

Regular Meeting

April 28, 2015

The Regular Meeting of the Mayor and Council of the Borough of Island Heights will be called to order by Mayor Silver. He will then 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	Sean Asay	Council Member	Sandra Snow
Council Member	John Bendel	Council Member	Susan Thompson
Council Member	Steve Berglund	Mayor	Jeffrey Silver
Council Member	Kieran Pillion, Jr.	Borough Attorney	George McGill, Esq.

Adopt Resolution 2015 – 30 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING THE TRANSPARENT TAX ACT OF 2015.

Motion by Mr. Bendel second Mr. Asay.

Councilmember comment(s).

The following members commented: Mr. Bendel, Mr. Pillion, Ms Thompson and Mayor Silver; the resolution is supporting Assembly Bill’s passage in the State Legislature. Synopsis: The legislation would permit municipalities to issue two separate property tax bills to property taxpayers; requires fires districts, school districts, and county governments to share in burden of property assessment appeal refunds.

No Public Comments were offered.

Roll Call Vote on adoption Resolution 2015-30.

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

The following resolution was held for Executive Session: Adopt Resolution 2015 – 32 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ELIMINATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A FULL-TIME POSITION AND CREATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A PART-TIME POSTION.

Adopt Resolution 2015 – 33 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR AMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2015 MUNICIPAL BUDGET.

Motion by Mr. Asay second Mr. Pillion.

The following members commented: Mr. Asay, Mr. Pillion and Mayor Silver; The Temporary Budget resolution is half of the prior year’s budget and will cover the borough until June 30<sup>th</sup>. Inquiry will be made regarding changing to a fiscal year budget.

No Public Comments were offered.

Roll Call Vote on adoption Resolution 2015 -33.

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 2015 temporary operating budget as presented.

Motion by Mr. Asay second Mr. Mr. Berglund.

No council comments were offered.

No public comments were offered.

Roll Call Vote on adoption.

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

Approve O'Donnell, Stanton & Assoc.re: Water Treatment Plant Replacement, OSA#11047.00, Contract Modification No. 13, for purchase of Confined Spaces Entry Contractor's Kit in the amount of \$3,919.05, increasing the project modification percentage to 21.47%, and increases the total contract to \$2,181,520.06.

Motion by Mr. Asay second Mr. Berglund

The following members commented: Mayor Silver, Mr. Berglund, Mr. Bendel and Mr. Pillion; Modification No. 13 provides for the purchase of confined space entry equipment for public works as required by OSHA. Public Works will be trained on this equipment as per OSHA requirements for confined space entry.

Public Comment:

Mr. Kunz – asked who will be preparing the procedures.

Mr. Gabriel – asked that dollar and not the percent overage cost on both Water Tower and Water Treatment Plant projects be provided to the residents. He also question a verbatim comment that was in the newsletter, not good for neighbor relations.

Roll Call Vote on approval of Modification #13.

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

Approve Shared Services Agreement between the Borough and the Ocean County Health Department for Animal Facility Services. (term of contract January 1, 2015 through December 31, 2019)

Motion by Mr. Asay second by Mr. Bendel.

The following members commended: Mr. Asay; this is a continuing agreement, which provides for fifty (50) free housing days per year. A proposal is currently being reviewed for a Shared Service Agreement with Toms River for Animal Control.

Public Comment:

Mr. MacLean asked if the borough wanted to commit to a five year contract.

Roll Call Vote on approval of the Shared Service Agreement.

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

NEW BUSINESS:

Approve the minutes from the April 14, 2015 Meeting.

Motion and second to adopt the minutes as presented.

Motion by Mr. Asay second Ms. Thompson.

No Council comments offered.

No public comments offered.

Roll Call Vote on adoption.

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

Approve request(s) for use of the Pavilion:

Applicant:	Marian Zirkel
Date of Event:	May 1, 2015
Hours of Event:	6:00 PM – 8:00 PM
Cert. of Ins.	Provided

Motion by Mr. Asay second Ms. Thompson.

The following members commended: Mr. Pillion, Mr. Asay: The limits of liability for the Certificate of Insurance as set by OCJIF are \$500,000.00, there requirements will be reviewed.

Public comment:

Mr. Gabriel asked what type of event.

Motion by Mr. Asay second Ms. Thompson.

Roll Call Vote on adoption.

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

Approve Application for Special Permit for Social Affair (ABC)

Applicant:	Barnegat Bay Foundation
Date:	Friday, June 5, 2015
Time:	5:30PM – 9 PM

Motion by Mr. Berglund second Mr. Bendel.

No Council comments offered.

No public comments offered.

Roll Call Vote on adoption.

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

Approve the following Raffle License:

Applicant:	Barnegat Bay Foundation # R2015-01
DOE:	June 5, 2015

Motion by Mr. Asay second Mr. Berglund.

The following members commented: Mr. Bendel asked about the State ID number.

No public comments offered.

Roll Call Vote on adoption.

Mr. Asay	Yes	Ms. Snow	Yes
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Mr. Bendel Yes  
Mr. Berglund Yes  
Mr. Pillion Yes

Ms. Thompson Yes  
Mayor Silver Yes

#### OLD BUSINESS AND COMMITTEE REPORTS:

Mr. Bendel – No report

Mr. Berglund – reported that as a result of a complaint from a resident regarding wood pile located in front of the borough garage, a requisition for clean up in the amount of \$500.00 has been approved. I approved a requisition for cleaning up our wood pile at Public Works. The wood is available to residents. Some people have abused that and have discarded tree stumps and smaller trees instead of waiting for the dumpster to be available; it was easier to put them there. It became trashy. It cost the Borough \$500.00 to clean it up. We're going to start over with the wood pile, but it was a resident complaint that we took seriously. I found out later he likes to park his private cars there on weekends for his guests and so forth. There may have been some ulterior motives for it, but regardless, we paid for the clean-up. We'll see if we can watch the use of that for the next year or so. We'll see that it's handled better.

Ms. Snow – I seem to remember that last year we had a similar situation with paint being dropped off at Public Works that we had to dispose of. Where do we stand with the security cameras at Public Works?  
Mayor Silver – The digital video recorder is back in place. The cameras need some adjustments. It's almost ready to go back online.

Mr. Berglund – It does work. They have used it on occasion, like when people “borrowed” stones from around the flagpole.

Mr. Asay – We discussed Animal Control already and I want to thank Toms River for everything, including the tour of their new facility located near the Toms River Police Department. It's a beautiful facility. The old facility off of Whitesville Road will be demolished. They're going to be adding a surgical suite so they can spay/neuter all of the animals who need it that come through their facility, thanks to an endowment. They sent us a proposal to cover our Animal Control needs. I followed up about not making the County's list for residential document shredding sites. I spoke to someone at Ocean County Solid Waste Management. He said that this year's schedule is cone, but our residents could bring their items to be shredded to any of the shredding dates and sites. Next year, he'll put us on the list and bring the truck to our Recycling Center. Mr. Pillion and I have been working on the bulkhead issue down at Dillon's Creek Canal where the Toms River side wasn't repaired after SS Sandy. I spoke to Toms River's Engineer and he advised me that it's not part of the current plans that have been submitted by the Gilford Park Yacht Club, although he believes that it's Gilford Park Yacht Club's responsibility. He didn't know why it wasn't already a part of their plans. He's going to raise it to the level of the administration and told me that if they're not going to plan on it, it's going to become a Code Enforcement issue, in his opinion. He'll get back to me next week as to what the Administrator wants to do about it. They're going to lean on Gilford Park because it should have been part of their plans.

Mr. Pillion – Councilman Asay and I were also scheduled o meet with the Communication Center for the County about a week ago, but they had an emergency and had to cancel the meeting. The purpose of the meeting was to continue monitoring how our First Aid Squad is responding to calls. It was an issue brought to the Council's attention via a letter from Lt. Arnold. Councilman Asay is going to reschedule the meeting with the County Communications Center.

Ms. Snow – On April 18<sup>th</sup>, the Environmental Committee had their Earth Day/Arbor Day event. Thank

you to the Mayor and Council Members who were in attendance. Thank you to Council President Asay for an excellent speech and dedication. It was a success. During the event, there was a clean-up of some of the public areas. Council Member Thompson and I cleaned up the areas by the Boat Ramp and Boy Scout Island. With regard to the Safe Routes to School Grant, Superintendent Fuhring and the teachers are working on putting a system in place to track the students' mode of transportation to and from school. I updated her about the sidewalk work being done on Simpson Avenue. Superintendent Parlapanides of the Central Regional School District sent us an update of what is new and exciting there. There's a new agreement with the American Honors Program affiliated with Mercer Community College. The graduating seniors are going to participate in the 1<sup>st</sup> Annual Central Regional Day of Service on Tuesday, June 16<sup>th</sup>, where they go out and perform community service. They want to know if Island Heights has any special tasks that we would like to have done. The new track will be dedicated on Saturday, May 2<sup>nd</sup>. They will also be having tours of the campus again this year and any municipality in the sending districts can call and make arrangements for a tour of the campus.

Ms. Thompson – The Earth Day event was great. The boat ramp was spotless that day, but when I went back a few days later, there was a lot of debris that looked to be leftover from SS Sandy. We may want to keep an eye on the areas where debris like that can wash up. The Department of Education sent the Equalized Valuation Table, which is a report on how much the Borough pays to the Central Regional School District.

Mayor Silver – There is new artwork installed at the Bio-Swale, a sailboat wind ornament. There's a pedestal by the Post Office that describes what a Bio-Swale is and what it does. The County is upgrading their communication system from a 500 MgHz system to a 700 MgHz system due to interference from television providers utilizing the same bandwidth.

**PRIVILEGE OF THE FLOOR:**

Extended to the following:

Jeff Pomery – requesting the requirements for use of the Wanamaker Field for a wedding ceremony and reception on June 16, 2016. Council will take a look at this request and the requirements that are in place.  
 Bob MacLean – additional compost for residents will it be available. He also asked if the Public Hearing with the cable provider has been scheduled. Mr. McGill noted that Comcast will be contacted for a date  
 Brian Gabriel – Did we ever determine if the original Engineer had to put up a bond for the new water treatment plant, so we can go after them for mismanagement. Discussion of the possible legal courses of action that could be taken, including the loss of revenue as a result of the loss of several cellular antenna leases. Mr. Gabriel also talked about the enforcing of beach badges, how is the borough enforcing them  
 A lengthy discussion was held regarding the enforcement and sale of beach badges, use of the boardwalk and the areas for fishing and crabbing.

Adopt Resolution 2015 – 31, entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY TO ENTER INTO EXECUTIVE SESSION. The purpose of this session: Personnel formal action may be taken as a result of this session.

Motion and second to adopt resolution 2015 - 31. Councilmember comment(s). Public Comment (s) on resolution. Roll Call Vote on adoption Resolution 2015 – 31.

Motion by Mr. Bendel second Mr. Asay.

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

Motion by Mr. Bendel second Mr. Asay to reconvene the meeting, unanimous voice vote;  
 The following action is a result of the executive session:

Adopt Resolution 2015 – 32 entitled, RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ELIMINATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A FULL-TIME POSITION AND CREATING THE POSITION OF ADMINISTRATIVE ASSISTANT AS A PART-TIME POSTION as amended. The resolution was amended to include the number of work hours per week to 18 hours not to exceed 22 hours per week. The schedule will become effective May 4<sup>th</sup>, 2015.

Motion by Mr. Asay second Ms. Thompson.

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 by Ms. Thompson, unanimous voice vote.

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Respectfully submitted, Ellie Rogalski, RMC/MMC