

Regular Meeting

April 14, 2015

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 Silver 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 20, 2014 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 Asay
Councilmember Bendel
Councilmember Berglund

Councilmember Pillion
Councilmember Snow
Councilmember Thompson
Mayor Silver
Attorney McGill

Second reading and adoption of Ordinance 2015-01 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XVIII (STREETS AND SIDEWALKS) OF THE CODE OF THE BOROUGH TO REVISE THE SCHEDULE OF PERMIT FEES.

Motion by M. Asay second Mr. Berglund.

Public Hearing on Ordinance 2015-01

Motion by Mr. Asay second Mr. Bendel to open the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Motion by Mr. Asay second Mr. Bendel to close the Public Hearing on Ordinance 2015-01. Unanimous voice vote.

Roll Call Vote to adopt Ordinance 2015-01.

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

Second reading and adoption of Ordinance 2015-02 entitled, ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO CREATE A NEW CHAPTER XXXIII, TO BE ENTITLED "LANDLORD RENTAL RESPONSIBILITY."

Motion by Mr. Berglund second Mr. Bendel.

Public Hearing on Ordinance 2015-02

Motion by Mr. Asay second Ms. Snow to open the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Motion by Mr. Asay second Ms. Thompson to close the Public Hearing on Ordinance 2015-01, unanimous voice vote.

Roll Call Vote to adopt Ordinance 2015-02.

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

Mayor's Proclamation – National Library Week (April 12, 2015 – April 18, 2015)

Motion by Mr. Bendel second Mr. Pillion.

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

Approve Resolution 2015-27, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSAL OF BOROUGH PROPERTY

Motion by Mr. Asay second Ms. Snow.

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

Approve Resolution 2015-29, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING WRITTEN POLICIES AND PROCEDURES NEEDED TO ADMINISTER THE SAFE ROUTES TO SCHOOL GRANT

Motion by Mr. Berglund second Ms. Snow.

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

Approve obligations chargeable to the 2014 operating budget and the 2015 temporary budget as presented.

Motion by Mr. Asay second Mr. Bendel.

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

NEW BUSINESS:

Approve minutes from the regular meeting held on March 24, 2015.

Motion by Mr. Asay second Mr. Berglund.

Mr. Asay	Yes	Ms. Snow	Yes
Mr. Bendel	Abstain	Ms. Thompson	Yes
Mr. Berglund	Yes	Mayor Silver	Yes
Mr. Pillion	Yes		

Discussion of the following items: (requested by Mr. Asay)

- a) Amend Chapter 2, Section 2-43 (Schedule A): Pavilion Rental (Ordinances 2008-02 & 2008-03) to adjust the fees charged for the rental of the Pavilion
- b) Amend Chapter 5 (Peddlers), Section 5-1(Ordinance 87-3, Ordinance 87-5 and Ordinance 87-9) to add new language, delete a section, amend fees and add a new section
- c) Amend Chapter 5 (Massage Establishments), Section 5-2 (Ordinance 80-11) to amend license fee

Mayor Silver stated that the contractor has started the process for dismantling the old water tower. It could possibly take three (3) weeks. Punch lists have been created for both the site of the new water tower and the site of the old water tower.

OLD BUSINESS:

Discussion was held regarding the renewal of Municipal Consent for Comcast.

Robert MacLean – I have a printout of what the Borough is entitled to, as a town, from Comcast, one of the items is a dedicated cable channel. Additional items discussed included the franchise fees, term of lease. The notification of the public hearing will be coordinated with the clerk and attorney.

Mr. Berglund updated the Council on the borough’s five-year plan for improvements within the borough. The plan is a “living document” that will allow for changes. once finalized a determination will be made as to the distribution to the public.

Mr. Berglund inquired if a resolution adopted in 2014 and approved in the minutes in 2015 was adopted for 2015, the attorney will review his question.

COMMITTEE REPORTS:

Ms. Thompson – read the Tax Collectors report for March 2015 (\$167,808.00) was consistent with the collections for March 2014 (\$165,808.00). The Tax Assessor has received fourteen (14) Tax Appeals this year, which is two (2) more than received in 2014. Ms. Thompson introduced the new Zoning Officer, Joe Cocco to the public and would like him to give a synopsis of what he’s been working on, to date. Mr. Cocco – Thanked the Council, along with the residents for the welcome that I’ve received. It’s been a busy two (2) weeks. I did my first C.O. at the condos on Central Avenue and also met with the president of its condo association. I’ve had four (4) requests for tree removal permits, two (2) of which I approved and the other two (2) are pending. We’re working on modifying some of the forms to simplify them and make them easier for the public to access. The forms will be on the common drive on the office computers and also maybe have them put on the website. We’ve temporarily adopted a form for the tree permit on

green paper so that it stands out from a regular building permit. I'm looking into some positive P.R. ideas for tree removals and will meet with the Environmental Commission to get their input. I had a representative from Conza Builders come in with regard to the properties on Siddons Court. They would like a possible "zoning change" for their site a multi dwelling zone. The change would provide for the development of that property for condominiums. The number of unit could range from 20 to 40 units, with the current house being used as a club house. Mr. McGill advised that this was not the forum to discuss this possible application for a zoning change based on the possibility of the role that the council may be faced with. Mayor Silver stated that Mr. Cocco was working on other issues and that use of his services is available Monday through Friday and even on weekends.

Ms. Snow – Just a quick update on the Arbor Day/Earth Day celebrations that are scheduled on April 18, 2015 from 9:00 am through 12:00 noon. Council President Asay will speak at the dedication; Mr. Bendel has graciously agreed to be the photographer. Mr. Berglund has been caring for the seedlings that will be distributed to the people who signed up to receive them. Preparation has also been completed for the art sculpture for the swail. A request from the Environmental Commission that a flyer about crabbing that they have provided, along with a map showing the areas that can be utilized for crabbing be handed out as we are selling badges. With regards to the Safe Routes to School grant, I reached out to the school for their feedback to set up the metrics to track and follow the progress. This is the season where we'll see more people walking/biking to and from school.

Mr. Pillion – The Mayor, Councilman Asay and I had a brief discussion about the requirements from the NJ Supreme Court for Municipal Court facilities. We are looking into sharing services or facilities in an effort to reduce costs and thereby reduce taxes.

Mr. Bendel – No report.

Mr. Berglund – Public Works has initiated Shared Services with Seaside Heights for use of the equipment used to install line stops. The agreement is that we help them and they help us. We buy the supplies for our line stops and they'll provide the equipment.

Mr. Asay – No report.

Mayor Silver – Council should have received a copy of an FYI document regarding the Transparent Tax Act of 2015. This is intended to provide clarity to the local taxpayers and to share, proportionally, the burden of tax assessment and tax appeal refunds between all taxing authorities. I would like a resolution prepared for the next meeting.

PRIVILEGE OF THE FLOOR:

Extended to the following:

Don Roberts –suggested that Tree Ordinance be made available online to enable the public to have access.

Brian Gabriel – This is a follow-up on an agenda item suggestion. You're voting on agenda items before the public can speak on them. You should make it clear that any the comments made should only be on the agenda item under discussion.

Don Roberts – With the beach badges, pricing is the same for residents and a non-residents? Is it a legal thing? Does the same hold true for the crabbing license? With the crabbing on the river, the part of the boardwalk that faces the Toms River Yacht Club has been designated for crabbing. Has it changed at all? There is an area at the bend where crabbers and pedestrians get crowded together.

Brian Gabriel – The crabbers put out chairs, umbrellas, etc. that take over the boardwalk.

Don Roberts – Do we know, with the crabbing license, who is a resident and who isn't? I know there's a business in Toms River that has many licenses and they send their people down here to crab. Can the crabbing license be split off from the recreation badge?

Further discussion was held regarding crabbing licenses, badges and crabbers leaving their nails and leftover bait.

Adopt Resolution 2015 – 28, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The items to be discussed in this session will include the following: 1. Contracts (employee) formal action will be taken.

Motion by Mr. Bendel second Ms. Thompson.

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

MEETING RECONVENED:

Motion by Mr. Asay second by Mr. Bendel to reconvene the regular session of the meeting, unanimous voice vote.

Motion to memorialize Resolution 2015 – 26 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF TOMS RIVER FOR THE PURPOSES OF SECURING THE SERVICES OF A CHIEF FINANCIAL OFFICER, and authorize the execution of the agreement by the Mayor and Borough Clerk.

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

Motion to adjourn Made by Mr. Bendel second Mr. Asay, unanimous voice vote.

Respectfully submitted, Ellie Rogalski, RMC/MMC

