

**BOROUGH OF ISLAND HEIGHTS
REGULAR MEETING MINUTES
September 12, 2017
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 was advertised in the Asbury Park Press on December 21, 2016 and was also posted on the bulletin board in the Municipal Building.

Pledge to the flag and moment of silence.

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								

Note: Councilmember Wudzki arrived at 8:18 p.m. for this meeting.

2. EXECUTIVE SESSION FOR CONTRACT AND PERSONNEL MATTERS AT 7:02 P.M.

Resolution 2017-136

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

Reenter Regular Meeting At 7:41 p.m.

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

		Mayor Silver	X			
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3. APPROVAL OF MEETING MINUTES

The following meeting minutes were voted on and approved as a consent agenda:

- A. Minutes of August 8, 2017 Regular Meeting
- B. Minutes of August 22, 2017 Special Meeting

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

4. RESOLUTIONS

Resolution 2017-137 Award Of Solid Waste Disposal Contract To Waste Management of New Jersey, Inc.

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE AWARD OF A CONTRACT FOR SOLID WASTE AND
RECYCLABLE MATERIALS COLLECTION SERVICE TO
WASTE MANAGEMENT OF NEW JERSEY, INC.**

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et. seq. the Borough of Island Heights advertised and solicited bids for solid waste and recyclable materials collection services; and

WHEREAS, the Borough of Island Heights received bids on August 22, 2017 at 10:00 a.m. from Waste Management of New Jersey, Inc. and Suburban Disposal, Inc.; and

WHEREAS, the lowest responsible bid received was from Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, NJ 08628 for solid waste and recyclable materials collection services; and

WHEREAS, Waste Management of New Jersey, Inc. bid on 3 year options for Solid Waste Twice Weekly, Recycling Once a Week and Recycling (Every Other Week) as well as the 5 year options for Solid Waste Twice Weekly, Recycling Once a Week and Recycling (Every Other Week) of the bid specifications and agreed to provide those services to the Borough; and

WHEREAS, Waste Management of New Jersey, Inc. will provide solid waste and recyclable materials collections services as described in its bid on Solid Waste Twice Weekly of the Bid Specifications for the sum of \$93,000 yearly and Recycling Collection Once Weekly for the sum of \$42,000 for a period of five (5) years as per Waste Management of New Jersey, Inc.'s Bid Proposal; and

WHEREAS, Waste Management of New Jersey, Inc. will direct solid waste and bulk waste to the Ocean County Landfill and recycling materials will be directed to the Ocean County North Recycling Center with charges and fees being reimbursed to Waste Management of New Jersey, Inc. by the Borough of Island Heights; and

WHEREAS, Waste Management of New Jersey, Inc. will provide solid waste and recyclable materials collection services awarded in accordance with this resolution commencing on or about October 1, 2017, or as soon as feasible; and

WHEREAS, the Governing Body finds that Waste Management of New Jersey, Inc. is the lowest responsible and responsive bidder.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Island Heights, County of Ocean, New Jersey that the Borough awards the contract for solid waste and recyclable materials collection service to Waste Management of New Jersey, Inc.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized and directed to sign such contracts and take any such ministerial actions as are necessary to effectuate the provisions of this resolution.

BE IT FURTHER RESOLVED that the Borough Attorney is hereby directed to prepare a contract between the Borough and Waste Management of New Jersey, Inc. in accordance with the Bid Specifications, Waste Management of New Jersey, Inc.'s Bid proposal and this resolution.

Certification of Funds: 2017 Current Budget: Sanitation Other Expenses-Contractual Services
Period: October 1, 2017 through September 30, 2022 \$135,000.00

I hereby certify funds contingent upon the Governing Body appropriating the necessary funding the 2017 budget. Certification of Funds for future years will be provided for in 2018, 2019, 2020, 2021 and 2022 budget contingent upon the Governing Body appropriating the necessary funding.

Margaret Gorman
Chief Financial Officer

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular Meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Public Comment: Jim Jablonski, 227 Ocean Avenue, asked if it would be less costly for the Public Works Department to pick up the trash. Mayor Silver said that it would be more costly because we only have one truck and we would need a backup truck. The Borough does not have what it needs for that.

Mayor Silver explained that the Borough received two bid proposals. Council wishes to keep garbage pickup at two days per week. Additionally, the same contractor will pick up recycling every week all year long.

Mayor Silver also announced that the commercial entities, effective October 1st, will need to obtain their own contractor to pick up their trash or contract separately with the vendor the Borough has chosen. Recycling will be picked up for everyone in Island Heights, including commercial properties.

Mayor Silver announced that the low bidder for solid waste and recycling collection was Waste Management and the contract will commence on October 1 of this year. It is a five year contract. A borough resident asked if it was a fixed rate for 5 years. Mayor Silver said it was.

John H. Lightbody, 185 Garfield Avenue, asked if Waste Management would be picking up garbage and recycling. Mayor Silver said the Borough would be picking up garbage and recycling for residential homes and recycling only for businesses. Mr. Lightbody asked the Mayor if that meant Public Works would no longer be picking up recycling. The Mayor confirmed that Public Works would no longer be picking up recycling; it would help Public Works focus on other issues in the Borough.

Roll Call

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

Resolution 2017-138 Authorizing Employment Agreement Between The Borough Of Island Heights And Lt. Kevin Arnold

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE EXECUTION OF A CONTRACT
BETWEEN THE BOROUGH OF ISLAND HEIGHTS AND LIEUTENANT KEVIN C. ARNOLD**

WHEREAS, the Borough of Island Heights and Lieutenant Kevin C. Arnold have agreed to a contract of employment for a period from January 1, 2017 to December 31, 2018; and

WHEREAS, the Mayor and Council of the Borough of Island Heights wish to ratify the aforementioned contract;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, are authorized to execute the contract with Lieutenant Kevin C. Arnold, subject to approval as to form by the Borough Attorney.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Public Comment:

Jim Jablonksi, 227 Ocean Avenue, asked how long the agreement lasts. Mayor Silver told him the contract expires December 31, 2018.

Roll Call

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

Resolution 2017-139 Authorizing Maser Consulting P.A., Borough Engineer, To Conduct A Speed Limit Inventory Of All Borough Streets For A Fee Not To Exceed \$3,550.00

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO CONDUCT A SPEED LIMIT INVENTORY OF ALL BOROUGH STREETS
FOR A FEE NOT TO EXCEED \$3,550.00**

WHEREAS, the governing body of the Borough of Island Heights desires to reduce speed limits throughout the Borough; and

WHEREAS, Maser Consulting P.A., the Borough's Engineer, has been requested by the Mayor to perform a statutory assessment and individual road analysis in order to provide certification on behalf of the Borough to reduce the speed limit to 25 miles per hour Borough-wide; and

WHEREAS, Maser Consulting P.A. estimates the budget to perform the analysis will be \$3,550.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to conduct the statutory assessment and individual road analysis for an amount not to exceed \$3,550.00.

BE IT FURTHER RESOLVED, that the governing body also authorizes the Mayor to sign the Client Authorization Form submitted by Maser Consulting, P.A. for their services.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Brian Gabriel, 185 Summit Avenue, asked what the speed limit inventory consists of. Mayor Silver introduced Bob Mullin of Maser Engineering, Borough Engineers, and asked him to respond. Mr. Mullin explained that there are roads within the Borough that are under the Borough's jurisdiction as well as some that are under the County's jurisdiction. There are statutory aspects to setting speed limits. In order to implement and/or change traffic devices, including speed limit signs, an engineering certification is required pursuant to NJ State statutes. That would entail gathering traffic counts, accident data, police department information and compiling it all on a road by road basis.

In order to do it more cost effectively for the Borough, Maser would do this inventory which would allow them to gather information on residential densities. This would include; the number of houses per block, the existing speed limits, and the existing speed data that people are driving now. Maser would provide a certification stating that the roads fit the operational characteristics of a 25 mile per hour speed limit. The certification is required per State statute. The certification will serve as the basis for changing the Borough's Ordinance to all Borough roads being 25 miles per hour. This would not pertain to any County roads.

Mr. Mullin said that Maser may be able to work with the County so they might accept the certification, but there is no guarantee that they will. Mr. Mullin said they have already spoken to the County regarding this and at least the conversation has begun.

Mr. Mullin reiterated that speed limit signs are considered traffic control devices and in order to change them it requires an engineering certificate. Mr. Lightbody asked Mr. Maser if he knew the State Statute pertaining to that. Mr. Mullin told him that it was N.J.S.A. 39:40-8. Michael O'Connell, Borough Attorney, added that the certification is also needed in order to write speeding tickets. The certified roads inventory is needed so tickets don't fail.

Councilmember Asay said he respectfully takes issue with the Borough's engineer and attorney. He said the Council has already addressed the issue several times. He said the Council agreed to lower the town's speed limit to 25. Since the town's speed limit ordinance was never completed and adopted, the speed limit on the town's roads is already 25. He said you don't need a study to say why that is, because the State already did it. When the State adopted Title 39 they put in a statute that said all residential streets and roads are 25 miles per hour unless otherwise designated by a local government entity.

The County has designated some of their roads in the Borough to be higher than 25 but the Borough has never done that. The Ordinance is silent as to specific roads and streets so therefore all of the town roads and streets are already 25 miles per hour. Councilmember Asay said all the Borough needs to do is take the signs down that are wrong and put new ones up. The matter of law today is the streets are already 25 miles per hour and the Borough does not need to spend money to find that out. He said that Council had asked the Borough Attorney to clarify the existing ordinance by adding a sentence to the existing ordinance that says all the Borough roads will be 25 miles per hour. When the ordinance is silent it reverts to the State Statute, as is the case in most areas. It is already done and he doesn't see the sense in spending any more money on this project.

Attorney O'Connell said that would be true but for the fact that the Borough has signs posted in the town, in error or not. Councilmember Asay said that those signs do not have the force of law. Attorney O'Connell warned him to be careful with that argument because the Municipal Court has been enforcing it for years. Attorney O'Connell said he did look at the Statute and it is his opinion that the Borough does need to get the survey to certify the roads because right now the Borough has speed limits that they want to reduce.

A discussion ensued about what the Statute considered to be a residential area. Attorney O'Connell said that he believed all the local roads the Borough owns and controls in Island Heights would fall under a "residential" designation. Mr. Mullin said the State Statute does define what is a local residential street and cited N.J.S.A. 39:1-1. He agreed that the Borough was entirely residential.

Councilmember Thompson asked if the certification was needed to increase as well as reduce the speed limit. Mr. Mullin said that it does apply if the Borough wishes to reduce the speed limit because it is looking to implement a change in the existing traffic control device, which in this case would be speed limit signs. This would require a certification. Attorney O'Connell added that the Statute uses the word "change" not the words "reduction" or "increase."

Ron Totams, 248 Summit Avenue, said as far as he sees, there are only two speed limits in town, 25 and 35. He asked how much smarter the town will be after they get the cancelled check back from the engineer. He said he lives on Summit Avenue and it can be a drag strip. It is a County road. What will all this certification do for the town? Mayor Silver said it has to do with following the law. Council President Berglund said that the certification is needed so the Borough could go the next step and put wording in the Ordinance that specifies residential streets are 25 miles per hour.

Brian Gabriel asked if the Borough has an ordinance that already does that. The answer was no. Mr. Gabriel stated that the State law does. Councilmember Thompson said that this doesn't count the County jurisdictional roads. Mr. Gabriel said the County already said they weren't going to change the speed limits. Councilmember Thompson said at that time they did not have the materials in order for them to take appropriate action. They need the certification in order to get to the next step. Councilmember Snow stated that on West End Avenue they could not change the speed limit from 35 miles per hour to 25 miles per hour without the certification.

Jim Jablonski, 227 Ocean Avenue, said when he took drivers education, State law said that the speed limit is 25 miles per hour unless posted otherwise in a residential area. It seems to him that the State law supersedes whatever statute that is already in place. He doesn't see that there is an issue of changing the

signs from 30 or 35 miles per hour to 25 miles per hour. He thinks the only issue is the County roads. He thinks if the Borough is only dealing with the County roads he doesn't think the fee should be \$3,500.

Councilmember Thompson said what she is hearing was, whether we like it or not, some of the Borough's roads are marked above 25 miles per hour. If the Borough wants to lower the speed limit, because that traffic mechanism is in place, we have to go through all of this to change the sign. That's what the law says. We don't like it. Maybe the sign shouldn't have been put there, but it is there. In order to change that sign the Borough has to go through all these hoops.

Eric Pearlman, 206 Maple Avenue, said if Public Works accidentally puts up a wrong speed limit sign, would we have to get a certification to take it down? He said that if the State legislation says the speed limit is 25 miles per hour if there is no ordinance he thinks that the attorney's argument that tickets would be unenforceable would be invalid. He said he doesn't see the issue. If the sign was put up by mistake contradicting the legislation, why don't we just say we put it up by mistake and take it down? Councilmember Snow and Mayor Silver told Mr. Pearlman that it needed to be done because it was the law. Mr. Pearlman said according to Councilmember Asay it is not the law.

Mayor Silver said that it falls back to the governing body. If the governing body does not do this in accordance with the law of the State of New Jersey there would be problems with people who come to court. Mr. Mullin said that the bottom line is that you have to comply with the law. The statute says you have to do it.

Brian Gabriel asked why don't we strengthen the ordinance and define the roads. Mayor Silver said this is what we are doing. This is why he asked Mr. Mullin from Maser Engineering to explain why this has to be done. He will also be interacting with the County to possibly reduce the County roads also. Mr. Mullin reiterated the County may or may not agree to the reduction based upon a simple inventory but Maser will work with the County to the extent that they can.

Mayor Silver said that the fee is for working on this is not to exceed \$3,550. Councilmember Thompson asked Mr. Mullin if that is the maximum fee Maser would charge. Mr. Mullin said that the fee is an hourly rate not to exceed \$3,550. If the hours come up to \$4,000 their bill will not be above \$3,550.

Public Comment
Roll Call

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

Resolution 2017-140 Authorizing Maser Consulting P.A., Borough Engineer, To Provide Services For Jaynes Avenue Improvements Utilizing NJDOT Municipal Aid Grant (Fiscal Year 2014) For A Fee Not To

Exceed \$15,950.00

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO PROVIDE SERVICES FOR JAYNES AVENUE IMPROVEMENTS
UTILIZING NJDOT MUNICIPAL AID GRANT (FISCAL YEAR 2014)
FOR A FEE NOT TO EXCEED \$15,950.00**

WHEREAS, the Borough of Island Heights was awarded an NJDOT Municipal Aid grant in the amount of \$125,000 for improvements to Jaynes Avenue also known as MC Project No.: IHB-005; and

WHEREAS, Maser Consulting P.A., the Borough's Engineer, will performing the services outlined in the attached Client Work Authorization Form for MC Project No.: IHB-005; and

WHEREAS, Maser Consulting P.A. estimates the budget to perform these services will be \$15,950.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to perform the services as outlined in the attached Client Work Authorization Form for MC Project No.: IHB-005 for an amount not to exceed \$15,950.00.

BE IT FURTHER RESOLVED, that the governing body also authorizes the Mayor to sign the Client Authorization Form submitted by Maser Consulting, P.A. for their services.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mr. Mullin explained that the Borough applied for, and was successful in receiving, a grant from NJDOT Municipal Aid Program for Fiscal Year 2014 in the amount of \$125,000. The plans for the Jaynes Avenue road improvements were designed by the prior Borough engineer. However, because of the water and sewer project, it made sense to defer the construction of the roadway improvements until after the water and sewer work was completed.

Maser's fee proposal is for doing the construction management, construction administration, inspection and observation tied to the contractor's work. The plans and specifications are complete. The bids were submitted. The contract was awarded to Earle Asphalt in late 2015. Earle has agreed, with the exception of some small labor increases, to hold their prices from 2014.

The tentative start date is the week of September 24th for milling, paving as well as ancillary sidewalk and curbing improvements as needed. Mr. Mullin said that the grant was for \$125,000. Earle's bid was in the mid 90's. The grant agreement allows the Borough to recoup a certain portion of the construction administration costs that would be part of Maser's fee. Mayor Silver asked if Maser's fee could be built into the grant amount. Mr. Mullin said part of it could be covered by the grant but some of it wouldn't be covered. DOT doesn't allow some items to be covered, such as project management, preparation of pay certifications and some of the administrative aspects. They do cover the work that is associated with being in the field and working directly with the contractor.

Councilmember Thompson asked how much the Borough will need to put into the project because usually there is a match. Mayor Silver said that it is usually a percentage. In the instance of a \$125,000 grant, the Borough would put out somewhere between \$18,000 and \$25,000. Councilmember Thompson noted that Maser's fee is approximately 13% of the grant which she believes is quite high. Mr. Mullin reminded Councilmember Thompson that it is a fee not to exceed which is based upon a 30 day construction window. If Earle does the work in less time, Maser's fee would be less. Mr. Mullin said that there is a lot of effort doing the contract close out at the end of the contract. Maser must provide the DOT documentation, which includes core samples and pavement tests to the State. Anything within the grant amount that the DOT deems reimbursable would be paid back to the Borough.

Mr. Mullin said that Maser has already had to work with the DOT to receive extensions on the construction time because the grant is from 2014. Once they explained to the DOT the basis for the extension request, it made perfect sense and was approved.

Public Comment - None

Roll Call

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

Resolution 2017-141 Authorizing Maser Consulting P.A., Borough Engineer, To Advertise And Solicit Bids For River Avenue Improvements

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO ADVERTISE AND SOLICIT BIDS FOR RIVER AVENUE IMPROVEMENTS**

WHEREAS, the Borough of Island Heights was awarded an NJDOT Municipal Aid Grant for Fiscal Year 2015 in the amount of \$172,000.00 for improvements to River Avenue also known as MC Project No.: IHB-006; and

WHEREAS, the scope of work includes roadway milling/resurfacing, drainage improvements, replacement of approximately 115 feet of bulkhead, boardwalk reconstruction, and curb/sidewalk replacement on River Avenue extending from Lake Avenue to Simpson Avenue; and

WHEREAS, Maser Consulting P.A. recommends the boardwalk reconstruction extend to the Pavilion, along with grading modifications along that portion of River Avenue at an associated cost estimate of \$115,000.00 which they suggest be included with the project bid as an “add-alternate” and be included with the Discretionary Funding Application request; and

WHEREAS, the original grant, approved by the NJDOT, will not cover the new estimated cost of \$287,003.00 for performing this project, which resulted in the governing body authorizing Maser Consulting to apply for Discretionary Aid through the Local Aid Infrastructure Fund (LAIF) on behalf of the Borough; and

WHEREAS, the governing body wishes to proceed with advertising and soliciting bids for this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to:

1. Advertise and solicit bids on behalf of the Borough of Island Heights for the above mentioned project; and
2. Include reconstruction of the boardwalk to the Pavilion, along with grading modifications along that portion of River Avenue as an “add-alternate” to the bid specifications and also be included with the Discretionary Funding Application request.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mayor Silver explained that this is a NJDOT municipal aid grant in the amount of \$172,000 that goes back to 2015. It is for roadway milling, drainage improvements, raising the boardwalk, the sluice box, replacing 115 feet of bulkhead, and replacing curb and sidewalk from Lake Avenue to Simpson. Additionally, there was a request for discretionary funding in the amount of \$115,000. Mayor Silver said that he has also sent letters to the government representatives in the State and

County to get their backing in order to get the State to give the Borough additional funds for this project.

Mr. Mullin said that this particular authorization is to specifically authorize Maser to go out to bid on the project itself. There is no fee associated with this aspect of the project. In 2015 the Borough applied for and received a grant in the amount of \$172,000 for improvements to River Avenue. The costs included in the original application were low compared to today's costs. Specifically, it is the cost to replace 115 feet of bulkhead and some of the boardwalk reconstruction associated with raising the eastern portion of River Avenue down towards Simpson. They revised the estimate based on today's costs for bulkhead and boardwalk replacement. Based on that, Mr. Mullin had a conversation with the DOT, they suggested that the Borough apply for discretionary aid from them. There is a rolling cycle in which there is an opportunity where you may solicit support from local public officials, which has been done, and the application has been submitted. If successful the discretionary funding, on top of the \$172,000 grant, would cover the entire project, including the increased cost of the bulkhead and the boardwalk as well as the road itself. It would also include changing the sluice to a 15" cast iron pipe that would mitigate the flooding at that end of Simpson Avenue which occurs during high tide. The road would be raised about a foot in that corner.

Brian Gabriel asked how raising the road by one foot would impact the residential properties. Mr. Mullin said there are no residential properties there. Mr. Gabriel said there is a residential lot on Simpson and River which is right on the corner. Councilmember Thompson said that it is a vacant lot. Mr. Mullin said they would also raise the curb and sidewalk on that part of the road so it isn't indifferent from the rest of the roadway improvements.

Councilmember Asay asked why the State would authorize the Borough to go to bid on the project before they know whether the funding is going to exist. Mr. Mullin told him this wasn't an authorization to bid from the State. The State has already reviewed the design plans and approved them. The plans comply with the grant requirements. What Maser is asking for is authorization from the Council to solicit for bids.

Councilmember Asay said the project was originally priced at \$172,000 in 2015. A review by Maser found that it was \$115,000 short. It makes the total cost for the project estimated at \$287,000. The Borough has requested supplemental money in the amount of \$115,000 from the State, but they have not done so as of yet. He asked why the Borough would go to bid on a project before we know if the funding exists to complete the project. Mr. Mullin said they might not be going to bid on this project because, as recently as last Wednesday, there was some discussion regarding water main replacement on that section of River Avenue. Based on the water main replacement, bidding on the roadway improvement project would be deferred until after the water main replacement work is done.

Councilmember Asay reminded Mayor Silver that he had previously questioned the project when it first came to the table at \$172,000. Now it is \$287,000. He said this is a lightly traveled road that floods intermittently at high tide and the Borough has much greater concerns, especially when you think about Central, West End and Maple Avenues flooding in heavy rain. These are arteries that no one can get in and out of the Borough in an emergency. Nothing close to this amount has been invested in improving those situations and he doesn't see how this is justified.

Councilmember Asay asked what would happen if the road was milled and made gravel in that area without changing the elevation so that water could soak into the ground and not accumulate. Mayor Silver said the water would not soak into the ground because you are into the water table there. There would be a constant flow of water going up and down instead of keeping the river out. It would never perk down.

Councilmember Asay said he thinks it is a project that has gotten out of control. The other end of River Avenue floods in rain and high tide and the scientific community says that there is a certainty that sea levels are rising. He doesn't think every time the sea rises the Borough's answer would be to raise its roads. The Borough will spend itself into oblivion and it doesn't make any sense to him that this is the approach.

Mayor Silver said that this is a one way road and there are two buildable lots that are for sale there. Eventually there will be residential homes there and eventually the people who live there would have to go down to the bottom of the hill to go out. Councilmember Asay recommended that the Borough purchase some of that land and cut the road off further up which would probably cost as much as this project. Mayor Silver said that the fair market value for that property would be upwards of \$400,000. Councilmember Asay said he understood but he just couldn't vote for this. He thinks it has run out of control at this point. Mayor Silver told him that it was alright.

Mayor Silver said that all the residents and everyone who exits out of Camp Meeting have to go down Simpson. They can't go up the hill; they must go down the hill. If it is flooded it is a problem. Councilmember Asay said if it is flooded, they back up the road and go against the one way. He has seen them do it. He said the one way is widely ignored and is loosely enforced. He thinks that alternatives must be considered when you look at the costs. Mayor Silver said there was a huge erosion problem that was happening with the bulkhead on the other side because of the high tides. It will just deteriorate. Councilmember Snow asked if there was any way to make Simpson Avenue a two way street. Council President Berglund said it is not wide enough to make it a two way street.

Councilmember Asay said he can't support this. He said there have been discussions on alternate ways to address this since 2015. It is too much money to spend on this situation. It is a lightly traveled road that doesn't come up to the magnitude of the problems in other places in the Borough, which are heavily traveled, and some of them are emergency routes. He said we don't have a solution to those problems.

Councilmember Snow asked if we were obligated to this project. Mayor Silver said it isn't an obligation. It is money that has already been approved, and all the engineering has been done prior to 2015. Councilmember Bendel asked what the Borough's cost would be for this project. Mr. Mullin said it depends on what the State grants as discretionary funding. Councilmember Bendel asked if the Council commits to this, does that commit money to the project or does this administratively move it a step forward. Mr. Mullin said this just moves it a step forward. Councilmember Bendel said he doesn't see why Council shouldn't do that and get more information in terms of exactly what it would cost the Borough. He said he agrees with Councilmember Asay that this is a very limited situation that has been there forever.

Public Comment
Roll Call

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

Resolution 2017-142 Authorizing Maser Consulting P.A., Borough Engineer, To Advertise And Solicit Bids For 6 Pump Stations And Ancillary Equipment

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO ADVERTISE AND SOLICIT BIDS FOR 6 PUMP STATIONS AND ANCILLARY EQUIPMENT**

WHEREAS, the Borough of Island Heights has been issued a deficiency violation from the NJ Department of Environmental Protection (DEP) regarding its pump stations; and

WHEREAS, Maser Consulting P.A., the Borough Engineer, has submitted a Municipal Complex Conceptual Pump Station Evaluation to the governing body wherein the evaluation addresses the DEP violations and suggests a consolidation of pump stations; and

WHEREAS, the governing body wishes to proceed with advertising and soliciting bids for this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to advertise and solicit bids for 6 pump stations and ancillary equipment on behalf of the Borough of Island Heights.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mayor Silver explained that the Borough has sewage lift stations that need remediation in a number of locations in the Borough. Maser will put out the bid specifications for the equipment. There are in ground grinder pumps, two per station. There is a control panel with a strobe light on it and there will be radio notification equipment. It is like an alarm station with a central notification system that will report power outages, high level conditions in the pit, etc. This is all a Department of Environmental Protection (DEP) requirement. There is a deficiency list that has been going on for some time and the Borough needs to keep moving on this. Councilwoman Thompson said that the Borough doesn't really have a choice because the Borough is under DEP order to get this done. Mayor Silver said that is true. It is sewage and sanitary issues and there are a number of lids that need to be replaced to make the pits tighter. He doesn't want to have a situation like when Sandy came and the river went into the pump stations and we were actually pumping sea water into the Ocean County Treatment Plant. The Borough wound up paying for sea water. We did get a credit back after a number of years, after they did their calculation from Sandy, but this is to button up the sanitary system.

Also needed is a transfer switch and generator for when power goes out. The generator can be put on a trailer and Public Works can plug into the station, pump out the sewage, and move on to the next station in the event of another catastrophic situation.

Betsy Hyle, 266 Summit Avenue, asked if this is a continuing project and how many have been done already. Mayor Silver said this is a continuing project. Two pump stations have been completed so far.

Mayor Silver said this proposal was for the Post Office, Municipal Building and Police Department. Maser would go out to bid for prices to do this project. Bob Mullin said that it also makes the pumps and all the pump stations the same. It streamlines the operation of pumps and the replacement of parts. Mayor Silver said that there would also be a spare pump and pump parts so they could swap it out for a bad pump in order to alleviate down time.

Jim Jablonski, 227 Ocean Avenue, asked in regard to Resolutions 2017-141 and 142, if there was a fee involved for advertising and soliciting. Mr. Mullin said the fee is for advertising in the newspaper. There are also reproduction fees to create the plans and specifications. Neither one of the two resolutions are obligating any specific funds, it is only an authorization to go to bid. Mr. Jablonski said he understood that, but Maser would have a fee involved with the services. Mr. Mullin said that was correct, but those fees have already been covered by a prior authorization.

Pat McWilliams, 209 Maple Avenue, asked if there was a retention fee for Maser and if the other work they do costs extra. Mayor Silver told her there is no retainer fee, it is charged as needed. Mrs. McWilliams asked if the Borough already paid them for this project. Mayor Silver said the project was authorized before Superstorm Sandy came in which was five years ago. The DEP keeps on checking and asking how we have progressed. It is going to cost \$150,000 to \$200,000 before everything is done. Mrs. McWilliams asked if there will be more fees from the engineer before all of this is done. Mayor Silver said there would be more fees. It is the cost of doing business. Councilmember Snow said that if the Borough does not comply with the DEP, there will be huge fines to pay. Mayor Silver said this is waterfront community and there is sewage by an open body of water.

Councilmember Asay asked if the generator part of these specifications. Mr. Mullin said that Maser has prepared specifications for a trailer mounted generator but that is not included in this bid. Mayor Silver said that we might be able to get the generator under State contract.

Councilmember Asay asked if the pump station study and recommendations they received in their meeting packet are part of the six pump stations, and is the Council adopting the engineer’s recommendations in section 6.0 that said that the Borough should convert PS1 to gravity and leave PS2 and 3 as independent pump stations. Mr. Mullin replied yes. Councilmember Asay asked if those pump stations that have already been completed have emergency communications on them. Mayor Silver told him no, but they will. They will be included as part of this bid. There are six communication devices in this bid and then the Mayor will know the dollar amount of the other two devices, Those will be added.

Public Comment

Roll Call

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

Resolution 2017-143 Authorizing Maser Consulting P.A., Borough Engineer, to Provide Services for Lake Avenue Improvements Utilizing NJDOT Municipal Aid Grant (Fiscal Year 2017) For A Fee Not To Exceed \$23,500.00

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO PROVIDE SERVICES FOR LAKE AVENUE IMPROVEMENTS
UTILIZING NJDOT MUNICIPAL AID GRANT (FISCAL YEAR 2017)
FOR A FEE NOT TO EXCEED \$23,500.00**

WHEREAS, the Borough of Island Heights was awarded an NJDOT Municipal Aid Grant for Fiscal Year 2017 in the amount of \$129,854.00 for improvements to Jaynes Avenue also known as MC Project No.: IHB-028; and

WHEREAS, Maser Consulting P.A., the Borough’s Engineer, will performing the services outlined in the attached Proposal for Professional Services for MC Project No.: IHB-028; and

WHEREAS, Maser Consulting P.A. estimates the budget to perform these services will be \$23,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to perform the services as outlined in the attached

Proposal for Professional Services for MC Project No.: IHB-028 for an amount not to exceed \$23,500.00.

BE IT FURTHER RESOLVED, that the governing body also authorizes the Mayor to sign the Client Authorization Form submitted by Maser Consulting, P.A. for their services.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mayor Silver explained that every year the Borough has the opportunity to get this grant money. The Borough looks at which roads could use the improvement. This year it is Lake Avenue from Central Avenue to Maple Avenue. The Mayor asked Mr. Mullin to explain what the \$23,500 fee would include.

Mr. Mullin said the Borough received a grant for fiscal year 2017 of just under \$130,000 to reconstruct Lake Avenue between Central Avenue and Maple Avenue. The fee is for the design, solicitation of bids, and construction administration and management and contract close out. It is for the entire project from design to closeout which includes submittal to the State for reimbursement of all associated inspection costs.

Mayor Silver asked if the \$23,500 would be covered by the grant. Not all of the money would be covered by the grant because the State will only reimburse for construction inspection, observation, which is essentially field time, and core samples.

Brian Gabriel asked if there was an estimated cost of the project from Central to Maple. Councilmember Asay said the project's total estimate is \$139,000 which means the municipality is on the hook for \$10,000 plus whatever the engineer fees we have to pay. Mr. Mullin said the construction cost estimate on which the grant application was based was \$120,630. The state allows an additional 15% for construction materials and material testing on top of that for a total of \$139,874. The grant award was \$129,700 and change. The State will reimburse for construction inspection and material testing but they will not reimburse for such things as engineering design and traffic control.

Councilmember Thompson asked Council President Berglund if this will cure the pot holing conditions that occur. Council President Berglund said there are a number of areas that will be worked on. The possibility of extending the loop of the water service is also being spoken about. The structures of which Councilmember Thompson was speaking are storm drainage. Those are picked up as part of the roadway and there may be other work that will be done in that area also. Councilmember Thompson said that this was only resurfacing and asked if there was more to come on this. Mayor Silver said yes. Mr. Mullin said that the estimate does include replacing and resetting some inlets and also includes some small amount of

sidewalk. Potholes would be addressed through base repair. There is some float in the specifications that allow base repair.

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			

Resolution 2017-144 Authorizing Maser Consulting P.A., Borough Engineer, to File 2018 NJDOT Municipal Aid Grant Application On Behalf Of The Borough Of Island Heights For A Fee Not To Exceed \$2,500.

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING MASER CONSULTING P.A., BOROUGH ENGINEER,
TO FILE 2018 NJDOT MUNICIPAL AID GRANT APPLICATION
ON BEHALF OF THE BOROUGH OF ISLAND HEIGHTS
FOR A FEE NOT TO EXCEED \$2,500.00**

WHEREAS, the Borough of Island Heights desires to apply for a 2018 NJDOT Municipal Aid Grant which will also be known as MC Project No.: IHB-031; and

WHEREAS, Maser Consulting P.A., the Borough’s Engineer, will performing the services outlined in the attached Client Authorization Form for MC Project No.: IHB-031; and

WHEREAS, Maser Consulting P.A. estimates the budget to perform these services will be \$2,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize Maser Consulting, P.A. to perform the services as outlined in the attached Client Authorization Form for MC Project No.: IHB-031 for an amount not to exceed \$2,500.00.

BE IT FURTHER RESOLVED, that the governing body also authorizes the Mayor to sign the Client Authorization Form submitted by Maser Consulting, P.A. for their services.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at

the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mr. Mullin explained this is the annual NJDOT Municipal Aid Program. 2018 grant opportunities were announced in mid August with an October 6th deadline for submittal. This authorizes Maser to prepare a grant application on behalf of the Borough.

Mr. Mullin explained that the original 2017 Municipal Aid Grant was for Phase 1 and Phase 2 Lake Avenue Projects. Phase 2 was the piece from Central to Van Sant. Phase 1 was from Maple to Central. The DOT awarded Phase 1. Phase 2 will be asked for in 2018 because, according to Maser’s sources, there will be additional funding in 2018 in this grant program. They are also going to discuss including the Borough’s portion of West End Avenue in the grant application.

Councilmember Asay said that it says on the client authorization it is for Lake Avenue from Laurel to East End but that leaves out one block from Central to Laurel. Does he mean from Central to East End? Mr. Mullin said that he did mean from Central to East End. Councilmember Asay asked what caused West End Avenue to be added to the list. Mr. Mullin said it was just an item for discussion and the Borough is not locked into that at this point. Based on the understanding that there is a fairly good amount of money available this year, they felt it was a good idea to aim high. Mayor Silver said part of this is for Triangle Park. He is hoping to come up with a means of egress during a high water condition by raising the roadway. This grant would try to fund that. He also wants to address the runoff that comes down from Route 37 through all the properties. The water doesn’t move any more to go out to the river. It is a flood prone area.

Don Roberts, 5 Park Avenue, asked the Mayor if that was a County road at that end. Mayor Silver told him that it was the Borough’s road. Councilmember Asay said the County ends just beyond Triangle Park, but not the section that crosses Dillon’s Creek. That section is not the County’s.

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			

Resolution 2017-145 Adjusting The Dates And Hours Of The Island Heights Farmers’ Market

RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,

**COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADJUSTING THE DATES AND HOURS OF
THE ISLAND HEIGHTS FARMERS' MARKET**

WHEREAS, on June 13, 2017 the governing body of the Borough of Island Heights passed a resolution creating a Farmers' Market at the Wanamaker Municipal Complex; and

WHEREAS, the Island Heights Farmers' Market has taken place every Monday, beginning July 10, 2017 through September 25, 2017 between the hours of 2:00 p.m. and 7:00 p.m.; and

WHEREAS, the Island Heights Farmers' Market has proven to be successful, creating the desire to extend the dates and hours of operation.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby authorize the following:

1. The Farmers' Market dates of operation shall be extended to Monday's through October 23, 2017.
2. The hours of operation shall be subject to change during those operating days depending on the hours that the sun sets.
3. The hours of operation may begin as early as 12:00 noon to as late as 7:00 p.m. but not more or less than five (5) hours each day.
4. Councilmember Melissa Wudzki, the Council Liaison to the Farmers' Market, shall be responsible for setting the hours of operation each week and advising the participants and public of said changes.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Councilmember Wudzki explained that when the Farmers' Market was originally set up it was going to go through September 25th. The vendors expressed interest in staying through October. This resolution would allow the Farmers' Market to stay open through October 23rd. It also gives us the wiggle room to change the hours because it starts getting darker earlier. Councilwoman Wudzki says she anticipates

shifting the hours to an hour earlier within the next couple of weeks. She is hoping to only go from 1:00 to 6:00, but if need be she will go from 12:00 to 5:00 for the last week.

Public Comment - None
Roll Call

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

**Resolution 2017-146 Authorizing The Execution Of A Shared Services Agreement
With The County Of Ocean Pursuant To N.J.S.A. 40:8A-1 et. seq.,
For The Prosecutor’s Drug Recognition Expert Callout Program**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF OCEAN PURSUANT TO N.J.S.A. 40:8A-1 et. seq., FOR THE PROSECUTOR’S
DRUG RECOGNITION EXPERT CALLOUT PROGRAM**

WHEREAS, pursuant to N.J.S.A. 40:8A-1 et. seq., authorizes local units, as defined in the Act, to enter into joint agreements for the provision of governmental services; and

WHEREAS, the Drug Recognition Expert Callout Program (hereinafter referred to as D.R.E.C.P.) is a traffic safety program run by the Ocean County Prosecutor’s Office for the purpose of utilizing a DRE callout Program to assist with identifying and removing intoxicated drivers from the roadways; and

WHEREAS, the D.R.E.C.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Borough of Island Heights wishes to enter into an Agreement with the County for the purpose of setting forth the term and conditions regarding the assignment of police officers employed by the Municipality to the D.R.E.C.P.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Island Heights in the County of Ocean, State of New Jersey as follows:

1. The Mayor and Acting Borough Clerk are hereby authorized and directed to enter into and execute a Shared Services Agreement with the County of Ocean for the Prosecutor’s program.
2. A copy of this agreement is on file and available for public inspection at the Borough Clerk’s office.
3. This Resolution shall take effect immediately upon passage.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough

Council at the regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Councilmember Asay explained that both the programs on the agenda are programs that receive State and County funding through which our officers are trained with this expertise. They are called out by the Prosecutor's Office to perform these services as necessary. We pay them and then the Borough is reimbursed by the Prosecutor's Office for their time. This way the County has enough staff without having to hire additional officers to perform roadside checks and other sorts of things.

Public Comment - None
Roll Call

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

**Resolution 2017-147 Authorizing The Execution Of A Shared Services Agreement
With The County Of Ocean Pursuant To N.J.S.A. 40:8A-1 et. seq.,
For The Prosecutor's Driving While Intoxicated Program**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF OCEAN PURSUANT TO N.J.S.A. 40:8A-1 et. seq., FOR THE PROSECUTOR'S
DRIVING WHILE INTOXICATED PROGRAM**

WHEREAS, pursuant to N.J.S.A. 40:8A-1 et. seq., authorizes local units, as defined in the Act, to enter into joint agreements for the provision of governmental services; and

WHEREAS, the Driving While Intoxicated Enforcement Program (hereinafter referred to as D.W.I.E.P.) is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of identifying and removing intoxicated drivers from the roadways; and

WHEREAS, the D.W.I.E.P. receives funding from the State of New Jersey and County of Ocean; and

WHEREAS, the Prosecutor's Office and the municipality have determined it to be in their mutual interest for the municipality to designate certain police officers to be assigned to the Prosecutor's program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Island Heights in the County of Ocean, State of New Jersey as follows:

4. The Mayor and Acting Borough Clerk are hereby authorized and directed to enter into and execute a Shared Services Agreement with the County of Ocean for the Prosecutor's program.

5. A copy of this agreement is on file and available for public inspection at the Borough Clerk's office.
6. This Resolution shall take effect immediately upon passage.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

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 2017-148 Approving Application For Use Of Pavilion And The Contiguous Property By Tracey Pregon For A Wedding Ceremony On October 14, 2017

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING APPLICATION FOR USE OF PAVILION AND THE CONTIGUOUS PROPERTY
BY TRACEY PREGON FOR A WEDDING CEREMONY
ON OCTOBER 14, 2017**

WHEREAS, Tracey Pragon, located at 567 Coolidge Avenue, Toms River, NJ, 08753, has submitted an Application for Use of Pavilion and the Contiguous Property for a wedding ceremony on October 14, 2017; and

WHEREAS, the proper insurance binder has been submitted and the application fee of \$75.00 has been paid; and

WHEREAS, the Borough Clerk has confirmed that there are no conflicting events being held at the Pavilion on the requested date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the Application for Use of the Pavilion and Contiguous Property by Tracey Pragon for a wedding ceremony on October 14, 2017.

CERTIFICATION

I, Katherine Fenton-Newman, Borough Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at their Regular Meeting held on the 12th day of September 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Borough Clerk

Public Comment - None
Roll Call

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

Resolution 2017-149 Establishing A Committee For The Restoration Of Boy Scout Island

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY
ESTABLISHING A COMMITTEE FOR THE
RESTORATION OF BOY SCOUT ISLAND**

WHEREAS, Boy Scout Island has suffered erosion due to storm damage and other acts of nature; and

WHEREAS, the governing body of the Borough of Island Heights desires to form a committee to explore avenues in which to stabilize and potentially restore Boy Scout Island to the shoreline which was in place before Superstorm Sandy; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Island Heights in the County of Ocean, and State of New Jersey, as follows:

1. The committee will be known as the Boy Scout Island Restoration Committee
2. The committee shall meet as needed.
3. Councilmember appointed by the Mayor shall be the liaison to the committee and report back to the members of the Council at regular meetings of the committee’s progress.

4. Committee members shall serve at the pleasure and appointment of the Mayor.

CERTIFICATION

I, Katherine Fenton-Newman, Borough Clerk of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the governing body of the Borough of Island Heights on the 12th day of September, 2017.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mayor Silver said that Boy Scout Island has suffered major damage and erosion. He is putting together a committee that will explore placing a living shoreline on the island and do some stabilization with vegetation and other matter to stop the erosion process.

Mayor Silver appointed Council President Steve Berglund as the liaison to the committee.

Councilmember Asay remarked that he went to Dillon’s Creek to observe their living shoreline. He had walked by it dozens of times and never knew it was there. He hopes that is a course the committee would consider. He was surprised at how effective it is and you would never know it was there.

Public Comment - None
Roll Call

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

**Resolution 2017-150 Authorizing Application To Capes: Caucus Archival Projects
Evaluation Service**

**BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING APPLICATION TO CAPES: CAUCUS ARCHIVAL
PROJECTS EVALUATION SERVICE**

WHEREAS, the Borough of Island Heights is in possession of historic documents in need of archival conservation; and

WHEREAS, Caucus Archival Projects Evaluation Service (CAPES) offers free professional assessments by consultants of the New Jersey Caucus of the Mid-Atlantic Regional Archives Conference of Historical Collections (paper items)for various New Jersey agencies; and

WHEREAS, the CAPES service is supported by a grant from the New Jersey Historical Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby authorize the application to CAPES to perform an initial survey and evaluation of the Borough's historic documents.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mayor Silver said someone who gives his all to the Borough of Island Heights and is a resident, is Don Roberts. The Borough has about a hundred years worth of history of archival and paper documents that was stored at the String Band building. Before the String Band building came down, the documents were transferred to be stored in the Borough offices. Mayor Silver asked Mr. Roberts to explain what this process would do with the Borough's paper history stored here.

Mr. Roberts said the town's historical documents have never been scanned or microfilmed. CAPES is a County program. The town must apply and then the professionals come out and review all the papers and say how many hours it will take and they then give a monetary amount to do the work. Once that is done, for the Borough to get the grant, it needs to go in for the next grant cycle from the County. The County has told Mr. Roberts that Island Heights should get the grant and it all will be paid for. Doing this now allows the process to begin. He said the next grant cycle is in February or March of next year. It is a step by step program.

Mayor Silver said that this would take care and organize our history in Island Heights. Mr. Roberts said that we have some extraordinary things here such as leather note books which precede the establishment of the town. We also have maps and many other things that are all hanging around. The net result is the Borough would have documentation that would be protected. The County would also make recommendations on what to do with the originals. Mayor Silver said the Borough is not authorizing spending any money this evening. He thanked Mr. Roberts.

Public Comment - None
Roll Call

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

		Thompson	X			
		Wudzki	X			
		Mayor Silver	X			

Resolution 2017-151 Accepting Retirement Of Rea Rispoli, School Crossing Guard

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ACCEPTING THE RETIREMENT OF SCHOOL CROSSING GUARD,
REA RISPOLI**

WHEREAS, Rea Rispoli has submitted the attached letter announcing her retirement from the Borough of Island Heights as a School Crossing Guard effective September 1, 2017.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Island Heights hereby accept Rea Rispoli’s retirement as School Crossing Guards.

BE IT FURTHER RESOLVED, that the governing body of the Borough of Island Heights extend their thanks and best wishes to Mrs. Rispoli upon her retirement.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 12th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Councilmember Bendel motioned to accept the resignation with the Council’s regrets. Councilmember Asay seconded the motion with the Council’s thanks.

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 2017-152 Authorizing the Payment of \$46,796.27 to Vollers Excavating & Construction, Inc. Regarding “Jaynes, River and Lake Avenue Water and Sewer Improvements

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF \$46,796.27 TO VOLLERS EXCAVATING &
CONSTRUCTION, INC. REGARDING “JAYNES, RIVER AND LAKE AVENUE
WATER AND SEWER IMPROVEMENTS**

WHEREAS, Vollers Excavating and Construction, Inc. was the successful bidder winning the contract for the Jaynes, River and Lake Avenue Water and Sanitary Sewer Improvements project; and

WHEREAS, the attached signed purchase order was not received in time to be place on the September 12, 2017 Bill List; and

WHEREAS, the Borough Engineer has affirmed the work as outlined with the attached voucher has been performed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Island Heights hereby approve the payment of \$46,796.27 to Vollers Excavating and Construction, Inc. for work performed on the Jaynes, River and Lake Avenue Water and Sanitary Sewer Improvements project; and

BE IT FURTHER RESOLVED, that the Borough’s Purchasing Agent shall accept Resolution 2017-152 as authorization by the governing body for payment and will not need to add this item to any Bill List.

CERTIFICATION

I, Katherine Fenton-Newman, Municipal Clerk, of the Borough of Island Heights, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Special Meeting held on the 12th day of September 2017, in the Borough Hall, Island Heights, New Jersey.

Katherine Fenton-Newman, RMC, CMR
Municipal Clerk

Mr. Mullin explained that this substantially completes the Jaynes Avenue water and sewer project. However, there is a problem with the water main between Simpson and Central along River. Maser has met with the contractor to talk about them, under this current contract, installing a new water main on River between Central and Simpson. That would save time, effort and money as opposed to going out to

bid the project separately. They already have the contractor on board. The contract terms and conditions are already in place. There would be no additional plans and specifications that would have to be issued for public bids. Maser would work with Vollers to get this done under their current costs.

Mayor Silver said this has been ongoing and it is not closing out the job because we are still waiting for the paving to take place. Mr. Mullin said the Borough would hold on to retainage, which is a percent of the total contract value, until the entire project is complete. Mayor Silver said that the Borough is still obligated under the original agreement and this is payment owed to the contractor. Mr. Mullin said that this is work that they have done and it has been accepted.

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			

6. 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			

7. PURCHASE ORDERS

The purchase orders below were voted on together as a consent agenda.

- A. Approving the Following Purchase Order:
 Vendor: AGT Battery Supply, LLC
 Item: MAH Ni CD Battery and NNTN 4435 IMPRES Battery
 Amount: \$1,370.18

- B. Approving the Following Purchase Order:
 Vendor: Traffic Safety Store.com
 Item: 60 Orange 18” Cones with Reflective Collars with Stencil and
 20 Orange 28” Cones with Reflective Collars

Amount: \$1,318.03

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

8. MAYORAL APPOINTMENTS

- A. Boy Scout Island Beachfront Protection Committee
 - 1. Maureen DeSantos
 - 2. Betsy Hyle
 - 3. Mary Judge
 - 4. Don Roberts

Betsy Hyle said that the committee has already had meetings with the Barnegat Bay Partnership. There are people on the committee who care about this. They have had a lot of backup from their environmental experts and the DEP has already been out and looked at the Island. They told the committee to decide what they want to do with the Island and then send them an email and they will get started. Mrs. Hyle said there is a lot of money out there for wetlands and living shorelines right now.

- B. Recreation Committee
 - 1. Gail Cudia

Councilmember Snow said Ms. Cudia could not be at the meeting because she was in class. Her family has been residents of Island Heights for the past 50 years and she is very interested in volunteering. Councilmember Snow said she might have another candidate coming in to be a recreation volunteer.

9. ITEMS FOR DISCUSSION

- A. 21st Annual Barnegat Bay Festival: Save the Date Request for June 3, 2018

Betsy Hyle said they had an amazingly successful festival this year and they would like to do it again next year. She thanked the fire department for all their help this year. Everything is the same for next year. Nothing will change.

- B. 2018 Beach Badges

Mayor Silver asked if we were doing holiday badges. The Borough Clerk told the Mayor that the charge for the badges would reflect what the Council wanted to do about the lifeguards next year. Councilmember Asay said in the discussion with Council Members about moving away from the guarded beach, they were under the assumption it would eliminate the beach badges. However, he was in Pine Beach and saw a sign that said "Must have a badge. Unguarded beach." He asked the Borough Attorney if selling a beach badge

obligates the Borough to provide a lifeguard. Attorney O'Connell said it does not obligate the Borough to have a lifeguard because the cost of the badge could be for cleaning garbage, grooming the beach. Councilmember Asay said that we could order and sell beach badges without knowing if we will have a guarded beach. Mayor Silver said the Borough will do the holiday badges, which were a sell out, and probably increase the amount of badges available to sell.

C. Plaque for Wanamaker Complex

Don Roberts explained there is a lien on the property by the NJ Historical Trust because when Wanamaker Hall was demolished the State had to agree with it, but there were stipulations. However, the town never did what they had to do and the State isn't happy about that. Thus, there is a lien on the six and a half acres.

To dissolve the problem, Mr. Roberts has been working with the State. There is a sign needed, which is about two foot by three foot, addressing the entire historical significance of the Wanamaker complex. It will be a timeline of the grounds. The State wants specific things on the sign. Once it is done, installed and documented, the lien will be dissolved. Mayor Silver said it will be pictorial as well as have language on the sign.

10. COUNCIL REPORTS

Councilmember Asay said he knew there would be some discussion of water quality at this meeting. He raised the topic of the condition of the water tower, which is an eyesore. Mayor Silver said he already addressed the problem with the engineer. There is still a performance bond in place with the contractor, so the contractor will have to repaint it. The paint was too porous. The process with the contractor repainting started only five days ago, but it has been started.

Councilmember Asay said he has spoken to four contractors for proposals for the second floor of the pavilion. He has one proposal in hand and he should have another one next week. Council President Berglund showed Councilmember Asay a piece of wood that he had received from one of the bidders as an example of one of the materials that would be used. It is #1 White Pine which is specifically used for this purpose. It has grooves on the bottom to keep warping away. Councilmember Asay thanked him.

Councilmember Asay then brought up the subject of the 2016 Length of Service Award Program (LOSAP) for the Fire Company. The Fire Company submitted a letter on June 21st asking that the Borough agree to pay out LOSAP based on the number of Island Heights alarms. They ask that the Borough further amend the Ordinance to provide clarity as to the alarms to be counted for LOSAP being Island Heights alarms. It is the Fire Department's opinion that is the way to better operate. They are a fire company of the Borough and that is what this program is intended to do; make sure we have protection of the Borough.

Mayor Silver wanted to know what the current language in the ordinance said. Attorney O'Connell said currently the ordinance language provides for all calls. It doesn't limit it to the Borough. He said the Fire Department is active beyond Borough limits and right now it says "all." He said the ordinance would need to be fixed to define the ordinance to only cover calls within the Borough limits.

Mayor Silver asked the Borough Clerk to have the language change for the ordinance by the next meeting. Councilmember Asay said based on the fact that the Council will amend the ordinance by the next meeting, he motioned that LOSAP for 2016 be paid out based on the standards of the ordinance being changed to the

payout being only for those calls within the Borough. Councilmember Thompson seconded. All members of the Council voted in favor and the motion passed.

Councilmember Bendel waived his report due to the late hour and members of the public had something they needed to discuss.

Council President Berglund reported on the sewer lift stations. The material was discussed at this meeting. The next part will be the cost of doing the actual installation. It has been proposed that the Department of Public Works staff will be used. It will take longer if they are used, but it will be substantially cheaper.

What is being proposed at the Municipal Complex is consolidating pump stations following the recommendation of the Borough's engineer, and using Borough staff to do that. If it can be done in such a way that the business of the borough is not jeopardized by taking staff away to do the work, we may continue to utilize the public works employees for the remaining six lift stations, depending on its success. A plan is being worked out to see how many days it will take to complete each section of work.

There was a pre-mobilization meeting with Earle Asphalt regarding when Jaynes Avenue will be paved. It's a two day process. One day for prep and milling and one day for paving. The approximate start date will be September 26th. The milling and the equipment materials could be stationed in the Borough overnight, but it should all be out by the end of the last week in the month.

Council President Berglund said that it has come to his attention that there will be one neighborhood in town doing a yard sale on October 14th. It is only the neighborhood. They are getting individual yard sale permits. Council President Berglund suggested reporting back on the success of that yard sale and possibly go back to an end of September town wide yard sale.

Councilmember Wudzki thanked Central Printing for making up and donating the Farmers' Market signs for the Borough.

Councilmember Wudzki reported that the School Superintendent would like to attend the next Council meeting and present information on how the work went on the school over the summer. He also let her know that they will be opening the school to the public so they can go in and see the work that was done on the school. He also wanted to present something to the Council as an addition to the newsletter.

Councilmember Thompson had nothing to report.

Councilmember Snow reported that there are two sessions scheduled with the website designer to meet with the Mayor and Council to review the new website on the 20th and 27th.

Mayor Silver reported that he received a letter from the County about the Open Space Recreation Plan to satisfy the NJDEP Green Acres requirement for receipt of planning incentive grant funds. He asked Don Roberts to make time to meet with him next Monday night to go over the letter. Mr. Roberts said he would.

11. PRIVILEGE OF THE FLOOR

Charles McWilliams, 209 Maple Avenue, said that every day the water company comes and flushes out the hydrants. Every single day the water is brown and rusty. You can't drink it and you can't wash with it. Mr. McWilliams presented three bottles of rusty water from different hours of different days to the Mayor. Mr. McWilliams asked the Council if they would drink the water. They responded no. Mr. McWilliams said that he has to deal with this rusty water every day. When they wash their clothes they come out brown.

Mr. McWilliams presented the Council with a bag of rust that came out of the pipes. He said they shouldn't have to put up with this and it has been going on for over a month. It is intolerable. Mr. McWilliams said that if they can't get water, they shouldn't have to live here.

Mrs. McWilliams said she understands that the infrastructure of the town is so bad that it could happen at any time anywhere else in the town. She asked if the water problem was more important than the paving of the streets. Mayor Silver told her that everything they spoke about tonight was in the works for years. Mrs. McWilliams replied that there was nothing on the agenda for the replacement of water mains. Mayor Silver said that it costs hundreds of thousands of dollars to replace the mains.

Mayor Silver asked Council President Berglund if he has been in contact with Public Works over this matter. The Council President said he absolutely had. Mr. McWilliams said that Public Works is there every day. Eric Pearlman, 206 Maple Avenue, said that Jason from Public Works has been there every day since last Thursday. Mr. Pearlman said that Jason told him since he spoke with the Mayor on August 28th, he thought the problem had been resolved because there was no feedback from the Council.

Mr. Pearlman said he is trying to get this resolved. He said you literally see rust coming out of the faucet. Mayor Silver said that this problem started when they did the main replacement on Jaynes Avenue. Mr. McWilliams said that this should be a priority over other things. He told the Mayor that he wouldn't want it in his house.

Mayor Silver said Public Works has been going out to flush the hydrants. Mr. McWilliams said that is a temporary fix that only lasts a couple of hours. The next day it's right back to being rusty. Mrs. McWilliams had Jason taste it after he flushed the hydrant, when the water was clear, and it still tasted like rust.

Mrs. McWilliams said she doesn't feel she should be paying for water that is like that. They pay a lot for water. Mayor Silver said that there isn't movement when flushing their line because they are at a dead end. The flow of the water has been reversed since the main replacement on Jaynes Avenue. It disturbed 100 years of sediment in the mains. For some reason it is all going in their direction. Mrs. McWilliams said it is also flowing in the direction of the Marina. They have the same problem.

Councilwoman Thompson said she has a neighbor at the end of Lake Drive by the boat ramp who has the same problem. Everything is getting stained in the laundry. Nothing is clean, you can't drink it and you can't cook.

Councilmember Snow said she thinks we have multiple issues but Mr. McWilliams' is the worse. Water pressure is incredibly high in some sections of town. Pressure is incredibly low in other sections of town. Some sections have high chlorine levels in the water. There are multiple issues around the town and she sympathizes with them.

Mr. McWilliams told Council they can't keep putting a Band-Aid on a 24 inch cut. Something has to be done. Mayor Silver said that Jason is the licensed water plant operator who oversees the process that comes out of the ground, goes into the water treatment plant, goes up to the water tower and the distribution system that goes out to the residents. He has usually cleared these types of things up. Mrs. McWilliams said Jason doesn't necessarily foresee this is going to clear up. He is doing what the Mayor tells him to do but he doesn't see where this is clearing up.

Mayor Silver said that Jason has been working with the engineer about this. This process, in the past when main replacements were done, has cleared up the problems. Rust blisters within the miles of pipe continue to deteriorate and flush in their direction. Flushing is usually the relief, but it isn't curing it. The Mayor said that when he met with the McWilliams and spoke with them, he said let's see after a few weeks after they flushed their water tanks. Mr. McWilliams interrupted the Mayor and said he has done that. He has put a couple of thousand dollars through his water tanks. Mrs. McWilliams said that they are putting all this water out and being charged for it. It is increasing the water bill and she doesn't think they should have to pay for that. Mayor Silver reminded her that he told her to keep track of how much water it was. Mrs. McWilliams said she doesn't think they should have to pay for any of the water.

Councilmember Snow asked if the water has been tested for any other issues beside rust. Council President Berglund said they have tested the water for iron bacteria, which they thought would be a potential, but it wasn't that. Jason's house is down the street from the McWilliams and he doesn't have this issue. There are different areas of the same street that get the condition and others don't.

Mr. Pearlman said that it's past a certain part of the street that gets the issue. He asked about the town's exposure regarding the infant down the street who is drinking that water. Attorney O'Connell said he isn't sure there is an exposure. Mayor Silver said there are no bacteria in the water. Mr. McWilliams asked if anyone on the Council would want to drink the water. Members of the Council replied "no."

A member of the audience asked if Mr. McWilliams had taken the water to the Health Department. Mr. McWilliams said he had not, because this is a private water company. Mayor Silver said that the water has been tested. Council President Berglund said the water is good when it comes out of the plant and goes into the distribution. The test for iron bacteria was taken at Mr. Pearlman's location and it was negative. Mr. Pearlman asked if it was before or after the flushing. He said the water is good for two or three hours after flushing.

Councilmember Snow said a concern is if it is going through things like hot water heaters through the house. Mrs. McWilliams said it is also destroying any filters. Mr. McWilliams said other neighbors were having the problem, too. Mrs. McWilliams said that the Mayor has spoken with them but wanted to know what he was going to do. Mayor Silver said the water operator and the public works department are trying to resolve this. Mrs. McWilliams said that they are without water every day when Jason is flushing the hydrants.

Mayor Silver said he has to regroup with Public Works and the engineer. This is not clearing up. It will be resolved, but he can't resolve it tonight. He told the residents when they buy bottled water to keep the receipts and he will reimburse them. Mrs. McWilliams wanted something done about the water bill, too. Mayor Silver told her to keep track of every time they flush their tank. Mr. Pearlman asked if they should keep track of all the clothes that had to be thrown out because it smells like iron. Mayor Silver told them to

bring him everything that has been ruined by the water system. He said he is very disappointed that this has been going on for so long.

Councilmember Snow thanked them for coming to the meeting. Councilmember Thompson said that she was really happy they came. Mayor Silver told them again to bring him the receipts for any bottled water or anything that was ruined and to keep track of the gallons of water when they flush their tanks. Everything would be reimbursed to them. He thanked them for coming and said he was sorry.

John H. Lightbody, 185 Garfield Avenue, wanted to introduce himself to the Mayor and Council. He told them he was a candidate for the Council. He moved to Island Heights in 2000. He and his wife built the house on Garfield Avenue. His wife is Linda Palladino, a lifelong resident. He is a retired sergeant of the Ocean County Prosecutor's Office. Before that, he was a firefighter in Lakehurst and has 39 years of volunteer service in Toms River Township. He is a past district chief and a past chief. He has been past president of some officers' associations so he is familiar with due process, Roberts Rules and meetings. He said he was looking forward to working with the town. Today he continues to work as an expert in fire origin and cause and fire suppression strategies and tactics. He flies all over the country. He does fire investigations. He looks forward to hearing ideas. He is going on the premise of new faces, new ideas. If he wins great, if he doesn't, he will do whatever he can to continue to assist in some way.

Jim Jablonski, 227 Ocean Avenue, asked the Mayor when he contacts the contractor for the water tower, will they present him with a choice of materials that will be mildew free. Mayor Silver said what is occurring is very unusual but something will be done.

Mr. Jablonski said it would be nice to have the town emblem or a sailboat painted on the water tower. Mayor Silver said that the design was decided upon way back when. If they have to repaint maybe we can change it.

Mr. Jablonski said that since one neighborhood is having a garage sale, why not make it a town wide garage sale and generate some revenue for the Borough. Mayor Silver said it might be too short of notice. The Borough Clerk said anyone can apply for a yard sale permit all year long. If they wanted to jump on to that sale they could just come down and get the permit. There just wouldn't be a map with the participating houses. Mayor Silver asked if the governing body would like to give a blessing for a town wide yard sale on October 14th. Betsy Hyle said that there were only five people in the neighborhood doing the yard sale. It wasn't intended to make it a town wide yard sale. It's too short notice. She believes that it will anger more people because they weren't given any notice. It would be better to do it next year.

Councilmember Snow said she thought the Council should plan for doing the yard sale next September. Mayor Silver said that the consensus of the governing body was for next year. All Council members agreed.

Jim Jablonski said there are a number of signs on the boardwalk every 100 or so feet. There are 2 other signs with regulations. He thought the locations are hard for people in their cars to see. He thinks they should be relocated to the entrance points and the officers should enforce them. Mayor Silver said he doesn't want sign pollution. Every year he makes strategic changes to the signs and replenishes the faded ones.

12. RE-ENTER EXECUTIVE SESSION FOR CONTRACT AND PERSONNEL MATTERS

Due to the length of the regular meeting, Council did not reenter into Executive Session.

13. ADJOURNMENT at 9:56 p.m.

FIRST: BENDEL

SECOND: SNOW

ALL IN FAVOR

Respectfully Submitted by:

Katherine Fenton-Newman, RMC, CMR
Borough Clerk