

**BOROUGH OF ISLAND HEIGHTS
SPECIAL MEETING MINUTES**

June 28, 2017

1:02 P.M.

The Special Meeting of the Mayor and Council of the Borough of Island Heights was called to order by Mayor Silver. Mayor Silver read the following notice: 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 was transmitted to the Asbury Park Press on June 21, 2017 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

Mayor Silver announced that former Island Heights Police Officer Mike Koehler’s son, Owen has passed away. The Mayor expressed condolences to Officer Koehler and his wife.

1. ROLL CALL

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

	Asay	Bendel	Berglund	Snow	Thompson	Wudzki	Mayor Silver	Atty O’Connell
Present	X	X	X	X	X	X	X	X
Absent								

Also present were: Chief Financial Officer, Margaret Gorman and Police Lt. Kevin Arnold

2. PUBLIC COMMENT – NO MEMBERS OF THE PUBLIC WERE PRESENT

3. ORDINANCE

Ordinance 2017-02 – Calendar Year 2017 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

ORDINANCE 2017-2

CALENDAR YEAR 2017

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of _Borough of Island Heights in the County of Ocean finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$65,105.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Island Heights, in the County of Ocean a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Island Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$65,105.21, and that the CY 2017 municipal budget for the Borough of Island Heights be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced by the Borough Council, Borough of Island Heights at a meeting held on **June 28, 2017**. Notice is hereby given that the Ordinance will be considered for final adoption and passage at a meeting to be held by the Mayor and Council on **August 8, 2017** at 7:00 pm, at One Wanamaker Complex, Island Heights, NJ.

Chief Financial Officer Gorman explained that this is a standard ordinance in order to make a cost of living adjustment to the CAP base. This allows the Borough to keep the money in its CAP bank. If the ordinance isn’t adopted the Borough would lose \$65,105.21 for this year.

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

		Thompson	X			
	X	Wudzki	X			
		Mayor Silver	X			

4. INTRODUCTION OF THE 2017 BUDGET (Read by Title Only)

Chief Financial Officer Gorman explained that the budget is introduced by title only because this allows the ordinance to be introduced and published with a public hearing date. At the public hearing the Council will entertain comments from the general public.

Councilmember Asay thanked the Mayor and CFO Gorman for the budget process this year. He also thanked CFO Gorman for the hours spent going over the budget with Councilmember Thompson and him. He again thanked CFO Gorman for the budget process, and although it wasn't as early as we would have liked, there still was a process which gets us where we want to be today. He said he would like to see the budget amended a little, but there is a budget process which the town expects and needs.

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

5. EXECUTIVE SESSION FOR CONTRACT AND LITIGATION MATTERS

Resolution 2017-115 was not used.

6. RESOLUTIONS

Resolution 2017-116 Amending the Temporary Budget

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN PROVIDING FOR AMMENDMENTS TO TEMPORARY APPROPRIATIONS APPROVED PRIOR TO THE FINAL ADOPTION OF THE 2017 MUNICIPAL BUDGET.

WHEREAS, an emergent condition has arisen with respect to increase in temporary appropriations and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and

WHEREAS, N.J.S.40A: 4-20 provides for the creation of a temporary emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1051 (N.J.S. 40A: 4-20) including this resolution total \$1,612,439.78 Current Fund and \$976,132.11 Water & Sewer Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Island Heights (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J. S 40A: 4-20:

1. Emergency temporary appropriations be and the same are hereby made in accordance with the attached list
2. That said emergency temporary appropriation will be provided for in the 2017 Municipal Budget.

Chief Financial Officer Gorman explained that this amendment is needed to pay the Borough’s bills.

Public Comment – None

Roll Call

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

Resolution 2017-117 Lt. Kevin Arnold Contract

Resolution 2017-117 was removed from the agenda by Mayor Silver.

7. BILL LIST

Public Comment - None

Roll Call

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

8. PRIVILEGE OF THE FLOOR

Councilmember Asay said he received an email from Nancy Wolfe at the Board of Public Utilities, Cable Television Unit, saying that the Borough had been placed on the agenda for their meeting on Friday in order to approve the Borough’s Ordinance and Agreement with Comcast. He appreciates Ms. Wolfe putting us at “the top of the stack.”

Councilmember Asay also reported that the State Assembly and Senate passed A4587 and is on the Governor's desk awaiting action. This would allow municipalities to impose an occupancy tax of up to 6% on what they call "transient lodging" which refers to Airbnb, as we have discussed before. If the Governor signs it and the Borough would adopt such a tax under this State law, Airbnb has agreed to collect the taxes for municipalities and simply send it to us.

9. ADJOURNMENT at 1:10 p.m.

FIRST: BENDEL SECOND: BERGLUND ALL IN FAVOR

Respectfully Submitted by:

**Katherine Fenton-Newman, RMC, CMR
Municipal Clerk**