

**BOROUGH OF ISLAND HEIGHTS
COUNCIL MEETING
JUNE 28, 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.

Pledge to the flag and a moment of silence.

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	x
Absent								

Also in attendance, Margaret Gorman, CFO

1. PUBLIC COMMENT

None.

2. APPROVAL OF MINUTES:

Resolution 2016-155 Minutes of Council Meeting May 24, 2016

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

3. ORDINANCES

Ordinance 2016-5 Amending and Supplementing Chapter 32 of the Borough Code Entitled, Zoning (Second Reading)

The Borough Clerk opened the Public Hearing asking if anyone had questions or comments to step forward and state their name and address.

A citizen, who did not state their name and address, asked what the Ordinance was about.

The Mayor replied that the Borough was amending the Zoning charges for applications. Increasing the fee schedule to bring it up to 2016 and make the fees comparable to other municipalities. This particular one is for signs. The fee will be \$25.00

There being no public questions or comments, the item was opened to roll call.

Public Hearing: First Bendel Second Berglund

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

Ordinance 2016-6 Amending and Supplementing Chapter 11 of the Borough Code Entitled, Building and Housing (Second Reading)

The Borough Clerk opened the Public Hearing asking if anyone had questions or comments to step forward and state their name and address. The Mayor interjected that this Ordinance would be amending our Certificate of Occupancy Fees, and our Zoning Fees. The fee for a Certificate of Occupancy would be raised to \$100.00 and the re-inspection fee is \$25.00.

There being no public comment, the Clerk asked for a motion to close the public hearing.

Public Hearing: First Bendel Second Asay

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

Ordinance 2016-7 Calendar Year 2016 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A: 4-45.14) (Second Reading)

The Borough Clerk opened the Public Hearing asking if anyone had questions or comments.

The Mayor asked the CFO, Margaret (Peg) Gorman to explain the Ordinance. Mrs. Gorman explained that it was basically a 1% increase in the Cap for cost of living expenses.

There being no public comment, the Clerk asked for a motion to close the public hearing.

Public Hearing: First Pillion Second Asay

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

Ordinance 2016-8 An Ordinance of the Borough of Island Heights, County of Ocean, State of New Jersey, Authorizing Reconstruction of River Avenue, and Appropriating \$223,600.00 Therefore and Providing for the Issuance of \$49,020.00 in General Improvement Bonds or Notes to Finance the same. (Second Reading)

The Borough Clerk opened the Public Hearing asking if anyone had questions or comments.

The Mayor explained that this is a continuing project restoration. It is from the bottom of Simpson turning on to River Avenue. The road floods at the bottom at the flood gate. This is to raise it above the water level so we don't have the instance happening there any longer.

There being no public comment, the Clerk asked for a motion to close the public hearing.

Public Hearing: First Bendel Second Berglund

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

Ordinance 2016-9 Bond Ordinance of the Borough of Island Heights, County of Ocean, State of New Jersey, Providing for Various Water and Sewer Improvements in and for the Borough of Island Heights and Appropriating \$937,500 therefore and providing for the Issuance of \$937,500 in Bonds or Notes of the Borough of Island Heights to Finance the Same. (First Reading)

Councilman Berglund explained that this Ordinance was to provide financing for the work that needs to be done on Jaynes Avenue so we can receive upgraded or new water lines, hydrants, and so forth. It is also for inspection of the sewers, and this would be done prior to the paving, which has already been awarded. The ordinance also includes additional work throughout the Borough using one Ordinance to finance this and also next year's work.

Councilman Pillion objected to voting on an Ordinance for over \$900,000 that he hadn't seen before that night. He said that whatever was on Jaynes Avenue he can't imagine costing \$900,000 and whatever else we are bonding for he doesn't know.

Mrs. Gorman explained that the bonding was just for Jaynes Avenue. It was Jaynes Avenue and the

street that the Borough was going to do with its 2016 DOT grant along with any other problems with the water and sewer lines throughout the town. We did one bond to authorize payment for that.

The Mayor indicated that he has held up the paving on Jaynes and Maple Avenue's and that this is similar to what we did on Simpson Avenue.

Councilman Pillion indicated that he would not vote on an Ordinance he just received and that he wanted further explanation and a sit down to discuss this.

The CFO explained that this was just an introduction to the Ordinance and at Second Reading there will be comments. If he wanted any additional information, she could give it to him, and at the second reading he could vote. She stated that the Borough was not looking for a bond anticipation note at this time that Council was just authorizing the expenditure to repair the water and sewer lines and whatever might need to be repaired. First on Jaynes with the 2015 DOT grant for the paving and then next year's grant, the DOT for 2016, any water and sewer lines in there and if there are any breaks throughout the town, they can then be prepared without doing an emergency and coming back and asking for another authorization to expend.

Councilwoman Thompson noted that this was a 40 year obligation.

CFO Gorman explained that when you go to sell the bonds it would be for 40 years but when you go for the note it would probably be for 20 years.

Councilwoman Thompson said that she didn't feel comfortable with voting on the Ordinance tonight without seeing it prior to this afternoon and she knows that we need improvements to the water and sewer but she needs to see a budget and needs to understand how it would be expended for the next year because it is a big number. She wants to understand how much would be appropriated towards Jaynes and how you decided what other priorities we have in the town.

Councilwoman Snow asked if there were any repercussions so serious that they could not hold this up until the next meeting.

The Mayor stated that it's holding up the paving again for another 30 days, until the meeting at the end of July.

CFO Gorman stated that the Council could introduce this Ordinance tonight, publish it, have the second meeting with a public comment and Council's comments which then at that point the Council would adopt it or not.

Councilwoman Thompson wanted to know how much money is needed to pave Jaynes Avenue. The Mayor stated that it wasn't for paving. Councilwoman Thompson said she understood that this was for water and sewer and that it was holding up the paving but you have to get water and sewer done first. The Mayor said \$175,000. Councilwoman Thompson asked why we couldn't authorize that. The Mayor said that it was already authorized.

Councilwoman Thompson asked how much to improve the water and sewer on Jaynes. Councilman Berglund said the estimate was made by the engineers said it was in the neighborhood of \$300,000. The Mayor said we were not doing the project "in house" and that it was going out for public bid. Councilman Berglund said when Jaynes came up, Maple was the next street. We have sufficient resources here and we have less than stellar capacity of the lines feeding into the north end of town and Maple is the key to getting that water in there, so the intent is that this year it would be Jaynes. The next year it would be Maple and that would bring the 8 inch main and the loop all the way to Maple which gives us the ability in subsequent years to take that full 8 inch line up to the north end of town. The Mayor asked that if the loop at the bottom of Simpson coming back into Central would be part of

that. Councilman Berglund stated it would be part of that and to get the loop, the line that goes down Simpson into Lake, was run all the way to Lake, so that we could continue that to the west and that would be the main source of main water going towards Maple.

The Mayor said you want loops in your water system. You don't want dead ends because it helps in your chemical process circulation here in the town. Councilman Berglund said that it also helps, if you have a fire in the town, you can still feed a fire source from another direction.

Councilwoman Thompson asked if we know what the Maple and River Avenue's costs would be. The Mayor said that Jaynes would be approximately \$300,000. The footage for Maple Avenue is approximately the same for \$300,000. Councilman Berglund added that the lines on Simpson to Maple will close the loop on the north side, and then from the bottom of River to Central to close that loop with the Ordinance 08 that they just voted on for the paving.

Councilman Pillion said the projects sound well thought out and needed, however they had a meeting to go over the budget and that at that time no one knew this was going to be done? Councilman Berglund said that it was worked out on the Monday after the meeting. Councilman Pillion objected to not having the Ordinance earlier. He wants this kind of information long before he votes on it.

CFO Gorman explained that the Council is authorizing a total expenditure of \$937,500. \$187,500 is going to be for soft costs which will be bonding costs and engineering. \$850,000 for hard costs. Just because you approve this Ordinance doesn't mean you are going to expend the whole thing and doesn't mean you are going to bond the whole thing. That's the maximum you can do. We had an estimate of the two streets for \$600,000. If they decided they want to only do the two streets they can cancel the balance of the ordinance. Unfund it or even if you do fund it, you can cancel the funding portion at any time. When we go for the bond anticipation note or the permanent financing we are only going to borrow what we expended. We aren't going to borrow the whole thing. We are anticipating expending it. We are only going to borrow what we spend.

Councilman Pillion said that in the past we borrowed money in anticipation notes, we are paying interest on them, and the money is not being spent yet. We are paying money to service the debt. The CFO said that she cannot speak to what happened prior to this. The Mayor said that we cleaned that all up prior to this. Councilman Pillion said that confirms that in the past we have issued bond anticipation notes, gotten the money, and haven't spent the money, and paid interest on it. He just wanted to make sure that wasn't going to be the process that happened here. The CFO said that this was not going to be the process that happens here.

Councilman Asay asked where the \$937,500 amount comes from. The Borough Clerk stated that it comes from Engineer estimates, soft costs and total project costs. The Mayor says we calculate the footage. The engineer who was in attendance was asked how the cost was reached. Councilman Berglund said there was an estimate that was made based on material costs and it was repeated again for the second street and he (Councilman Berglund) used the lineal footage on the additional footage that was required on Lake and on River. So it is beyond what Maser gave us and it goes back to numbers that Councilman Berglund calculated based on the lineal footages.

Councilman Asay asked the CFO if the process when we need to get money "into the kitty" that we need to issue a bond anticipation note in a specific dollar amount to cover a specific project. CFO Gorman said that you can cover a specific project that is new or you fund which you already borrowed to do permanent financing. For example, you have a bond anticipation note of \$500,000 and it comes time for the renewal. Since we are not paying it down, we are going to borrow that \$500,000 plus any other monies that you need for any new work. So you could make it \$50,000 more or \$100,000 more or you could just leave it at \$500,000 if you aren't going to do any additional work. This particular ordinance is for new money, which can only be spent on new projects. It can't be spent to pay off projects that had bond anticipation notes 5 years ago. But it is for looking towards the future for water

and sewer projects in the future.

Councilwoman Thompson said she didn't think the numbers added up, the hard costs would be \$750,000 and the soft costs \$187,500. Also, a year ago, there was a capital improvement plan put together that set priorities for the next 5 years. How does this funding tie back to the work we did years ago? Has the deck been reshuffled for projects? She would like some time to digest and understand the process it took to queue this up and prioritize the projects. She wasn't sure if she was ready to approve all of the money tonight. Mrs. Thompson suggested breaking it up onto increments and more of a phase fashion. The Mayor stated that there was more cost incurred each time you go to bond counsel. Every time you write something up you pay for services. CFO stated that it is a possibility that we will issue bond anticipation notes which have duration of approximately 5 years before we have to pay the principle down and then we might then also look to permanent financing with other bonds that we have to do permanent financing. We might not do a BAN and we just might go right into permanent financing, at that time we will look and see where we stand. Councilwoman Thompson asked if we have BAN's coming due next year. CFO said yes we do. Councilwoman Thompson asked for a snapshot of where we stand now. CFO Gorman said that would be in our 2014 Audit under debt service. We don't have the 2015 Audit since the auditors are finalizing it now.

Councilwoman Thompson suggested tabling the introduction until they see the 2015 Audit. The CFO cautioned that by tabling it, you are pushing back when you are going to do the road or if you are going to pave the road having to rip it up again and then pave it again which will be an added expense.

Councilman Pillion asked if we could do two bond ordinances before going to a bond anticipation note or combine two bond ordinances into one? The Mayor said you could, but there would be additional costs. The CFO explained that the Ordinance that we are trying to introduce is an authorization to expend. The numbers were put together on all the streets on how much the hard cost is and how much the soft cost is. Instead of many ordinances, we combined it into one. That doesn't mean that is how much we are going to spend. We are going to do Jayne's Avenue out of this \$750,000; it is estimated to cost \$300,000. It may only cost \$250,000 because when they open up the road it may not be as bad as we thought.

Councilman Pillion stated that he will not vote yes to something that was given to him just before the meeting. Maybe other people will but he won't. The CFO said that was fine but explained that this was the first reading, an introduction. You have the publication for everyone in the town of Island Heights to review it, come in at your next meeting and have an open hearing. It is then up to you to decide whether or not you want to vote on this ordinance.

The Mayor asked the Borough Engineer how long we could put off the paving with the contractor. The Engineer stated that the contractor is already called to commence the paving and that the contractor could force the contract.

Councilman Asay asked what the costs would be if the ordinance was split up per contract. The CFO said she wasn't sure but it could be \$500 to \$1,000 just to write up the ordinance. Then there are other costs when you go out to do the financing of the ordinance. What was presented was just the authorization to spend for projects. Councilman Asay had a problem with the dollar amount of the ordinance. The CFO reminded the Council again that this was just an estimate that the engineers gave and that it might not cost that much and that by putting this in place that they can have the water and sewer fixed and then paved. The Mayor added that we could have working fire hydrants, too.

Councilwoman Thompson said that the ordinance should be amended to allow only that amount that is necessary to cover Jaynes, since Jaynes is an urgent matter and needs attention. Councilman Pillion offered another suggestion to have another special meeting just meet on this particular ordinance in order for him to feel more comfortable voting on it. The Borough Attorney interjected that this is first reading of the ordinance. It's a fancy way of saying that we are going to put it on the table to consider

it. The vote today would be just to consider it. You would have a whole month to gather information before our next meeting when you would actually vote for it. Obviously, it is up to the Council.

Councilman Pillion again stated he will not vote on the ordinance because he didn't have time to review the ordinance. The CFO stated that the reason behind the short notice was because of the timing issue from the time she got the information, spoke to bond counsel and got the information back. It came to her on Monday afternoon and then it was forwarded to the Borough Clerk. She apologized for not getting it to Council earlier.

The Mayor called for a vote. A member of the audience asked if there would be public comment. The Borough Clerk replied that there is no public comment for the first reading of an ordinance.

Motion made by Councilman Berglund, Seconded by Councilman Bendel. Ayes: Councilman Bendel, Councilman Berglund and Mayor Silver. Nays: Council President Asay, Councilman Pillion, Councilwoman Snow, Councilwoman Thompson. **FAILED**

4. RESOLUTIONS

Councilwoman Snow introduced Paige Van Duyne who will be running our summer recreation program. She is a graduate of Island Heights Grade School, Central Regional, currently a student at TCNJ studying to be a teacher. She is also working for Toms River Recreation and has plenty of experience. She thanked Paige. She will begin Monday, July 11 to Friday, August 19th.

It was agreed to take the Resolution out of order.

Resolution 2016-162 Appointing Paige E. VanDuyne to the Summer Recreation Program

Roll Call

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

The Council congratulated Ms. Van Duyne and she left the meeting.

The Mayor then decided to take the resolution out of order again in order to facilitate the Borough Engineers. The Mayor suggested the item be tabled due to it being a project funded by the failed bond anticipation note. This project cannot be authorized because none of the expenditures were authorized.

Resolution 2016-167 Authorizing the Borough Engineer, Maser Consulting, to Proceed with design, preparation of bidding specifications, bidding, technical analysis and recommendation, construction oversight and contract close-out activities for water and sewer service inspection, repair and/or replacement for Jaynes Avenue

MOTION TO TABLE

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		

Councilman Pillion announced that there would be another meeting to address the proposed resolution (ordinance) 2016-9 and the proposed resolution 2016 -167 in approximately a week to 10 days. There will be an additional meeting if anyone wants to attend. It will be published in the Asbury Park Press and will be posted on the bulletin board.

The Mayor introduced Chris Theodos from Maser Consulting and Jim Priolo. Jim is taking over for Chris who is leaving Maser. Jim is a licensed professional engineer with over 30 year's experience; a principle with Maser Consulting and the Director of the Municipal Engineering for the firm. The Mayor introduced Jim to all members of Council individually.

Resolution 2016-156 Approving a Special Events Application for Barbara Wightman on September 25, 2016

60th Wedding Renewal of Vows. Barbara Wightman submitted a special event application to use Senior Park (East Camp Walk) 128 Ocean Avenue, including the gazebo to renew their wedding vows. All paper work and insurance were determined to be in proper order.

Roll Call

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

Resolution 2016-157 Approving Blue Five Sky/Ocean County Radio Club use of the Memorial Field/Wanamaker Field on August 6th and September 3rd from Noon to 7pm.

The Borough Clerk stated that this was the Jazz Band that requested to use Wanamaker Field for a Jazz Concert last meeting but it was pulled because they didn't have the proper paper work submitted. Councilman Berglund interjected that he believed they still didn't have the proper paperwork. He would like them to submit an estimated number of people and what basis there is for the estimate number of people and how it was being promoted, number and location of port-o-johns, clean up and disposal of garbage and so forth. Councilman Pillion would also like to require a site plan and have them come in to appear before the Council and talk to them. Councilman Berglund requested that a Special Events application be submitted. Councilwoman Snow wanted confirmation that it is a fundraiser.

Motion to Table
Roll Call

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 2016-163 Adoption of 2016 Municipal Budget
Budget Hearing

The floor was opened for Public Comments. The Borough Clerk asked anyone who has a comment to please step forward, state their name and address.

Douglas Platt, 188 Summit Avenue, asked if the comments made by the public and the Council at the previous budget workshop meeting become part of the record for this public hearing. The Borough Clerk stated that it would not because they are different meetings and require different minutes. Mr. Platt asked if everything said then was going to be repeated now. The Mayor told him no, that that was a separate work shop and no decisions were made.

Mr. Platt said he was asking if the comments made by the Council and by the public were going to be part of this hearing. The Mayor indicated that there would be minutes of the meeting but weren't approved yet. Mr. Platt said that the Council couldn't really have this hearing until the minutes were approved. The Borough Clerk explained that they could have the meeting because the minutes are what reflect the public hearing and they are completely different. This is a public hearing based on the amendments and we will have further discussion on the budgets. Mr. Platt stated that the previous meeting will impact what is being discussed tonight. The Borough Clerk explained that this was a workshop and not a public hearing and those minutes will be available at a later date. Mr. Platt said it will still be after the approval of whatever happens tonight.

Maureen DeSantos-Scott, 15 Fletcher Place had a question about the Workshop meeting. She wanted to know why it was held at 9 in the morning on a Wednesday. Mr. Asay said it was done that way for the least cost to the Borough since the CFO and Clerk are only in on Wednesday's. The idea was to get a meeting scheduled as soon as possible to discuss the budget with CFO and Council at the least possible cost to the Borough. Ms. Scott asked how the turnout was. Mr. Asay said there were 3 or 4 members of the public but it was scheduled knowing that there was already a public hearing scheduled on this date that had been advertised for the budget. The intention was to have a meeting where the Council could become familiar with the budget with the CFO present because they had not had that opportunity up to that point. The intent of the meeting was to interact with the Mayor and CFO to find out from where these numbers are derived in the budget, also to find out how they arrived at this particular budget. There was no reason to have this meeting not open to the public, therefore this meeting was open to the public. We did it knowing there would be a public hearing tonight and no action was taken at that meeting. It was just to glean information for the members of the body.

Brian Hall, 136 Bay Avenue, asked if the budget was put together and you had workshop and you had on here tonight that you had practically a million dollar bond anticipation note. Is that in this budget? And where were the significant increases in this budget, and where is this \$537,000 going to be anticipated, is

that all going to be a part of this?

The Mayor stated the intent to table 2016-163. Mr. Hall asked how it can be tabled. The Mayor responded because we are going to make some changes. Mr. Hall told him he couldn't because at the workshop hearing the CFO said that the budget could not be modified and that they had to vote on it as is.

The CFO said that they could not do anything at that meeting because it wasn't public. Right now they have to have a public hearing where everyone gets to speak. They are not going to adopt and are going to continue to work on it.

Mr. Hall asked why the Council would table the budget when not one person in this room commented on the budget. He believes that Council has an obligation to vote on the budget that was introduced. Council President Asay commented that whether the budget was tabled or voted down we would still not have a budget and would have to continue operating on a temporary budget. He would support tabling a budget because there a negotiations ongoing.

The Borough Clerk stated that the Capital Bonds would be separate from the budget. Only the debt service is part of the budget; the budget provides for servicing the debt we already have that is coming due. The Bond that was voted down is not part of this budget because it's not bonds that we have accumulated. It is completely separate from the budget; it is not part of the budget and we are only servicing the debt that we already have.

Councilman Pillion wanted to know how Ordinance 2016-09 will impact the overall level of debt? The CFO said we won't know what the actual monthly payment is until you actually go and get money to fund that ordinance. The ordinance that was going to be voted on was an authorization to expend. The budget is your operation; it's for your everyday operation of Island Heights from January 1 to December 31st. It provides you with police; it's to clean your roads, etc. But the ordinance is a capital project that has a life expectancy of over 1 year with a life expectancy of 40 years.

Andy Parks, 121 Summit Avenue, Island Heights Volunteer Fire Company, Fire Chief, asks the Council to vote no for the budget. They have asked the Council to provide for the fire company their operating costs and they are asking them to vote the budget down. He encouraged them to revisit it to see if there is some way they can figure out a way to meet their needs. They asked for their \$100,000 for their operating costs and if they don't get it there will be no way they can continue to operate and move forward with their projects. They are still considering a new building on their current location which there hasn't been other substantial negotiation to move it anywhere else.

Brian Hall asked if there was going to be a change on the budget and is there going to be another public hearing. The Borough Clerk replied yes, there will be another public hearing. Mr. Hall asked why code enforcement salaries and wages are up nearly 400%. The Mayor explained that there is a summer code enforcer who is working through Labor Day and there was also another officer budgeted, but that position will not be filled because another person has not been found. Mr. Hall asked what the hourly wage of the recreation position will be. Mayor stated she is being paid a \$500 flat fee and we've done away with the \$2,000 recreation position.

Maureen DeSantos-Scott, 15 Fletcher Place, asked why there was a need for so many code enforcement officers. The Mayor explained there was one that does zoning, code enforcement, property maintenance and C.O. inspections. The other is brought in during evening hours, not daytime, and he is doing code enforcement along all the common areas, the boardwalk and all our parks. He is doing some badge sales for fishing and crabbing and also has the ability to write summonses. He is only allowed 28 hours per week and only started last weekend and will be working through Labor Day.

Melissa Wudzki, 108 Jaynes Avenue, asked about pages 15 and 15b. Public Works and Emergency Management, are the items listed as other expenses operating costs? The Chief Financial Officer told her

yes. Ms. Wudzki asked if documentation can be provided by the fire department for operating costs. She said that comparing the budget, the fire departments operating costs seem to be a lot more compared to the police department and emergency management. So she is curious on how that \$100,000 is made up. And if it is something that the Council is seriously considering putting into the budget, the public should have access to what those costs are, just as the public has access to the costs of the other municipal departments.

The Mayor said that Council President Asay made a spreadsheet with the costs. Council President Asay said that he and Councilman Pillion put together their operating costs for all of 2015 and their operating costs to date for 2016 they are legitimate operating costs. They are for electricity, gas, fuel and maintenance. They replaced 2 pumps this year on 2 of their apparatus. They have ongoing costs of their protective gear, hose, things that wear out and they have to replace. And we are certainly trying to find funding for the fire department.

Ms. Wudzki said that the public has not been given any of that information. Mr. Platt said she was the only person who he was hearing that from. Ms. Wudzki said that she was not the only person to say that. The Mayor asked if it was alright to give the public the spreadsheet. The Borough Clerk offered that it became a public document when it was given to the Borough and therefore could be handed out.

Mr. Platt addressed Ms. Wudzki by saying that the Fire Department presented this four times to the public. He was sorry that she did not understand what was presented. The information was provided to the Council. If the Council is going to fund the fire department it is the Council's responsibility to figure out the mechanism. They can decide if they want to pay their bills individually that are provided by the department or if they want to give them a lump sum payment based on years prior and the fire department provides an audit, it will be transparent. There is nothing being hidden. There are no hidden costs. They are not expecting Council to pay for their fund raising costs, only operating costs solely. As they go forward and as they do capital projects, they would like to partner with the Council to make those projects happen. Mr. Platt said that depending on how much the Council can help out on the operating side, will allow them to bring more money to the table when the capital projects come about. Otherwise, the Mayor will have to figure out some other way to provide fire protection services to the Borough of Island Heights.

Ms. Wudzki said she just wanted to see a list compiled for those who did not attend the meetings, to be able to go on a website and be able to look at, because they have questions.

Mr. Platt said they are asking the Town Council to provide a service that the Town Council is required to provide. They supplied all the information the Council needs to make that judgment call on whether to fund them or not. If the Council wants to put that information out there, that is on them now.

Councilwoman Snow stated that they have seen the information and the Fire Department has been completely transparent and responsive. The information was there but people needed to make themselves available. Council President Asay has compiled it.

Mr. Platt stated that, as the Emergency Management Coordinator, he is very concerned about the stability of the fire department as they are the main resource for emergency management that happens in town, outside of law enforcement. There have been a total of 4 public meetings. There were a total of 43 people who attended, not counting Council Members and members of the fire department and their spouses. There were quite a few questions and he felt that only 1 or 2 people left those meetings with the feeling that they didn't make their case that they needed help. They also presented detailed spreadsheet with a 10 year budget, item by item, detail to the Mayor and Council during meetings months ago. And the purpose was to say that they needed help, discuss the situation and ask the Mayor and Council to consider doing something and to put it in the budget. He said they gave all that information in. Every year he submits a budget for Emergency Management for whatever he needs and it works its way into the budget under operating expenses. The Fire Department has a separate line item for utilities and etc.

months in advance in the hopes it would show up in this budget which would then have presented as part of the public introduced budget and therefore open to discussion at a public hearing. But nothing was put in the budget beyond what had been in the past. Part of the problem is, it is not in the budget for anyone to ask about. If it had been in there the things that are being asked for would have been in there by the Borough. They asked the Borough to help. It is the obligation of the Council to say, all, nothing or somewhere in between. But none of that stuff is in there.

Mr. Platt's second point is when will the minutes of the public workshop be made available to all the members of the public and most importantly to the members of the Council who are going to work on the revision of this budget? He wants the Council to have access to all the comments that were made at that meeting. The Borough Clerk replied that the minutes would be available to the public when they have been approved by the governing body. They are not up for consideration yet, but would mostly be up for consideration next month, most likely at the next meeting. Meeting minutes in general do not have to be word for word. They are a summary of actions taken place. The minutes will be available for review once they have been approved by the governing body. Mr. Platt said he didn't care if the minutes were word for word as long as all the key points raised are listed there for the people working on the changes to developing the budget. The Borough Clerk assured him that due diligence will be taken in drafting the minutes. Mr. Platt was concerned that the minutes won't be available to Council Members until after the July Council meeting. He wants to know when they will get the meeting minutes. The Clerk said they will get them at the appropriate time. All Council Members were present at that meeting and they will get the minutes when he drafts them. Mr. Platt was assured that the Council's memories are fine.

Lynn Pendleton, 249 Ocean Avenue, said maybe a more poignant thing to present to the public would be to give them an indication on what it would cost if our volunteer fire department was a paid fire department; the cost would be exorbitant. She came from a town with a paid fire department and the taxes were outrageous to cover it. Maybe the public should know what it would cost if they had to pay all their salaries. A member of the public said a low ball estimate would be two million dollars.

Council Bendel reminded the Mayor that it would be a good time to note that they were still on the subject to table that motion. That they have strayed from the subject and could they please get back to the actual public hearing.

A member of the public asked that, since they don't have a budget tonight, how does the process proceed? Do we go through the same process again? Council presents a budget and then it gets 30 days for the public to review it and then it gets a public hearing? The CFO explained that they are going to end the public hearing that whatever action the Council decides to take, which they are tabling it, they are going to have further discussions to amend the budget that was presented. Advertising. Then, they are going to have a public hearing only on the amendments to the budget after the amendments are made. And then Council takes action. The amendments don't have to be approved by the State after the Council takes action and we can approve our budget.

Councilwoman Thompson asked that when we come back to a public hearing on the amendments, that public hearing can only be on those amendments presented. The CFO said yes. However, the Borough Clerk noted that other comments could be made during the public comment period of the meeting.

Councilwoman Thompson asked if they voted on the budget today and it was voted down, then there would be a completely new budget presented and the hearing would be on the completely new budget. The CFO replied that had never happened in her 29 years experience and that she would have to call DCA to ask what needed to be done.

Maureen DeSantos-Scott asked what the amendments are. Then several members of Council, in unison, replied that they didn't know yet. They are still on the original budget and haven't worked on that yet. There possibly will be another public meeting to work on it or maybe meet 3 at a time.

Brian Gabriel, 185 Summit, said what they commented on tonight was presented. So if a line item is changed that's the only thing that can be discussed at the next public meeting. But what if the change at the next meeting, you have to take money from something else that wasn't discussed tonight, what would you do? The CFO stated that would have to be discussed too, because it was changing and both would need to be amended. He said that he was under the impression from the last meeting that this budget process would have to start over if there needed to be amendments to this budget.

Kevin Arnold, 262 Summit Ave., asked if they table the budget they don't need two readings. If they shoot it down, do they still need two readings. The CFO said if they shoot it down she needs to call DCA and ask what to do because it's never happened to her as a CFO. If they table it, they continue to work on it to amend it. Mr. Arnold stated that he was worried that there wasn't going to be a budget in place to finance his department. The CFO explained that there was a temporary budget ready to vote on so that expenses could continue until the full budget is adopted.

The Borough Clerk called for any more public comments. Being no further comment a motion was made to close the public hearing.

First to Close Hearing Bendel Second Berglund
Roll Call

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

Motion to Table the Municipal Budget Resolution 2016-163

First: Bendel Second: Pillion

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

IF THE BUDGET IS NOT APPROVED

Resolution 2016-158 Amending the Temporary Budget for the Year 2016

Amendment provides for temporary coverage through the end of August.

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 2016-159 Authorizing the Camp Meeting Restoration Association to make beautification efforts on Borough Property.

Councilwoman Snow stated that there is a group called the Camp Meeting Restoration Assoc. who is represented by Lynn Pendleton and Angela Whitehill. Lynn Pendleton spoke and said they had started working by getting bids and sending a letter to ask the people of the town for funds to help them do what they want to do. The Association wants to fix the steps, and restore them so they are usable. They are planning to put Jersey block along Ocean Avenue and backfill it so they can add a garden along Ocean Avenue. They would like to put some shrubbery and plantings along East Camp Walk and West Camp Walk roads. The goal is to do the frontage and perimeter. They would like to put in an irrigation system and beautify the gazebo by painting and refurbishing so it has more of a Victorian feel. They would like to raise \$30,000 and already have 10% of the goal met by a donation from the Island Heights Garden Club. The fund raising letter is going out and they are asking significant contributions to a few select people and then a second letter will go out to the general public for whatever they can give towards it.

Councilwoman Snow asked for clarification on what the irrigation system would be. Ms. Pendleton said they are talking to irrigation people to get estimates but they would have to be able to tie into some water source. They would pay for that if the water source was available. The Mayor said there is a water source nearby but it would have to be metered. Councilwoman Thompson asked if it would be a sprinkler system. Ms. Pendleton replied that it would not be a sprinkler system, it would just be irrigation where there were plantings.

Councilman Berglund asked if the Camp Meeting Association was filing for 501 C3 protection. Ms. Pendleton said no, the Garden Club has never had it and it is a long process to get it. The Borough Clerk told her he would be more than happy to help them get it. It was discussed that since the project would have continuing costs it would be beneficial to file for a 501 C3. Ms. Pendleton said the bill for the irrigation would go to the Garden Club and they would pay for it.

A resident proposed that since it was for upkeep of public property, maybe the Association shouldn't have to pay for the water to upkeep the plants. The Borough Attorney said that since it was a use of a public resource that ultimately the borough would have to pay for it since it is an insular group that is using it, the group would pay for it. Ms. Pendleton said that they weren't using it, just fixing it up to make it available for the public and make it a nice space for people to use. They are volunteering to raise money and work at no expense to the taxpayers. Councilwoman Thompson stated that people were taking wedding photos there, and this may be another source for a rental. Councilwoman Thompson would like the resolution to reflect that the Council is accepting the donation of goods, because they are planting things on Borough property and once it is there, it becomes the property of the Borough. Since it is a generalized resolution and we don't know what we are getting, the Borough Attorney said that the resolution was appropriate as is. The Garden Club was asked to supply the Borough with proof of insurance and a hold harmless agreement with all the members' names.

Council agreed to provide water free of charge to the Garden Club.

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 2016-160 Approving a Vendors Permit for Down the Shore

Councilman Berglund thought that these types of permits should not need a council meeting as they already amended the Ordinance. Councilman Pillion said that he would prefer that these permits be brought in front of the Council so that you know who is coming into town and you see the paperwork. He thinks the reason the Council should be involved is if there is a problem with the licensee, the Borough can inform them that they are going to have a hearing to revoke their license in case they come into compliance. He believes the process needs to be tightened up. Councilman Berglund said that all the information needed and background checks are being done properly and doesn't see why it needs to be done by resolution. Councilman Pillion said that it is because it is reviewed by the Council and if they are comfortable with what they see, they can approve it. Councilman Berglund pointed out that the information of whether they paid the appropriate fees and so forth are on the current form. Councilman Pillion said no. He said the level of scrutiny should increase.

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 2016-161 Appointing Kathleen M. Lombardo as Part Time Administrative Assistant

The Mayor explained that Kathleen was going to helping out in the office just for the summer. She would be starting July 5th and running through Labor Day. It would be for 28 hours per week at \$12.50 per hour.

Roll Call

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

		Silver				
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Resolution 2016-162 Appointing Paige E. VanDuyne to the Summer Recreation Program

Based on a previous conversation in the meeting, the Borough Clerk requested that this matter be reintroduced with the amendment specifically mentioning the \$500 flat fee stipend. This employee would be covered by the JIF.

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 2016-172 Authorizing the Issuance of Estimated Property Tax Bills Pursuant to N.J.S.A 54:4-66.2 et seq

The Mayor read the resolution in its entirety.

WHEREAS, the Borough of Island Heights has not adopted its budget for 2016; and

WHEREAS, it is anticipated that the Borough of Island Heights will not be able to issue tax bills for the year 2016 in advance of the third quarter taxes due on August 1, 2016; and

WHEREAS, the Borough of Island Heights has determined that there will be insufficient cash inflows to support operations in late July 2016, unless third quarter tax revenue is received on time;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Island Heights as follows:

1. The Tax Collector is hereby authorized to take all steps necessary to send out estimated bills for the third quarter 2016 in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.
2. The estimated tax rate based on calculations of the Tax Collector/Chief Financial Officer of the permissible tax levy range for estimated billing purposes is set at 1.801% which equates to \$1.817 per \$100 of assessed value.
3. That the Tax Collector takes any and all additional steps to immediately implement these directives.

Public Comment

Melissa Wudzki – 108 Jaynes Avenue. Does this budget issue in any way impact what our tax bills are going to be. The Borough Clerk explained that this was only estimated tax bills.

Roll Call

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 2016-168 Approval of Bill List

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 2016-170 Appointing Nicholas Luttrell as Summer Seasonal Labor

The Mayor explained that Nicholas Luttrell would be working 28 hours per week at \$12.50 per hour for the Department of Public Works as part-time personnel. He will be doing four, seven-hour days through September 5, 2016. He will primarily be staying on Borough common areas running a lawnmower, weed whacking, blowing, cleaning up of all Borough common areas and along the riverfront. He will be under the direction of the Mayor and Councilman Berglund with the assistance of the Public Works Assistant Superintendent, Jon Brodbeck to supply the materials needed to perform the work.

Public Comment

Roll Call

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

		Mayor Silver	X			
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Resolution 2016-171 Approving a Raffle License for the Artist’s Guild

Public Comment
Roll Call

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

5. PURCHASE ORDER

Resolution 2016-164

Approving the Following Purchase Order

Vendor: Coded Systems
Item: Ordinance Codification
Amount: \$2,000.00

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 2016-165

Approving the Following Purchase Order

Vendor: GP Jager Inc.
Item: 71629 Lonza Constant Chlor Briquettes 50# Pail
Amount: \$2,857.44

A resident asked where these are stored. The Mayor said they were stored inside the water plant but we are looking to build an outside storage shed. The pad was made at the end of last year but he doesn’t have the money in the budget to spend on a storage shed at this time. The resident raised a concern that it would cause an issue with the equipment in the building where it is being stored, and is there an alarm monitoring system that would alert the workers if there is some sort of problem when they opened the door. They should be stored safely. The Mayor said he was going to reach out to Jason Murt. Councilman Berglund stated that Jason has not expressed concern because the building is so large compared to the size of the bucket that it should be sufficient.

Another resident asked if that was something the Fire Official should be looking into. The Mayor said the

Fire Official has gone down there and has not called his attention to anything that was mishandled or mis-stored, mis-stacked or anything like that, but he will follow up with Jason Murt.

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 2016-166

Vendor:
Item:
Amount:

Approving the Following Purchase Order

Yardville Supply
Hydrated Chem Lyme and Zone 3 Delivery Zone 1-5 Pallets 99102
\$969.00

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

6. COUNCIL REPORTS

Councilman Bendel stated that at the last Council Meeting they passed a resolution asking if the State could relieve us of having to advertise in the Asbury Park Press. The Ocean County Mayors Association has passed that same resolution

Councilman Berglund addressed two letters that Ann S. Blain of 233 Westray Avenue wrote to the Council stating:

“This is the public response to Mrs. Ann S. Blain, 233 Westray Avenue. It refutes her claim that she put on a sign visible to the public on Westray that the Department of Public Works has dumped trash on her property. The accusation is false. During Sandy, a tree on the Blain property fell into Westray and, in the interest of public safety, the DPW cut it back near the property line and moved the top section back onto the Blain property. No “dumping” was done by the DPW on the Blain property.

There is another significant public safety issue pertaining to the Blain property that involves the DPW. All property owners in Island Heights are required to maintain their property. If they do not maintain their property the Mayor is authorized to use DPW personnel to correct the property owner’s omissions and shortcomings. The property owner is liable for this cost and it is typically assessed as a lien against the property.

The Blain property on Westray is overgrown and poses a significant safety hazard to the public as they drive near the entrance to the Municipal Complex at the intersection of Westray and East End Avenues,

plus a safety hazard to the health of the DPW workers attempting to maintain the right-of-way limiting sight distance and obscuring traffic control signs. The DPW has the right to clear vegetation which poses a safety hazard and the property owner is liable for this cost. This was done by the DPW along East End and Westray Avenues on the Blain property.

The vegetation posed a significant hazard to the workers of the DPW as they have attempted to mow and maintain the sight distance along East End Avenue. The vegetation contains thorn bushes which have scratched the mower operators, causing lost time to the department. Clearing the vegetation back to near the property line has removed this hazard for the time being.

Mrs. Blain provided a lengthy hand-written letter to the Mayor and Council, which was delivered at the last Council meeting. A second letter, dated 6/27/2016, has been received. Since Mrs. Blain has chosen to post a public notice as well as write these two letters, the response to the issues she brings up is therefore a matter of public record.

As the Council liaison to the DPW, I have instructed the DPW to continue to maintain the sight distance for the public safety and when the vegetation again has made it impossible or unsafe for them to do their work, the issue is to be turned over to the Borough Code Enforcement Officials for their action against the property owner.“

Council President Asay: The Council requested that our federal government and our Department of Defense maintain this tanker fleet and the future tanker fleet at the Joint Base. The Press stated on June 24 that they are 1 of the 5 finalist to receive some of the new tankers that will arrive in 2020.

Also, a Press Article of June 20th entitled “Who’s Under Water?” which is a list by municipality of the percentage of properties found using public records and average sale prices of the number of properties that are “under water” in municipalities. Meaning the owners potentially owe more than the property is worth. Island Heights is number 8 at 15.5%. We are number 8 out of 22 municipalities. So we are up there.

Councilman Pillion differed to Lt. Arnold of the police on any activities or news he would like to report to the community and the Council.

Lt. Arnold stated that they have been steady since hiring new officers. Lots of traffic enforcement, DUI’s, several drug arrests. Councilman Pillion said that the extra personnel have made an impact on addressing crime, quality of life issues, public safety issues and vehicular traffic.

Mayor Silver apologized to the fire department that he could not make Summer Brew. His daughter had an engagement party planned for the same day. He couldn’t break away and asked how the event went?

Mike McDaniel, Assistant Chief and Chair Person, reported that turnout was excellent. There were no incidents and everyone had a good time. They consider it a success and they have scheduled it for the last Saturday in June next year. Councilman Pillion said he attended it for a couple of hours and it was the most well run event he has attended. It’s orderly. The product they are providing, entertainment, food, and beer, is excellent. There is plenty of it. It draws people from inside and outside of the community which is important because the fire company needs to raise that kind of money on a regular basis. It is all weather dependent. It’s very well run. He can’t think of a better run event that services the needs of the community and provides good entertainment for the surrounding area. He thanked the department members for having it. Councilwoman Snow apologized for not being there as she had a previous engagement.

Councilwoman Snow: The 4th of July Bike Parade held by the Recreation Committee every year will be held on Monday, July 4th at 11:00 a.m. It was last minute information. She asked Lt. Arnold if everything was good for it to go on. She said that refreshments will be served after the parade.

Also the Recreation Program will be starting July 11th and running through August 19th. Councilwoman Snow will be purchasing basketball hoops and nets because they keep getting stolen. As soon as they are in place she will have DPW install them. The flyers for the program will be posted at the Borough and the kiosk by the Post Office. They will be posting a schedule for the sports programs and arts and crafts activities for the children this year.

Councilwoman Thompson: There were a total number of 11 tax appeals the municipality received. One was a commercial property which was handled by the State. There were 10 that were filed with our Assessor and then it goes to the County. There was a hearing on June 10 which 8 were settled and 2 more are still being discussed. The Assessor has been coordinating with our Construction Official, and she will be going out doing inspections during the summer on those properties with improvements so she can get those on the tax rolls by October 1 so they can be included in the next tax year.

Mayor Silver stated that he was working with the Eagle Scouts to repair the bulletin board over by the Post Office. Part of the roof blew away and its deteriorating after decades out there. The Eagle Scout did a material list and the Mayor will have DPW do the demolition. The project hopefully will be completed by Labor Day. It will be in the same footprint as the old one. It will be given visual enhancement with white PVC as opposed to the weathered pine that is there now.

The Mayor opened the floor to Public Comment.

Ann Blain of 233 Westray Avenue commented on Mr. Berglund's statement. She said that it was dumped there and Jon Brodbeck told her he had dumped some stuff there. Also, the thing she is complaining about, is the vines and stuff they never cared for on their area was shoved up onto her property and it is still there. She thinks if they are going to clear, they should cart it away. They shouldn't be shoving it up into her woods. She would like that to be known. They did not clean what they took out in their area. There is a 10 foot setback from the street to her property line. What they gathered up in their area they shouldn't have dumped onto her property. She was never notified her of any of this. She didn't know it was going to happen. She believes she should have been notified that they were going to clear the area. She has pictures.

Councilman Berglund replied that if she, as any other property owner, maintained her property up to its battery limits then the vines and thorn bushes that grew from hers would not extend out where they would have to be worked on by the Public Works. All they did was return her growth back to her property.

Mrs. Blain said it wasn't her property they cleared. She said she went to the code officer, all the questions she needed answered, he answered and she commends him for that. Councilman Berglund continued that when a property owner maintains their property up to their boundary limits, there is no problem and we can maintain the rest of the Borough property. But when you get scratched to where there is lost time, then there is no reason we can't use heavier machinery and push the product back into the property.

Mrs. Blain asked that if someone has pushed debris up onto their lawn or their garden, is that responsible? Councilman Berglund replied that if she maintained her property, then the scenario which she just described wouldn't happen. Mrs. Blain asked him what he considered maintaining since where the borderline is, is Borough area. It isn't her property. Her roses have been uprooted. Councilman Berglund explained that this will not happened again because it will be handled through the Code Enforcement Official.

The Borough Attorney confirmed that it is the duty of the DPW to keep the easement clear and push any overgrowth back onto the property it came from.

Lynn Pendleton, 249 Ocean Avenue requested a sign for no feeding the fowl for Island Heights yacht

club. It is getting worse and worse. The Mayor told her she could have her sign. She also requested a garbage can for the end of Ocean Avenue. People are not carrying in/carrying out. Her request for a garbage can was denied by the Mayor.

Brian Gabriel, 185 Summit Avenue asked that the Council not skip through the Public Comment section on the agenda. The Mayor told him he will make sure he pays more attention into looking toward the public for comment.

Kevin Nelson, 109 Jaynes Avenue, urged the Council to take seriously the topic that was tabled on sewage and water for Jaynes Avenue and the corresponding streets. He would invite anyone to come after a significant rainstorm and watch the sewer vents pop off and watch all the paper and sewage flow down the street and into the river. It is on a street where his children play. He would like to make his voice heard that Council take the issue seriously and overcome any personal issues. Councilman Pillion said he supports doing whatever needs to be done to try to improve the sewer and water. The town is in need of extensive improvement and it is costly. He stated Council will give it a lot of serious consideration.

Adjournment at 9:35 p.m.

Motion to adjourn made by Councilman Bendel. Seconded by Berglund. All in favor.

Municipal Clerk