

**BOROUGH OF ISLAND HEIGHTS
COUNCIL MEETING
September 13, 2016
7:00 P.M.**

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 “Peggy” Gorman, Chief Financial Officer and William Richert, Fire Official/Fire Sub-Code Official

1. PUBLIC COMMENT

Bob Horn from Island Heights United Methodist Church invited all employees and volunteers from the Borough, including the Department of Public Works, Police, Fire, and First Aid, to stop in and share a meal on Tuesday, October 4, 2016 between 12 noon and 2:00 p.m. The purpose of the lunch was to express their appreciation and thanks for the dedication and hard work of the Island Heights’ municipal employees and volunteers.

2. APPROVAL OF MINUTES

Resolution 2016-197 Approving Meeting Minutes of August 9, 2016

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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3. ORDINANCE

Ordinance 2016-11 An Ordinance of the Borough of Island Heights, County of Ocean, State of New Jersey, Amending and Supplementing Chapter 19 of the Borough Code Entitled Parks, Recreation Areas and Other Public Places. (First Reading)
Roll Call

The Mayor explained that this ordinance exempts Military Veterans from obtaining badges and also adds a children’s badge for children aged 6 to 13. Anyone 6 years of age or older will be required to purchase a badge. This Ordinance also eliminates the weekly badge.

Councilwoman Thompson voiced concerns over the children’s badge.

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

4. RESOLUTIONS

Resolution 2016-198 Approving Application for Use of Pavilion and the Contiguous Property for Stephen L. Kownacki and Desiree M. Steinmacher Wedding on September 24, 2016.
Public Comment
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 2016-199 Approving Application for Use of Pavilion and the Contiguous Property for a Memorial Service for Kelly Smith’s Father on September 25, 2016.

Public Comment
Roll Call

Resolution was adjusted to indicate that Kelly Smith’s home address is in Milmay, NJ.

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 2016-200 A Resolution Requesting Permission for the Dedication by Rider for Recreational Purposes

Public Comment
Roll Call

CFO Gorman explained that this is a trust account for fees for recreational items where money taken in can be expended for those purposes. For example, if there was a pumpkin patch and a charge of \$1.00 for each pumpkin picked, the Borough could go to that account to pay for the pumpkins and not have to go through the current budget. If 50 pumpkins were sold and it only cost the Borough \$25, there would be \$25 in the trust to use for other recreational purposes or just keep for Halloween. The account could be set up anyway Council wants. It can be set up by separate account, projects, services, etc.

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

Resolution 2016-201 Authorizing the Execution of Contract of Cooperative Agreement with the Board of Chosen Freeholders of the County of Ocean for Fiscal Year 2017, 2018 and 2019.

Public Comment
Roll Call

Mayor Silver explained that this is for the Community Development Block Grant Fund (CDBG) having funds available to the Borough through the grant.

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 2016-202 Self-Examination of Budget Resolution

Public Comment
Roll Call

CFO Gorman stated that this was a housekeeping resolution required by the State in order to certify our annual budget.

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 2016-203 For Renewal of Membership in the Ocean County Municipal
Joint Insurance Fund
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			

**Resolution 2016-204 Authorizing the Settlement of a Tax Appeal Before the New
Jersey Tax Court
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 2016-205 Approving \$4,000 Fee by Borough Engineer, Maser
Consulting, P.A. for Lake Drive Bulkhead Replacement
Including Plans, Permits, Application Fee and Survey
Work.
Public Comment
Roll Call**

Mayor Silver explained that Ocean County will be doing the actual work under a "Schedule C." The bulkhead is failing.

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 2016-206 Approving Raffle License #2016-4 for the Island Heights Volunteer Fire Company #1

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 2016-207 Authorizing the Purchase of two (2) Vehicles from the County of Ocean at a Cost of One Dollar (\$1.00) each

Public Comment

Roll Call

Mayor Silver explained that the Borough would be receiving a Mack Roll Off Truck and a 2003 GMC Topkick 4500 from Ocean County for \$1.00 each. Councilman Berglund stated that there will be additional costs to get the vehicles ready for use.

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 2016-208 Approving Bill List
 Public Comment
 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			

5. PURCHASE ORDER

Resolution 2016-209 Approving the Following Purchase Order

Vendor: R&R Radar, Inc.
 Item: Radar Unit
 Amount: \$1,213.00

There are two separate radar units being purchased. Both purchase orders (2016-209 and 2016-210) were combined into a single vote.

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 2016-210 Approving the Following Purchase Order

Vendor: R&R Radar, Inc.
 Item: Radar Unit
 Amount: \$1,213.00

There are two separate radar units being purchased. Both purchase orders (2016-209 and 2016-210) were combined into a single vote.

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

		Silver				
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Resolution 2016-211 Approving the Following Purchase Order

Vendor: Lawmen Supply Co. of NJ
 Item: Speer Gold Dot, Caliber 40 S&W
 Speer Lawmen, Caliber 40 S&W
 Amount: \$4,652.92

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 2016-212 Approving the Following Purchase Order

Vendor: John E. Camburn & Son
 Item: Emergency Service for Main Circuit Breaker Fail
 At Lake Drive Pump Station Parts, Labor & Service
 Amount: \$1,000.72

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 2016-213 Approving the Following Purchase Order

Vendor: Edmunds & Associates
 Item: 2016 Software Maintenance for Tax Collection, Financial
 Accounting and Utility Billing
 Amount: \$7,829.00

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

		Silver				
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Resolution 2016-214 Approving the Following Purchase Order

Vendor: Galls
 Item: Equipment/gear for new officers and replacement for other Class II
 Amount: \$1,091.55

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 2016-215 Authorizing the Mayor to Add His Signature to a Letter by Congressman Tom MacArthur to Secretary James and General Goldfien Supporting the designation of Joint Base McGuire-Dix-Lakehursts as the Air Force’s Main Operating Base 4 for the KC-46 Aerial Refueling Tanker.

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			

Resolution 2016-216 Approving the Following Purchase Order

Vendor: Seal Team
 Item: Crack Seal, Seal Coat & Line Stripe
 Amount: \$8,725.76

This is for preventive maintenance for the parking lot of Wannamaker Complex.

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. PRIVILEGE OF THE FLOOR

Von Worthington, 37 Park Avenue – Appreciates the effort at the end of Park Avenue with regard to the water. Mr. Worthington produced pictures of large stones at the end of Park Avenue which were put there by the Borough in order to stop erosion to the road. However, the large stones make it very difficult for the public to gain access to the area.

Mr. Worthington offered, at his own expense, to build a five foot deep concrete walkway, from the asphalt to the concrete, about five feet wide, through the stones to the sand. This will smooth out the area going down to the beach, making it easier for families to get down to the area. It will also allow Mr. Worthington and his neighbor to get into their back yards, which is not possible with the stone that is there now. It was suggested that concrete bollards, jersey barriers or a guardrail needs to be at the end of the road to prevent cars from driving into the water.

Mr. Worthington will go back to the construction company and check with the DEP to see what the requirements and cost would be for him to do this. He will contact the Borough once he finds out the specifics. The Council supported his offer and thanked Mr. Worthington.

Terry Kempton – 76 River Avenue asked about the money for the gazebo that was supposed to be put up at the end of the dock. The Mayor explained that the money was funded by a private entity and put into a trust fund. All the money was returned to the private entity when the project fell through. CFO Gorman agreed to look into the details of the agreement that returned the funds for the Council members.

7. ITEMS FOR DISCUSSION

A. Referendum to Exceed Budget Cap

The Council discussed various ways to help the volunteer fire company fund their new fire house. The requirements to hold a referendum to exceed the budget cap was discussed, as well as other avenues to explore.

The Chief Financial Officer will check if the Borough would need to hold a referendum each year for the additional amount or if the referendum would increase the budget cap permanently.

Suggestions were made for a budget committee. Councilman Bendel suggested a citizens’ committee for the fire department to advocate raising money for the fire department. The Borough Attorney told the Council they cannot advocate any referendum as a body. Councilman Bendel said it would have to be done privately and separate from the Council.

CFO Gorman asked what, specifically, the referendum would be about? Was it for a building to build? A donation for a building to do whatever the fire department wants with it? Was it to cover expenses? Will there be a cap on it? Will it be only for the year 2017 or for 2017 and going forward indefinitely? Will it be for a length of 50 years to span the time they will need to pay for the building? Councilman Bendel said that was exactly what was asked of the fire company. There are many different avenues that can be taken. For example, the Borough can pay for their bills for the fire company. The Mayor pointed out that the Borough is doing that now for this year, but it will expire on January 1.

Mrs. Gorman asked Councilman Bendel if the fire company took out a mortgage for however much money they needed for 20 years, would the Borough have to pay for fire company expenses for the next 20 years? Councilman Bendel said the fire company was asking the Borough to take on their operating expenses.

Mrs. Gorman asked if there are other solutions such as the fire company cutting back on the size of their building. Maybe the Borough could take over the land and decide to build a public safety complex that would house the Police Department, OEM. The fire company could rent a portion of it through a 99 year lease. The Borough could build a new building with a Capital Improvement. Mrs. Gorman went on to ask if the referendum fails, what other alternative does the Borough have to provide fire safety? At the last meeting the Fire Chief gave the Borough an ultimatum to do something or find another solution.

Councilwoman Thompson said that much more dialogue needs to take place between the town and the fire company.

Councilwoman Snow said that she thinks something was learned from the school referendum last year. A referendum that is not well planned and well thought out is doomed to fail. Education has to go into getting a message to the community to make a referendum work. Everything needs to be answered and we can't jump into this with a knee-jerk reaction without knowing what we are doing.

Mrs. Gorman warned that the Borough is on a shoestring budget and there is not a lot of money to cut.

Councilman Berglund said that when the dialogue began, the fire company came and presented their way of looking at it. Which was: They would take the building and the expenses would be the Borough's. He said he didn't believe that the division of cost was ever challenged and maybe this is the time to challenge it. Maybe the Council should look at it as the Borough bought the building and built the building. The fire company would be responsible for their expenses. Going forward the expenses would be controlled by the fire company.

Councilman Berglund asked if a swap has ever been asked of the fire company. Councilman Pillion stated that the short answer was "yes." He presented that idea recently to them. He said they are open-minded about transferring the land to the Borough and letting the Borough build the building. Councilman Pillion said that there are fluid dialogues happening with the fire

company right now. There are components that need to be fleshed out further. He expects more answers at the next Council meeting.

Questions that need to be answered are:

What is the nature of the referendum to exceed the budget cap? Does it need to be done every year? Where will the Borough get the money to cover the costs of the referendum if it fails? Council President Asay stated that if it fails we maintain the status quo. Meaning, the Borough will have to find funds to pay for the referendum and will continue to fund fire company expenses to the best of the Borough's ability.

Councilwoman Snow suggested a committee be established before undertaking the referendum. She suggested that Councilman Pillion, Councilman Berglund and Councilman President Asay be on the committee since they have a relationship with the fire company. Councilman Pillion also suggested the Mayor could be on the committee.

Councilman Pillion said that there is still an ongoing dialogue happening about the best way to handle the fire company's issues but there needs to be guidance on the legal and financial ends as well as from the Department of Community Affairs. He said we are also looking at comparing costs for different avenues. One of the avenues involves a fire district. Perhaps joining an existing fire district or creating an independent fire district in Island Heights. He went on to say we need to put a best estimate of costs into the different courses of action. Right now, more information on the budget referendum is needed from the professionals.

B. Air B&B Enforcement

Mayor Silver said a number of Air B&B's in the town has come to his attention. Other towns have already started the process of registration and obtaining certificates of occupancies every time there was a change in occupancy. Mayor Silver asked William Richert, the Fire Official, if the Air B&B's would have to be visited each time a tenant moves in and out. Mr. Richert stated that his code covers more commercial rather than residential, and he hadn't had any experience with this type of business. He will check with other Fire Prevention Bureaus to see what they are doing about keeping these places in compliance. He said if they are getting money for a room in exchange for a service, they should be considered a commercial entity. He will talk to the Division of Fire Safety and see if they have any insight on that.

Councilwoman Thompson had questions as to whether these places should be allowed in residential zones. Council President Asay passed around the Borough's current Ordinance 32-4 regarding Permitted Uses for Medium and Low Density Residential Districts. Letter C, as a permitted use states: "Tourist/Guest House having transient tourist/guest rooming accommodations providing that the structure has no separate kitchen facilities and shall provide a minimum of three (3) and a maximum of five (5) guest rooms. The owner shall have his/her place of residence in the same house and off-street parking shall be provided per subsection 30-1.7. Occupancy for tourist/guest rooms shall be limited between April 2 through November 30." However, "limited" is not defined anywhere in the ordinance and he has no idea what the relevance of the dates are.

Council President Asay then handed out Ordinance 12-1 which speaks of Inspections and Certificates of Compliance “All property that is sold or rented in the Borough shall be inspected by the Code Enforcement Official or his designated representatives on every change of occupancy but not exceeding one (1) inspection per calendar year.” The ordinance contradicts itself. The Borough could only enforce one inspection per year under the current ordinance structure.

Mr. Richert said the bed and breakfast ordinance requires the owner be on the premises when it is rented out. Council President Asay asked the Borough Attorney if there could be a 1.5% occupancy tax enacted for this purpose. The Borough Attorney will look into it. Mr. Richert will research it with the Division and also reach out to Toms River to see what they are doing.

Councilman Bendel asked if we are altering our ordinances to discourage this or if we are going to define and allow this? The Mayor stated that we are seeking to define who is coming into town and identify the homeowners who are allowing their home to be utilized on a daily/weekly basis. Also it would let the Police Department know what houses are on the list. The Borough Attorney suggested fixing the Ordinance. Mayor Silver or Councilman Bendel will bring this issue up at the next Mayor’s Conference in an attempt to see what other towns are doing. It was also suggested changing the zoning ordinance to allow the Air B&B’s to be allowed in more dense areas and not permitted in less dense areas.

Mayor Silver asked the members of the Council to think about who would like to be on the next Finance Committee for the next budget process. He would like to address that the next Council Meeting.

8. COUNCIL REPORTS

Councilman Bendel had nothing to report.

Councilman Berglund said the Department of Public Works should get kudos for their recent work with replacing old water meters. Revenue is lost when water meters aren’t working properly. Public Works has been replacing bad water meters in order to avoid bad meter readings. The Borough is losing a lot of revenue due to bad water meters. There were more than 10 inoperable meters.

Councilman Berglund put in the final report for the monarch way station. He claimed it a success and put in for the final monies to be sent to the Borough. He counted 11 caterpillars on Monday and this week the chrysalises have been showing up. At least 5 or 6 have been identified. He learned monarch caterpillars can go up to 30 feet from the leaves in which they are feeding before they pupate. He said they hang on fences and vines and anywhere else up to 30 feet away.

Council President Asay mentioned that the concert by the Top Hats String Band in August was well attended and the band did a tremendous job. They practice and fund on their own. Ray McKelvey is 92 years old and is the “Dean of String Bands” in Ocean County and all of them do a tremendous job. Everyone enjoyed themselves. He thanked them.

Councilman Pillion wanted to make sure everyone got a copy of the Police Blotter for June, July and August. Everyone did. He said Sailfest went well. There were no major incidents at all. The crowd was well behaved and a decent size. Sailfest gets better each year.

Councilwoman Snow has two RFP's for the redesign of the website along with two examples of websites that the companies have set up. She is reviewing the websites now. She is anticipating a third RFP sometime next week. At this point we are finishing out the year with the website we currently have. In the beginning of the year we will start fresh with developing a new website.

The summer recreation program finished up with a good year. There were from 6-20 children on a regular basis. Next year the program will start at the same time which would be the week after the 4th of July. However, due to it getting darker earlier in August, the program will end earlier. The program hours will begin later, at 6:30 so parents have more time to get the children there. Hopefully the two individuals who ran the program this past summer will come back next year. Councilwoman Snow has requested that the Recreation Committee have access to the Court Room on September 26th and reinstitute the committee meeting on the last Monday of the month three times a year. Hopefully they can get more volunteers and plan out the events for the upcoming year.

Councilwoman Thompson thanked Sandra Snow for her commitment, time and effort to the Summer Recreation Program.

Councilwoman Thompson reported that there were two complaints about Code Enforcement not getting things resolved. She wanted to emphasize how much is involved with administering Code Enforcement. Some of the things involved are getting summonses issued and served to the right person. You must have the inspections done and redone. There are court dates scheduled and not attended properly by people. It is a really difficult thing. Other towns that do code enforcement well have been in place functioning for a while. It has only been 20 months since Island Heights has been doing this and she thinks that we are in a learning curve. People needed to understand that there is a level of expectation that might be new and it is very positive. Residents should continue to contact Borough Hall and Councilwoman Thompson and we will track down information and respond back so there is a good dialogue. It is very important for that dialogue.

Mayor Silver discussed missing house numbers. Council President Asay cited the ordinance requiring house numbers must be a minimum of two inches and a maximum of four inches tall and must be of reflective material that can easily be seen from the street. Mayor Silver emphasized that this is for emergency services purposes and there is an Ordinance requiring house numbers. The Code Enforcement Officer will be making rounds and making notation of houses that need to have numbers displayed properly on them.

Mayor Silver reported that West End Avenue will be repaved. The Acting Borough Clerk added that it would happen that Thursday and Friday.

Mayor Silver checked with the Borough Engineer on Central Avenue. Work will commence on the 26th of September. Central Avenue will be closed off in both directions. Detour signs will

be placed. Our Police Department will assist and traffic will need to be rerouted. The project should be completed within one day, possibly two at the most. Councilwoman Snow will reach out to the school district for rerouting of buses. Sewage will continue to operate for everyone except for two houses. One of the houses affected is vacant. The road will be rerouted between Garden and Lake Avenues.

The Transportation Trust Fund, which is currently frozen by the Governor, is still frozen. The Governor and the Senate are in negotiations over funding for the fund. At this point there is no agreement and the transportation fund is out of cash. Councilman Pillion asked what would happen if we continued with the Jaynes Avenue project. Mrs. Gorman stated that if the Borough continued to pave the road, the Borough would have to pay for all the costs. Councilman Pillion asked if it would make more sense to fix the sewer pipe under Jaynes Avenue now. The Mayor responded that it would make the road difficult to travel during the winter months after replacing the pipes without paving. Asphalt plants close in the winter, so nothing could be paved until at least the Spring.

Councilman Pillion suggested that he poll the residents on Jaynes Avenue and asked if they would prefer to replace the pipes now or wait until it could all be done at once. Councilman Pillion suggested we may get a better price on bids this time because the contractors aren't working due to the projects on hold from the Transportation Trust Fund being shut down.

Mayor Silver stated the sewage lift station on Fletcher Avenue must be addressed. It keeps causing an issue for a homeowner by putting sewage back into her home. There was a shutdown of the station's electrical system, alarm and everything else. No one knew it went down. When it is fixed there will be an alarm that will notify Public Works if there is a high level of sewage.

Before the meeting was adjourned Borough Attorney, O'Connell let the Council know that regarding the referendum, State law states that the body as a whole (meaning the Council) cannot use its resources to advocate for an affirmative vote for the referendum. But the State does note there is nothing that prohibits individual public officials from offering their personal opinion through other means, personal contacts, press information, letters to the editor, etc. Members of the Council can still go about town to advocate for a vote, but the body as a whole, cannot use the resources of the municipality to push it.

9. ADJOURNMENT at 9:20 p.m.

First: Bendel Second: Thompson All in Favor

Submitted by:

**Katherine Fenton-Newman, CMR
Acting Borough Clerk**