

Regular Meeting  
Minutes

June 10, 2014

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 appeared in the Asbury Park Press on December 19<sup>th</sup>, 2013, notice is also posted on the bulletin board and in the municipal building.

Pledge to the flag and a moment of silence. Roll

Call:

Council President	Jeff Silver	Council Member	Kieran Pillion, Jr.
Council Member	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Mayor	James Biggs
Council Member	Steve Berglund	Borough Attorney	T. Gannon, Esq.

Adopt Resolution 2014 - 47 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET OF THE BOROUGH OF ISLAND HEIGHTS PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)

Motion by Mr. Silver second Mr. Asay.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Adopt Resolution 2014 – 48 entitled, RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, OCEAN COUNTY, NEW JERSEY, CANCELLING OUTSTANDING ISSUED CHECKS FROM THE PAYROLL ACCOUNT FUND THAT EXCEED THE SIX MONTH STALE DATED PERIOD.

Motion by Mr. Silver second Mr. Bendel.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Approve obligations chargeable to the 2013 operating budget and 2014 operating budget.

Motion by Mr. Bendel second Mr. Silver.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

The following will be acted on as a consent agenda.  
Approve the following purchase order request(s):

Requesting Dept.: Environmental Committee  
Vendor: Clayton  
Item/Service: 400 Tons K4 Sand (fill dirt)  
Total: \$6,800.00

Requesting Dept.: Municipal Clerk  
Vendor: Coded System  
Item/Service: Preparation of 20 copies of Supplement No. 6 Code Book  
Ord. 2008 – 12 through Ord. 2014 – 04 and publishing of the code  
online  
Total: \$6,800.00

Requesting Dept.: Public Works W/S  
Vendor: Yardville Supply  
Item/Service: 5 DCSS80 Diamond Crystal Solar #80 @\$299.70 = \$1,498.50  
1 DCZ1A Zone 1 Delivery Zone 1-5 Pallets \$60.00  
Total: \$1,558.50

Requesting Dept.: Public Works W/S  
Vendor: Barton Construction Corp  
Item/Service: Emergency Repair River Ave. Pump Station  
Replace 2" SCH 80 Pipe & Valves Emergency Repair  
Total: \$2,500.00

Motion by Mr. Silver second Mr. Berglund.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

NEW BUSINESS:

Discuss Ordinance 2014 – 05 Mandate Direct Deposit.

A discussion was held regarding Ordinance 2014-05, which mandates direct deposit for certain employees of the Borough.

Motion by Mr. Silver second Ms. Snow to approve Ordinance 2014-05 on introduction.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Approve Application for Special Permit for Social Affair (ABC)

Applicant: John F. Peto Studio Museum, Inc.

Date: July 03, 2014

Time: 7 PM – 9:30 PM

Motion by Mr. Silver second Mr. Asay.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Approve the hiring of the following summer employees:

Alexandra Wickel Lifeguard at \$10.00 p/h; Jamie Prior Head Guard at \$10.50 p/h; Sean McKee Lifeguard at \$10.00 per hour (pending certification) and approve reimbursement of the cost of Red Cross Lifeguard Certification.

Motion by Mr. Silver second Mr. Bendel.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Approve the recommendation of the Recreation Committee to rehire Brandon Grablachoff to run the Summer Program at the 2012 salary of \$2,000.

Motion by Mr. Silver second Mr. Asay.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Approve minutes from the following meetings: Feb 25<sup>th</sup>, March 11<sup>th</sup>, March 25<sup>th</sup>, April 22<sup>nd</sup>, and May 13<sup>th</sup>, 2014.

Motion by Mr. Bendel second Mr. Silver.

Mr. Silver	Yes**	Mr. Pillion	Yes
Mr. Asay	Yes*	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

\*Abstains on the minutes from February 25, 2014

\*\*Abstains on the minutes from April 22, 2014

#### OLD BUSINESS:

Approve the Street Sweeping (entire boro) by Ocean County at a rate of \$100. P/h, estimated time to complete two (2) days. Alternate street parking will be implemented during this time.

Motion by Mr. Silver second Mr. Bendel.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

Lighting Ordinance (req. by Mr. Berglund)

A lengthy discussion was held regarding this Ordinance, including if the Borough's current nuisance ordinance would cover lighting nuisances. A suggestion was made that if this matter is brought up in the future to make it an addendum to the current nuisance ordinance.

Motion by Mr. Silver second Mr. Berglund to permanently table the proposed Lighting Ordinance.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

First Aid Squad (req. Mr. Asay). This item was discussed in Executive Session.

## COMMITTEE REPORTS:

Ms. Snow: Attended the Island Heights Elementary School Board meeting to update them regarding the Safe Routes to Schools grant and to check up on the drainage issue at the school. They have a berm along the building that seems to be working. They are replacing the gymnasium floor during the summer.

Mr. Pillion: The beach is opening on June 22<sup>nd</sup>. We have two (2) returning lifeguards. Public Works has been checking the lifeguard equipment to see what needs replacing and what can be fixed. Stopped by the Library. It looks in good shape. The Post Office building had one of the corner gutter pieces missing. I spoke to Mr. Brodbeck about it and it was replaced fairly quickly.

Mr. Berglund: I became aware of a webinar regarding watershed academy and living shorelines. Listened to it for a couple of hours trying to find some ideas for Long Point and along the bluff where we have issues. The ideas were to work higher up, put in plantings, and do what you can to save what you can. Use native plants and ones that are "people unfriendly" (thorny) to protect the area and keep people away.

Mr. Asay: I want to bring attention to a letter dated May 28<sup>th</sup> from a resident who is moving out of town after seventeen (17) years saying how great the Police Department is. Also want to commend Public Works for their efforts during a recent storm by staying with the utility companies who were restoring service to my neighbor's house that was affected by the storm.

Mr. Bendel: The Planning Board approved a sub-division on Ocean Ave. at their last meeting and have two (2) applications before it tomorrow night.

Mr. Silver: I've been working with Mr. Berglund to get the materials together for the Camp Meeting Bluff. The gabions have been delivered to Public Works. We need to get other materials (filter fabric, stone). Plants will be installed in the Bio-Swale project to complete it. Hopefully, the plants will require little maintenance by the Borough as the runoff will water them. Once the Bio-Swale is complete, then we're jumping over to Camp Meeting to stabilize the bluff.

## PRIVILEGE OF THE FLOOR:

Mr. Taylor: There are two (2) houses on River Ave. that have been under construction for a few years. I brought it up a couple of years ago and was told that they keep renewing their permits. How long can they keep renewing their permits? Can the Borough make an Ordinance regulating the renewal of Ordinances? What if they do some landscaping to make it look nice?

Mr. Lennox: With regard to the erosion at Camp Meeting and Long Point, just a word of caution...the environmental route that the Borough's been taking has been unsuccessful. Part of the problem is the wake regulations on the Toms River. Also need to keep people off of certain areas.

Mrs. Marx: I'm representing residents that are concerned about the vehicles parked at the Fire House. According to the Zoning Officer, it's a month-to-month lease, but after reading it, it's for a year. It's not attractive. They're going to move the cars for Summerbrew and move them back four (4) days later. What are they going to do with the cars? Why weren't we notified about this? I think it's affecting the values of our homes. Did the Planning Board approve it? Is it mentioned in the minutes? I have a petition here with about fifty (50) signatures of people in the immediate area that are upset about it. A lot of people thought that they were cars that would be auctioned off in a couple of weeks. When you tell them otherwise, they're aghast. This is supposed to be a quaint, historical town and we're bringing in Rt. 37. Don't understand how this was approved. You have an eyesore of 120 cars there. When I was photocopying the petition at a local store, someone from Toms River didn't like it.

Doug Platt, IH Fire Co. President: We were contacted by a large local auto dealer to store excess inventory with a donation to cover our costs. We're in a position where we have to stop renting our hall, which used to be a major source of income for the Company, because of some building issues and we have to look for some other ways to replace the lost funds to maintain our operations. They're all new cars and no trucks are bringing them in or out. No extra lighting is needed. We check with the Zoning Officer to be sure that it was within our Zoning permissions after meeting with the Attorney and the

Planning Board President. Trying to keep it from being an eyesore. The upside is that the issues the neighbors had with noise, etc. from Hall rentals won't happen.

Mrs. Fabbo: Thank you for the explanation, but the Fire Company had a moral obligation to notify the residents about what they were doing.

Mrs. Marx: There are other things that the Fire Company could have done to raise funds.

Ms. Zurawski: I was astounded to see all those cars there. I think it was wrong that we were not informed. Is the area zoned commercial? Does this mean that I can start a business out of my house?

Mrs. Fusaro: Why can't the Fire Company rent out the fire house?

Doug Platt, IH Fire Co. President: Building issues. They were going on prior to Super Storm Sandy and Sandy made it worse.

Mr. Taylor: Can we look into what can be done to fix the fire house?

Doug Platt, IH Fire Co. President: Island Heights Fire Co. #1 is an independent organization. The Fire Co. owns the land, building and equipment. There is no fire tax in Island Heights and Fire Co. pays for everything. The money comes from our fundraisers and in some cases, the Fire Co. loses money on the fundraiser. All of our members are volunteers. The cars are all new, not brought in or out by truck and are overflow inventory. I apologize to the neighbors. The lease is probably netting the Fire Co. a little more money than what it was taking in with the Hall Rentals. There is no simple fix. We have a 1999 Fire Truck that according to the ISO rating is good for twenty (20) years, so it will have to be replaced in 1999.

Mrs. Marx: Why wasn't this problem brought to the Governing Body first? This is not the same as Summerbrew. The cars are here for a year and there will be people coming in to look at the stickers on the cars. If you lived across from this, would you feel differently? This is not good for the town.

Unknown person: A one (1) year lease won't solve the problems the Fire Company is facing. Will this be an ongoing thing?

Mrs. Marx: What about events that utilized the Hall or the Fire House parking lot, like Sailfest, the Church tour and the Craft Show?

Doug Platt, IH Fire Co. President: All parties that usually have events at the Hall have been notified. The parking was a bonus item for outdoor events. Were gracious to allow the use of our parking lot for town events. There are plans being made for the renovation of the Fire House.

Mr. Zimmerman: Two (2) days prior to the cars moving in, all of the shrubbery was ripped out, I assume, by the Borough's Public Works Department. Was this part of the agreement with Lester Glenn? Was this done with Municipal equipment at taxpayer expense?

Doug Platt, IH Fire Co. President: That was coincidental. Part of the reason it was done. Our members did most of the work with the Public Works Department helping us move some of the stuff.

Adopt Resolution 2014 - 49, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION for contractual and personnel. No action will be taken.

Motion by Mr. Silver second Mr. Asay.

Mr. Silver	Yes	Mr. Pillion	Yes
Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Yes	Mayor Biggs	Yes
Mr. Berglund	Yes		

MEETING RECONVENED:

Motion by Mr. Silver second by Ms. Snow to go back into Open Session. Unanimous voice vote.

No action was taken as a result of Executive Session.

Motion by Mr. Bendel second by Mr. Silver to adjourn this meeting. Unanimous voice vote.