

Meeting Date:

Nov. 10, 2011

President of Council	Al Gabriel	Council Member	Jeff Silver
Council Member	John Bender	Council Member	Brian Taboada
Council Member	Greg Heizler	Mayor	James Biggs
Council Member	Joe Rogalski	Borough Attorney	Wm. Hiering, Jr., Esq.

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order the meeting was held at the Island Heights Municipal Building, Wanamaker Complex, Island Heights, New Jersey.

Mayor Biggs read the notice of the meeting in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting dates appeared in the Asbury Park Press on December 10, 2010, notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence.

Roll Call:

President of Council	Al Gabriel	Council Member	Jeff Silver
Council Member	John Bendel	Council Member	Brian Taboada
Council Member	Greg Heizler	Mayor	James Biggs
Council Member	Joe Rogalski*	Borough Attorney	Thomas Gannon, Esq.

*Absent

Adopt **Resolution 2011 – 68** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF 4TH QUARTER 2011 TAXES IN THE AMOUNT OF \$2,674.51 FOR BLOCK 47, LOTS #1, 1.02, 2 & 4 IN THE NAME OF CANDOR, INC. DUE TO AWARD OF AN APPEAL TO THE OCEAN COUNTY TAX BOARD JUDGMENT WHICH CREATED AN OVERPAYMENT.**

Motion: Mr. Gabriel second Mr. Bendel.

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes
		Mayor Biggs	Yes

Adopt **Resolution 2011 - 69** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE FOLLOWING MUNICIPAL DEBT SERVICE – EXCLUDED FROM “CAPS” INTEREST ON NOTES IN THE AMOUNT OF \$30,000.00, PURSUANT TO N.J.S.A. 40A:4-46.**

Motion: Mr. Taboada second Mr. Bendel.

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
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Mr. Bendel Yes
Mr. Heizler Absent

Mr. Silver Yes
Mr. Taboada Yes
Mayor Biggs Yes

Adopt **Resolution 2011 – 70** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER BETWEEN APPROPRIATION ACCOUNTS IN THE 2011 BUDGET, PURSUANT TO N.J.S.A. 40A:4-59.**

Motion: Mr. Taboada second Mr. Silver.

Roll Call Vote:

Mr. Gabriel Yes
Mr. Bendel Yes
Mr. Heizler Absent

Mr. Rogalski Absent
Mr. Silver Yes
Mr. Taboada Yes
Mayor Biggs Yes

Adopt **Resolution 2011 – 71** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY. APPROVING THE CORRECTIVE ACTION PLAN FOR THE 2010 AUDIT REPORT.**

Motion: Mr. Taboada second Mr. Gabriel.

Roll Call Vote:

Mr. Gabriel Yes
Mr. Bendel Yes
Mr. Heizler Absent

Mr. Rogalski Absent
Mr. Silver Yes
Mr. Taboada Yes
Mayor Biggs Yes

Adopt **Resolution 2011 – 73** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING THE FAIR SCHOOL FUNDING ACT PROPOSED BY STATE SENATOR MICHAEL DOHERTY.** (added at the request of Mr. Taboada)

Motion: Mr. Taboada second Mr. Gabriel.

Roll Call Vote:

Mr. Gabriel Yes
Mr. Bendel Abstain
Mr. Heizler Absent

Mr. Rogalski Absent
Mr. Silver Yes
Mr. Taboada Yes
Mayor Biggs Yes

Approve obligations chargeable to the 2011 operating budget as presented. Mr. Silver requested that the following payments be held: Ken's Hardware Buildings & Grounds and Verizon.

Motion: Mr. Bendel second Mr. Taboada to approve with those exceptions.

Roll Call Vote:

Mr. Gabriel Yes*
Mr. Bendel Yes*
Mr. Heizler Absent

Mr. Rogalski Absent
Mr. Silver Yes*
Mr. Taboada Yes*
Mayor Biggs Yes*

*No vote on the reimbursement of the \$10.00 for the Town Wide Yard Sale Permit.

*With exceptions

The following will be acted on as a consent agenda.

Approve the following Purchase Order Requests.

Requesting Department: Insurance
Vendor: Summit Risk Services
Item/Service: Reimbursement due insurance per deductible
(\$20,000) Executrix of the Estate of Mary Tavares
Legal Services through August, 2011.
TOTAL: \$950.82

Requesting Department: Public Works BLDGS/GRDS
Clean up of PW Property
Vendor: Ocean County Recycling Center, Inc.
Item/Service: 17.26 Material ID 20340 Stumps/Brush/Tree Parts
TOTAL: \$586.84

Requesting Department: Public Works/Boardwalk Lighting
Vendor: Linesider Electric, Co.
Item/Service: 2 Men 4 Hrs Labor Checkout 9 Pole Lights Replace
7 Lamps Order Needed Ballast (6)
TOTAL: \$2,211.00

ADD ON:

** Requesting Department: Tax Office
Vendor: US Bank Cust for Pro Capital, LLC
Item/Service: Lien Redemption 11-00001 B-21 L-4 Hanifen
TOTAL: \$2,736.11

Motion: Mr. Taboada second Mr. Bendel.

Roll Call Vote:

Mr. Gabriel	Yes*	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes
		Mayor Biggs	Yes

*Gabriel Abstains on Linesider

Approve the following Raffle License:

Applicant: Island Heights PTO
DOE: Dec. 20, 2011
License No(s): R2011 – 13

Motion: Mr. Gabriel second Mr. Silver.

Roll Call Vote:

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes
		Mayor Biggs	Yes

Approve request from the Island Heights United Methodist Church to utilize the Wanamaker Complex for Trolley Parking from 10:00AM – 5:00PM, on Saturday, December 3, for their 28th Annual house Tour.

Motion: Mr. Taboada second Mr. Silver

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes
		Mayor Biggs	Abstain

OLD BUSINESS:

Discuss Garbage Specs (added at the request of Mr. Silver) this item will be part of the executive session under contracts.

COMMITTEE REPORTS:

Mr. Bendel – no report.

Mr. Taboada thanked the Board of Ed, 6th Grade Class, and the alumni who came to help with the Annual Spaghetti Dinner.

Mr. Gabriel – no report.

Mr. Silver reported

Mayor Biggs thanked all the residents who responded to the request from the Volunteer Service Groups to make sure that their home are property numbered. He also noted that a request has been made for mile markers to be placed on the boardwalk enabling walkers to keep track of the distance walked. Mr. Silver said he would donate placquards to be placed in 1/8th of a mile increment.

Mr. Rogalski – absent.

Mr. Heizler – absent.

PRIVILEGE OF THE FLOOR:

Extended to the following:

Dr. Harris raised the question on council members providing an explanation on their reason behind their vote. Borough Attorney Gannon explained you cannot compel an individual to provide a reason for their vote for transpires reasons, which is the law right not. Dr. Harris also asked if the benches along the waterfront could be moved. Dr. Harris spoke about the Mayor's authority to make appointments.

Mr. Roberts encourage all to visit the Peto & Friends Exhibit which is currently open, there are 15 Peto's on exhibit along with the works of Wagner & Shill.

Adopt **Resolution 2011 – 72** entitled, **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION.**

Motion: Mr. Bendel second Mr. Silver.

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes

Mayor Biggs Yes

Meeting reconvened with all members with the exception of Mr. Rogalski are present including the Chief Financial Officer. The following action is a result of the executive session.

Authorize the publication and receipt of bids for the collection of disposal waste within the Borough of Island Heights.

Motion: Mr. Gabriel second Mr. Taboada

Roll Call Vote:

Roll Call Vote:

Mr. Gabriel	Yes	Mr. Rogalski	Absent
Mr. Bendel	Yes	Mr. Silver	Yes
Mr. Heizler	Absent	Mr. Taboada	Yes
		Mayor Biggs	Yes

Unanimous motion to adjourn made by Mr. Gabriel second Mr. Silver.

Respectfully submitted, Ellie Rogalski, RMC/CMC