

**BOROUGH OF ISLAND HEIGHTS
COUNCIL MEETING
APRIL 26, 2016, 7:00 PM**

The Mayor led the Pledge to the flag and read the following meeting notice:

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. 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 30, 2015, published on January 7, 2016 and is posted on the bulletin board, and in the municipal building.

Roll Call:

Council President Asay	Councilmember Snow
Councilmember Bendel	Councilmember Thompson
Councilmember Berglund	Mayor Silver
Councilmember Pillion	Attorney O’Connell

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

A resident was informed to see the Municipal Clerk on how to start a petition.

APPROVAL OF MINUTES:

Council President Asay motioned to table the minutes of April 12, 2016.

Resolution 2016-103 Approving the minutes of April 12, 2016

Roll Call

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

Resolution 2016-103 Approving the minutes of April 12, 2016 was tabled

ORDINANCE

Ordinance 2016-3 Amending and Supplementing 4-4 Entitled, “NOISE,” to Include Section 4-4.4 to Regulate the Hours of Operations For Commercial Businesses (FIRST READING)

Mayor Silver stated that there were not any hours of operation listed for commercial entities.

Councilwoman Thompson asked if this were for those entities with a physical property.

Mayor Silver stated this is for those with a physical property and was not for any construction entities that

may operate on weekends.

Councilman Asay asked the genesis of this.

Mayor Silver stated this is for trash contractors coming in the early morning disturbing residents.

Councilman Bendel asked this be tabled

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

Ordinance 2016-4 Amending Ordinance 2016-2 Salary Ordinance (FIRST READING)(FIRST READING)

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

Mayor Silver introduced Ordinance 2016 Amending Zoning and Code Enforcement Application Fees and Permits as a discussion item only.

The presented ordinance is for discussion only to entertain changes in permit fees,

Mayor Silver responded to Councilman Asay stating that all collected fees go to the Borough.

Councilman Pillion stated that as a point of reference that these rates go back to 1975.

RESOLUTIONS

The Council had a discussion on Changing the Hours of Operation for Borough Hall to Monday through Thursday 8:30am-4:30pm

Mayor Silver stated this would change hours of operation for Borough Hall to four days a week for administration, closed Friday, and will be open Monday nights. The Tax Collector would be an exempt individual.

Councilwoman Thompson confirmed with Mayor Silver that this is to have Borough Hall open longer.

Borough Hall would still be open on Friday from 9am-3pm if the Tax Collector is working

Resolution 2016-105 Amending the Personnel Policy for sick-time
 Public Comment
 Roll Call

The following Roll Call vote is to Table.

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 2016-105 was Tabled.

Resolution 2016-106 Approving a Borough-wide Yard Sale on June 18th
 Public Comment
 Roll Call

Linda Grinfeld, 2 Lake Avenue, stated her opposition to the Borough-wide Yard Sale. She stated it interfered with Beachwood last year, and asked that it be the week before. She said it's too hot during this time, and requested it be moved to September.

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

Resolution 2016-107 Approving a Special Event and Road Closure during Sunday July 17, 2016
 through Tuesday July 19, 2016 for the Island Heights' Yacht Club Mid-Atlantic
 Junior Olympic Sailing event

Public Comment
 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 2016-108 Approving an application for use of Pavilion and the contiguous property on
September 17, 2016

Public Comment

Roll Call

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

Resolution 2016-109 Approval of Bill List

Public Comment

Councilman Asay asked to speak about the garbage pick-up and to 6,800 a month, at twice a week, roughly \$82,000 a year, without tipping fees. \$410,000 over 5 years, \$820,000 over 10 years. I would like the Council to start thinking about our Clerk and Attorney going out to bid.

Councilwoman Thompson stated she believes the current recycling pickup schedule is not working

Roll Call

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

Resolution 2016-110 Authorizing the hiring of Dan Contel in the Department of Public Works , not to exceed 28 hours a week at a rate of \$12.50 an hour

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

COUNCIL REPORTS

Councilwoman Thompson: April 1st was Tax Appeal deadline; 11 were filed; 10 of which were filed with the County; largely based on sale price.

Joe Cocco is present on Monday Nights from 6-8pm, however applications are available at all hours of Borough operations. You do not have to wait to pick up forms from his department.

Councilwoman Snow read a notice on behalf of Councilman Berglund in his absence: We have received such a great response that the Cultural and Heritage Association will host Kate Copsy of the Ocean County Master Gardeners on Monday June 20th, 7pm at the Methodist Church to include a talk and multimedia presentation on master gardening techniques. It will include a question and answer session, in addition to a homemade dessert and coffee buffet. It is free and open to all. All 48 beds of the Community Garden have been bought and now there is a waiting list.

Susan, Sean and I met to discuss the overall and status of our IT providers, and spoke to the needs and outlines the goals of the reconfiguration of the website.

The Environmental Committee held its weeding and planting on Earth Day, in addition to cleanup on problem spots at Boy Scout Island, Long Point and Summit Beach. Free sycamore, spruce and sycamore white oak plants were given away to those to assisted.

I will be sending out a flyer asking who will be interested in volunteering to assist the Recreation Program after the 4th of July through August. Sports will be 3 nights of the week and Art and Crafts the other 2. Monday through Friday, 6pm at Memorial Field. The Council Room will be used for Arts and Crafts

Councilman Pillion is working with Lt. Arnold on the body cameras, and while we were in the process, the rule was ruled unconstitutional as it violated state mandate.

The Lt Arnold stated he is waiting for the Attorney General to make a ruling on the bill. The fees were coming from DWIs, however only \$25 is added onto DWIs and doesn't cover the cost of the cameras. He was advised to hold on the bodycam process for now.

Attorney O'Connell stated the sponsor of the bill is unhappy and asking the the Attorney General to review it after the decision of the Local Mandate Council.

Councilman Pillion stated the Fire Company had their 3rd presentation and many people were supportive and understood their needs. We still don't have the budget released and a draft is forthcoming.

Councilman Bendel stated the Planning Board is trying to keep its officer lineup sufficient.. Garrett Joest stepped down as Chairman and noone was willing to run in his replacement. Bill Noble was nominated as the Mayor's appointee after the Mayor stepped down from his Planning Board spot and nominated Mr. Noble as Chairman. However, the Mayor's Representative can not serve as Chair, and therefore Frank Letta agreed to give up his space in place, with the hope that in the future that Mr. Noble will then be made Chair of the Planning Board.

Councilman Asay asked Borough Attorney to provide his legal review of the Council's authorization to allow the Fire Company to explore Borough property for the potential purchase and use as a new Fire Company.

A municipality can lease a public property for a public purpose. It can be 25 or 50 years. The only problem here is that if the property is developed, then the land reverts back to the Borough at the end of the lease; they (Fire Company) would lose their investment and there is no way to setup a system, say the Fire Dept and Council can setup any other agreement.

Mayor Silver stated JCP&L will come to town to trim trees. Further information can be seen at JCPandL.com

Councilman Asay asked this notice be included in the newsletter.

The Clerk reached out to the Toms River East Little League to gauge their roster but received no response.

Councilman Bendel stated that it is his understanding that the team be “open” to Island Heights residents; not that an Island Heights resident be mandated to be on the team.

The Mayor opened up for Privilege of the Floor.

Maureen DeSanto Scott, 15 Fletcher Place: She stated that she should address this to Councilman Berglund, however he is not present. In the March 22nd minutes he stated he received the letter from the School Administrator to “get their head on straight and that it was a very good experience working with them”. She feels that it kind’ve misrepresents what the letter said and will address this with him next time.

Melissa Woodsky, 108 Jaynes Avenue: She attended the Fire Company presentation and had some questions afterwards. She understands they are looking for an additional \$100,000 over five years, and a \$600,000 for a fire truck equating to \$1.1 million. That in addition to a building is a lot of money. This goes well above the 2% tax increase and asked if there was going to be a referendum.

Councilman Pillion: We will have to look into that. Formulating the question is the real problem. One involves the site, the alternate site; the DPW site.

Councilwoman Snow: We are still in the exploratory phase. There were only two meetings and I wish they were better attended by the public. This is a very important issue and strongly urge people to be more informed.

Councilman Bendel: Speaking for myself, there will have to be a referendum. And we are looking at next year. The question is, what will the question be and how will it be formulated?

Melissa Woodsky, 108 Jaynes Avenue: We are talking about a lot of money into a private entity that is not governed by the same checks and balances of the public entity. Another big factor not addressed is that I reached out for call information. I believe more information is needed to be forthcoming.

Councilman Pillion: The building issue is that they own the land they are on but they have a foundation issue. If they are using their own revenue (fundraising), what they are asking us to do, is assist with their operating costs. This will have to submit itemized costs, considered each year, and they will be treated as a quasi-governmental entity. That is why they are opened up their books. The past has been considered a donation but an accounting has been given to the Borough in the past. There’s always been a partnership with the Fire Company. Our homes have an 8ft set back, with winds off the water which make the area more dangerous. We have many aspects in the town that is failing due to age. If we aren’t willing to pay for that kind of money, then we are going to get a lesser level of fire service. To measure on the number of calls is not as effective or the best way to look at it. It’s one of the most critical aspects of the town and it costs a lot of money for this type of apparatus. The option is to use Toms river, but will subject us to their Fire District tax, which is \$170 over in Toms River; however that’s based on the assessed value of home.

Brian Gabriel stated there is a continual physical fitness class should have permission or insurance to hold their event along the municipal complex.

Councilman Pillion: This is a commercial use in a residential zone and this is a zoning violation. If they come where I live, I'll handle it personally.

Mayor Silver directed the Code Enforcement Officer to handle this issue.

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

Respectfully submitted

Municipal Clerk

Mayor Silver