Borough officials, the Borough may not employ lifeguards at Borough beaches, as "swim at your own risk" constitutes the removal of lifeguards and the undedication of bathing beaches.

§ 19-2.6. Regulations.

a.

In the areas set forth in subsection 19-2.1 hereof, there will be:

1.

No disrobing, nudity is prohibited

2.

(Reserved)

3.

No fires.

4.

No pets.

5.

No Littering

6.

No business or enterprise shall be conducted without first obtaining a permit from the Mayor and Council

7.

No disobedience to the reasonable commands of lifeguards in the performance of their duties.

8.

No skateboards, bicycles, scooters or any means of conveyance shall be operated on the basketball, pickleball or tennis courts or on the boardwalk or any dock.

9.

No feeding of wildlife

10.

No one shall place any tent, umbrella or structure of any kind on the boardwalk or any dock.

11.

No one shall place any item on the boardwalk or any dock that impedes the flow of normal pedestrian traffic.

12.

No possession or consumption of alcoholic beverages.

13.

No diving or swimming from any bulkhead area or dock

14.

No commercial or group use without written permission from the Mayor and Council

15.

No hanging or climbing on fences or nets

16.

No hanging on rims or backboards at the basketball court

17.

No use of amplifiers, microphones or other noise producing devices unless authorized by the Borough

18.

No use of lewd or profane language

19.

No fires unless authorized by the Borough

20.

No peddling of goods or soliciting of any kind without written permission from the Mayor and Council

b.

1.

During daylight hours, private recreational boats, for a period not exceeding thirty (30) minutes, shall be allowed to dock at the Central Avenue and the West End Avenue Docks. All docking is at the risk of the boat owner or operator. There shall be no other temporary docking or loading or unloading or mooring at any Borough bulkhead or dock within the Borough of Island Heights.

§ 19-2.7. Swimming in Certain Areas Prohibited.

No swimming shall be permitted at any time in Holly Lake or in the channel connecting the same to the Toms River, commonly known as the mouth of Holly Lake.

§ 19-2.7A. Crabbing in Certain Areas Prohibited.

No crabbing or fishing shall be permitted at any time along the River Avenue Bulkhead from Simpson Avenue westwards to the end of the boardwalk except for those areas designated by Mayor and Council for crabbing and fishing.

§ 19-2.8. Vehicles on Public Beaches, Docks, Boardwalks and Public Recreation and Park Areas Prohibited.

No person, other than Borough Employees or a person duly authorized to operate an Emergency Vehicle, shall bring, operate or park any motor vehicle or trailer upon any public beach, dock, boardwalk area, park area or other recreation area within the Borough unless they receive prior written permission from the Mayor and Council.

§ 19-2.9. Tents, Buildings and Commercial Enterprises on Public Grounds Prohibited.

No person shall camp or erect or locate any tent or any shed or other building or structure whatsoever or engage in or conduct any trade, business or commercial activity or enterprise whatsoever on any public grounds of the Borough with express written approval from the Mayor and Council.

§ 19-2.10. (Reserved)

§ 19-2.11. Violations and Penalties.

Any person who shall violate any of the terms or provisions of this chapter shall, upon conviction, be subject to the penalty stated in Chapter I, Section 1-5.

§ 19-3. TENNIS AND PICKLEBALL COURTS.

§ 19-3.1. Hours of Use.

The hours of the use of the tennis and pickleball courts at Memorial Field shall be from 7:00 a.m. to 10:00 p.m. daily, or as authorized by resolution of the Mayor and Council.

§ 19-3.2. Recreation Badges - Daily Recreation Permits.

Recreation badges or a Daily Recreation Permit to permit the use of the tennis and pickleball courts must be obtained pursuant to subsection 19-2.2 of the Borough Code.

§ 19-3.3. (Reserved)

§ 19-3.4. (Reserved)

§ 19-3.5. Hours and Conditions of Facility and Field Usage

The hours of use of the playing field and playground area at the Wanamaker Complex and Betty Scammell Memorial Field shall be from 7:00 a.m. to 10:00 p.m. A request for group or team usage of any of these facilities or fields shall require the written approval of the Mayor and Council.

§ 19-3.6. Prohibitions on Courts.

No bicycles, skates or skateboards of any kind are permitted on Borough tennis, basketball or pickleball courts.

§ 19-4. Wanamaker Complex

§ 19-4.1. Purpose.

The Wanamaker Complex, with the exception of the Municipal Buildings is hereby declared to be of historic importance to the Borough of Island Heights. This section of the Code is intended to protect the historic nature of the property for future generations of residents of the Borough of Island Heights.

§ 19-4.2. Recreation and Open Space Area.

The Wanamaker Complex is hereby declared, deemed, and added to the Borough's recreation and open space areas.

§ 19-4.3. (Reserved)

§ 19-4.4. (Reserved)

§ 19-4.5. Violations and Penalties.

Any person, or persons, corporations, partnerships, or combinations thereof, who shall violate any of the terms or provisions of this section or who shall commit or do any act or thing which is prohibited by this section, shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5 of this Code.

§ 19-5. WATERCRAFT LAUNCHING RAMP.

§ 19-5.1. Definitions.

As used in this section, the following words and/or terms shall have the following definition and meaning:

WATERCRAFT LAUNCHING RAMP

The watercraft launching ramp located at the western termination of Lake Drive which is owned by the Borough of Island Heights.

COMMERCIAL USE

The use of the watercraft launching ramp by any person, business, entity, corporation or combination thereof wherein said person, business, entity wherein said person, business, entity, or corporation has charged a fee to any person, business, entity or corporation for the loading or unloading of boats, jet skis, or other water vessels. Said commercial use includes those persons, businesses, entities, and corporations which provide the loading and/or unloading of boats as incidental, secondary, or auxiliary functions of the main business or the person, business, entity, or corporation, even if no fee is charged specifically for the loading and/or unloading of the boat, jet ski or other water vessel.

NONCOMMERCIAL USE

Use which is not defined as a commercial use.

§ 19-5.2. Prohibited Conduct.

It shall be unlawful for any person, business, entity, corporation, partnership, or any combination thereof, to use the Watercraft Launching Ramp and while doing so to engage in any of the following conduct:

a.

Fail to be in possession of a Borough of Island Heights Seasonal Recreation Badge.

b.

Fail to have proper registration of the boat hull, trailer and tow vehicle which are valid for operation in the State of New Jersey;

c.

Commercial use by any individual or entity;

d.

Use of the Watercraft Launching Ramp prior to 6:00 a.m. or after 10:00 p.m.

§ 19-5.3. Enforcement.

Enforcement of this Code Chapter shall be by the Borough Police Department, and/or a Borough Code Enforcement Officer.

§ 19-5.4. Penalties.

Any person, business, entity, or corporation who shall violate any of the terms or provisions of this section shall, upon conviction, be subject to a penalty as set forth below:

a.

First Offense. A fine of not less than \$700 and no more than \$2,000.

b.

Second Offense. A fine of not less than \$1,000 and no more than \$2,000.

c.

Third Offense. A fine of not less than \$1,500 and not more than \$2,000 and/or a jail sentence of not more than thirty (30) days.

d.

Fourth or Subsequent Offense. A fine of \$2,000 and a jail sentence of no more than thirty (30) days.

MAYOR DOYLE INTRODUCED THE:

APPROVAL OF PRIOR MEETING MINUTES

Resolution 2025-29

Approving the Proposed Minutes Regular Meeting of the Mayor and Council Conducted on January 21, 2025 (By Title)

Motion: Mr. Weber

Second: Ms. Pendleton

Comments/Discussion: None

Voting Record:

| | | | | | | |
|----------------|----------------|-------------|----------------|----------------|----------------|----------------|
| Mr. Baxter | Mr. Fumo | Mr. Gabriel | Ms. Healy | Ms. Pendleton | 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 RESOLUTIONS ON THE CONSENT AGENDA:

Resolution 2025-30

Approving the Use of the Wanamaker Complex and Certain Borough Streets by the Kiwanis Club of Greater Toms River for the River to Bay 5K Event on May 3, 2025 Between the Hours of 6 AM and 12 Noon (By Title)

Motion: Mr. Baxter

Second: Mr. Weber

Resolution 2025-31

Approving the Purchase of Two Milton Roy Proteus Pumps as a Proprietary Purchase from Pyrz Water Supply of Harleysville, Pennsylvania, in an Amount Not to Exceed \$7,480.00

Motion: Ms. Pendleton

Second: Mr. Weber

Resolution 2025-32

Authorizing Participation by the Borough in the State Development and Redevelopment Plan Cross-Acceptance Process

Motion: Mr. Weber

Second: Mr. Baxter

Resolution 2025-33

Approving the Appointment of Sean Asay to the Position of Municipal Housing Liaison for the Administration of the Borough's Affordable Housing Program

Motion: Mr. Baxter

Second: Mr. Weber

Resolution 2025-34

Authorizing the CFO to Request Permission from DCA for the Dedication by Rider of Lead Paint Hazard Inspection Proceeds Required by the Division of Local Government Services

Motion: Mr. Weber

Second: Mr. Fumo

Resolution 2025-35

Authorizing and Approving the Preparation and Submission of a Proposal from Roman Fumo for the Construction and Installation of a Bicycle Rack at the Island Heights Public Library as an Eagle Scout Project

Motion: Mr. Weber

Second: Ms. Pendleton

Note: Roman Fumo was recognized by Mayor Doyle and he made a brief presentation as to his plan to design and construct a bike rack for the Island Heights Library as his Eagle Scout Project. He said that he plans to propose that the rack will be constructed on the east side of The building and should accommodate up to four bicycles.

Mayor Doyle thanked Roman Fumo for his efforts and asked that he keep the Governing Body informed as to his efforts on the project.

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: Mr. Weber

Second: Mr. Baxter

Voting Record:

| | | | | | | |
|----------------|----------------|-------------|----------------|----------------|----------------|----------------|
| Mr. Baxter | Mr. Fumo | Mr. Gabriel | Ms. Healy | Ms. Pendleton | 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 2025-36

Approving Payment of all of the Items on the Bill List Submitted by the Purchasing Agent as well as the Invoice Requesting a Partial Payment to Anar Construction in the Amount of \$195,986.08 upon the Availability of Funds (By Title)

Motion: Ms. Pendleton

Second: Mr. Fumo

Discussion/Comments: None

Voting Record:

| | | | | | | |
|----------------|----------------|-------------|----------------|----------------|----------------|----------------|
| Mr. Baxter | Mr. Fumo | Mr. Gabriel | Ms. Healy | Ms. Pendleton | 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. Fumo – Our First Aid Squad had thirteen calls in January. Our volunteers left their families for two calls on New Years Eve and one call on New Years Day. They also participated in an ice rescue drill with our Fire Company. Tonight, they are training our Police Officers in CPR and First Aid at no cost to the Borough.

Our Fire Company has responded to twenty two calls so far this year and participated in four training drills.

Mr. Weber - Our Code Enforcement Office has completed eight occupancy certificate inspections to date as well as five zoning permit reviews.

In our Construction Office, our inspectors have completed eighty six inspections so far this year to protect the safety of our property owners.

We are pleased to announce that the Borough Television Channel is now broadcasting on a global streaming platform. There is a link to the streaming feed on the top banner of our website. We welcome content ideas from our residents for the channel.

Mr. Baxter – Our Municipal Court had their first session of the year on February 10th and a report will be forthcoming.

Our Planning Board will have their first meeting of the year on February 20th, there is a sub-division in the Windsor Park section for consideration.

Ms. Pendleton – Our DPW has been occupied with snow and ice removal while maintaining our snow removal equipment and ice eaters at our Public Docks.

DPW has been assisting with the paving work on Holly Ave. and Lake Drive.

DPW has removed debris, including tires, from our waterfront areas with the recent low tides.

Our next large item, bulk pickup will be on February 28th.

Now is the time to renew if you use the Community Garden, see Penny at Borough Hall.

Good progress is being made on the new fencing at our basketball and tennis courts, it will be ready for the spring.

Ms. Healy – At Central Regional High School, Master Sergeant Grant was honored for his work with the Junior ROTC. The drama club will be putting on a production of Legally Blonde this spring. They are encouraging all of their seniors to apply early for the many college scholarship programs that are available.

At our Elementary School, enrollment for next years pre-school program has been set but you can still add your child to the waiting list. For children who will be five years old for next school year, kindergarten enrollment will start on March 3rd.

Mayor Doyle – We have completed negotiations with the CWA Union that represents our full time DPW employees, we will have their proposed new contract before the Governing Body at a future meeting for approval.

Our paving and restoration project for 2025 will include Chestnut Ave., Park Ave. and Westray Ave. the work will be done in the fall.

Our town wide water meter replacement project is underway, please contact Metertek and make an appointment for the replacement as soon as possible.

Our Holly Ave. and Lake Drive restoration and paving project is nearing completion and I know that all of our residents will be pleased with the improvements that we have made to the area to reduce flooding and give a refreshed look to all of our public spaces.

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

Chris Maloney – (IH Librarian) – I want to express our support for the work that Roman Fumo is planning to do as his Eagle Scout Project. Having a bicycle rack at the Library will be a great addition and make visits safer and easier for everyone.

I encourage everyone to participate in our winter and summer reading programs, we have some great activities and prizes for the participants.

Joseph LaPlaca – Commented on the paving of Lake Drive.

MAYOR DOYLE ENTERTAINED A MOTION FOR ADJOURNMENT:

Motion to Adjourn

Motion: Mr. Weber

Second: Ms. Pendleton

Voice Vote:

Yes: Unanimous

No _____

The meeting was adjourned at 7:30 PM.