

**BOROUGH OF ISLAND HEIGHTS
COUNCIL MEETING
DECEMBER 15, 2015, 7:00 PM**

The Regular Meeting of the Mayor and Council of the Borough of Island Heights was called to order, with Mayor Silver reading that the notice of this meeting is 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, and is posted on the bulletin board, and in the municipal building.

Mayor Silver led those in attendance with a pledge to the flag. He provided his sympathy for those incidents involved in California and France.

The Municipal Clerk proceeded with Roll Call:

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver	Atty O'Connell
Present	x	x	x	x	x	x	x	x
Absent								

PUBLIC COMMENT

Len Adams and George Jefferson of the Toms River Rotary presented two checks; one to a representative of the Island Heights First Aid Squad and one to a representative of the Heights Fire Company. After the check presentation, they requested authorization to hold the 2016 Sailfest on September 10, 2016.

Resolution 2015-139 Authorizing the Rotary to host the 2016 Sailfest

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
x		Thompson	x			
		Mayor Silver	x			

Seeing no public comments, Public Comment was closed.

APPROVAL OF MINUTES:

Resolution 2015-130 Approval of November 10 and 24, Regular and Executive Session approved with amendments of Ordinance 2015-12.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x		x (11.24.15)	
		Bendel	x			
		Berglund	x			
		Pillion	x			
	x	Snow	x			
		Thompson	x		x (11.24.15)	
		Mayor Silver	x			

ORDINANCES:

ORDINANCE 2015-12 AMENDING CHAPTER 4 OF THE BOROUGH CODE , ENTITLED, "POLICE REGULATIONS" (second reading)
Councilman Pillion requested to table the presented ordinance to provide clarification on verbiage. In looking at the complete ordinance, there are other areas of the Borough Code also have to change in

order for this ordinance to be effective.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
		Berglund	x			
x		Pillion	xd			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Ordinance 2015-12 was tabled

ORDINANCE 2015-13 AMENDING CHAPTER 5 OF THE BOROUGH CODE “GENERAL LICENSING” (second reading)

Public Hearing:

Councilman Pillion: There are the fees for the mobile vendors, which were established in 1975. This raises the application fee to \$75 and license fee to \$200. There is a cost associated with a background check to provide a decent investigation into people selling food to children. The license fee are being increased. During warm days, there are many mobile vendors and it creates a “circus-like” environment.

There were no public comments or questions. Seeing none, Public Hearing was closed.

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

RESOLUTIONS

Resolution 2015-131 Approval of December Bill List

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-132 Authorizing the Execution of a Shared Services Agreement with the Island Heights Grade School for Snow and Ice Removal

Public Comment:

Bendel

Asay: asked if the Borough has done this before?

Mayor: yes

Berglund: was there no work done?

Mayor: work was performed but the Borough has not been paid. There was always an agreement that was made. The school has staff to perform work but not the extent the Borough can provide during winter storms.

There was discussion on utilizing manpower with the concern of injury to public works, and why the school is not providing their own snow removal. It was brought to the Governing Body's attention that Public Works has a snowblower, and they use the snowblower at the school since the school does not have their own.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Asay	x			
x		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-133 Establishing Island Heights Borough Council Meetings for 2016

Public Comment:

Councilman Asay asked that the November meeting be moved to November 29, 2016.

Council Member Thompson asked to separate the February and March dates.

Roll Call

The Resolution was passed with the amended dates.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-134 Awarding a contract for Jaynes Avenue Road Improvements, 2014 NJDOT Municipal Aid Grant Program, to Earle Asphalt Company in an Amount not to exceed \$91,813.13

Public Comment: none

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-135 Authorizing the Native Plant Society to reserve Town Hall for a meeting of the Jersey Shore Chapter of the Native Plant society on Tuesday, June 7, 2016

Public Comment: none
Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

Resolution 2015-139 Authorizing a Shared Services Agreement for Mobile Data Terminal Look-up Services with the Borough of Long Beach Township.

Public Comment:

Lt. Arnold stated this is an agreement for “Info-Cop” that is renewed on a yearly basis.

Council Member Thompson: Is there a reason we use Long Beach Township instead of Toms River?

Lt. Arnold responded: “Toms River uses Spillmin. Long Beach was the first town to allow outside towns to utilize this type of system, and we continue using them to date.”

Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
	x	Thompson	x			
		Mayor Silver	x			

Resolution 2015-140 Authorizing the Transfer between Appropriation Accounts in the 2015 Budget

Public Comment: none
Roll Call

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
	x	Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

PURCHASE ORDER REQUESTS

Resolution 2015-136

Item Boss 8.6 Super Duty Installed for F350
 Vendor R& H Spring and Truck Repair
 Amount \$5,119.65

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
		Bendel	x			
x		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-137

Item F350 2002 Front End Repairs
 Vendor Tranz Connection
 Amount \$1,600.00

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Asay	x			
x		Bendel	x			
		Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015-138

Item Install carpet/Tile in Post Office Main Lobby
 Vendor Carpet and Hardwood Company
 Amount : \$1,200.00

Mayor Silver stated that he always gives back a portion of his salary, and he will be doing to in the amount of \$ to pay for a portion of this improvement. He further stated Councilman Berglund and Council Member Snow asked that they be involved in this as well. Mayor Silver opened this up to all on the Council, and all Council Members agreed to give back. The Borough covers all maintenance costs at the Post Office.

Councilman Asay stated that they demand a generous lease, and that the Post Office prefers to mail to houses instead of utilizing the PO Box. They would close the Post Office otherwise.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
	x	Berglund	x			
		Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Resolution 2015- 141 Rejecting all received Request for Professional Services for the Prosecutor position, and authorizing the re-solicitation of RFPs for Island Heights Prosecutor.

The Municipal Clerk stated that due to a low response in the Prosecutor Professional Services, he asked if the Governing Body would like to cancel received RFPs for the Prosecutor position, and re-solicit. The current Prosecutor will be held until the appointment of this position is made. The new RFP deadline will be January 30, 2016.

Councilman Bendel stated there was a difference of opinion of who has the power to appoint Planning Board officials.

The Municipal Clerk stated the Planning Board has the ability to appoint their own professionals, however the municipality solicits the Request for Professional Services on behalf of the Planning Board.

Council Member Thompson stated there was only one response for Bond Counsel.

Mayor Silver stated this has been the case for year, and they are essentially the only show in town.

Councilman Pillion stated the proposed rates are very good, and other rates may not be as reasonable.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

COMMITTEE REPORTS

BENDEL stated that although it has been a few years, it came to his attention that there was no recognition of the anonymous donors of the Island Heights pavilion. The Councilman felt it was more than appropriate to acknowledge them for their contribution. He stated that the plan was originally to collect “Pennies for the Pavilion.”

BERGLUND: Problems relating to the sewer line on central Avenue. The Borough previously solicited bids to correct this issue. Currently, there is still an unknown and excavation continues so that there is a greater ability to receive competitive bids. Additionally, with the weather being warm, the grass continues to grow, and it's been difficult finding time to cut the grass in the Borough. The Borough started to catch up on this maintenance.

ASAY: stated he attended the League of Municipalities, and they relayed the need for an improved email system, whereby each Councilman should have a designed email account for Borough emails; not personal email. Emails used for Borough business are subject to O.P.R.A. Additionally, the “reply all” function in emails are essentially conducting a meeting, that would be outside the Sunshine Law. You don't want to have a conversation with the entire Council via email.

PILLION: The Borough funded the installation of a new fire hydrant, but discussion continues of the best location. I suggested buying the materials needed before the end of the year to prepare for installation. Lt. Arnold sent Police Blotters to him and the Council for notification.

SNOW: The Christmas Tree Lighting ceremony went well. Mayor Silver's wife attended, and assisted in handing out the goodies to the kids. The Recreation Committee helped, as did the Fire Department, who

brought back Santa and handed out candy canes to the children. On the School Grants Committee met with the school and feels they are making progress. They provided suggestions to the school, and will be meeting again in the near future.

THOMPSON: no report, Happy Holidays.

PUBLIC COMMENT: Mayor Silver opened the floor up for Public Comment. Seeing no comments or questions from the public, Public Comment was closed.

NEW BUSINESS

FY 2016 CDBG

The Municipal Clerk read the upcoming dates of interest regarding the Community Development Block Grant, including Public Hearing and application deadlines.

Community Garden

Councilman Berglund presented a draft concept memo on a proposed plan to construct a Community Garden. He currently does this for a company in another town, and since he lives in town, he would take responsibility in being the lead person and provide guidance. As such, they put together an idea to make a space available. He says there should be enough people interested to participate, and stated that somewhere near the municipal complex may be desirable. He will be visiting other community gardens to compare. There will be a bed available for those on a first-come, first-serve basis, for a fee. They would like to use raised beds, and the County has soil available. The Borough would supply the water, and collected fees would pay for initial fencing. The space of the footplate of the building is designated as a historic site, but not the site around it. If that's the case, we will probably have to accept that or get someone's approval. One, does the council want the townspeople to have access to something like this; if so, he advised that residents should be made aware of this via a notification along with the water bill.

Council Member Thompson stated she is in favor of this, and prefers the presented site "A", and to stay away from the historic site area.

Council Member Snow stated that there's also an option to incorporate edibles along with ornamental gardens. She reached out to a contact in the county, with a promise of donations for composting supplies.

Councilman Bendel stated that he has not heard of that footprint of the building rather than the entire property. He also stated that the borough has not gone ahead with memorializing the history of the property. This should've been requested when the Borough destroyed and rebuilt the building, and the Borough promised to memorialize this, after being brought in front of a committee of the Department of Environmental Protection. I feel a community garden would be a nice way to memorialize it.

Councilman Asay: Is this going to be fenced? As long as we're not feeding the geese, then i'm okay with this.

Council Member Snow: "Geese like wide-open fields, and a fence might deter them. Also, the wind and salt water may be factors to consider."

Pillion: Good Idea.

The Mayor and Councilman Berglund recommend Site "A".

The Municipal Clerk stated that the mention of a lease should be changed since the Council can not go into a lease without an ordinance or public bid. He recommended that

maybe a verbiage change to a permit.

Resolution 2015-142 Approval of Purchase Order
Vendor: CSI Computers LLC
Amount: \$943.88
Item: PC maintenance and replacement parts

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
x		Asay	x			
		Bendel	x			
		Berglund	x			
	x	Pillion	x			
		Snow	x			
		Thompson	x			
		Mayor Silver	x			

Recreation Fees

Councilman Pillion stated that he does not want to raise the Recreation Badge fees. People don't like to pay to use the beaches in their own towns, and the extra revenue is marginal.

Mayor Silver stated that although it seems marginal, the volunteer Badge Checker received over \$6,000 last year, and the Borough had to order additional badges.

Councilman Asay: We've gotten a legal opinion in the past that you can't distinguish residents and non-resident rates.

There was discussion about raising the daily rates, and not having a discounted time period for daily badges.

Mayor Silver: Spoke on the costs and fees for the boat ramp.

Asay: I believe \$50 was plenty for a boat ramp key and they should only be sold to residents.

Mayor Silver stated that the Ocean County Library, including the one in Island Heights, is going to a smoke-free campus. The public property is 100% smoke-free. The enforcement will come from the library employees. Additionally, the Borough is in receipt of a letter from the Ocean County Board of Taxation stating that an order for a Revaluation may be issued for the new year, and that it should be anticipated. Finally, there was a resale on a piece of property on Whittier that when the new owner approached Suez to connect, they found out that the water services was supplied by Island Heights. Suez is pursuing to obtain the 22 accounts in the Suez territory, however what they don't realize is there is a natural gas line being installed. These streets are paved, disconnect from Island Heights, and connect to Suez mains. This is a long, ongoing situation, and this notification advises residents of their choice to join Suez. These residents would be able to use their own service line but will have to hook up to Suez main line, which they don't have and would have to install.

ADJOURNMENT & 7:50PM

First: Bendel Second: Berglund, with unanimous Council consent.

Respectfully submitted:

Joseph Kostecki, MPA, RMC, QPA, CMR
Borough Clerk