

**BOROUGH OF ISLAND HEIGHTS**  
**REGULAR MEETING MINUTES**  
**September 26, 2017**  
**7:00 P.M.**

Mayor Silver read the following: 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								

**2. PUBLIC COMMENT**

Timothy Rhem, Superintendent of Island Heights Grade School, said he was happy to be invited to the meeting. He thanked the Mayor, Council and the community for allowing them to accomplish all the work that has been done in the school.

Mr. Rhem said there was amazing progress made from August 28<sup>th</sup> to Labor Day on the school. There were two trailers loaded with everything in the school. All of the floors were replaced in the school with vinyl tile. All windows were replaced with the exception of the windows in the new wing. The doors were replaced with electronic secure doors. Mr. Rhem said he can lock down the whole school with one motion of a card. The bathrooms were totally renovated. New ceiling tiles were placed. There is a new fire alarm system. Mr. Rhem thanked Bill Richert, Fire Sub-Code Official, for his help with the general contractor.

Mr. Rhem said he had Doug Platt of the Office of Emergency Management and Ken Balfrey in and showed them the new system. They are at ease knowing they can go into the building, look at the panel and know where the alarm has gone off from.

Mr. Rhem said that the front doors are on back order and should be installed sometime in October. He said they will be having a time for the public to come in and see all the work that was done. He said on back to school night he opened the school a half an hour early so the parents could come in and see the work that was done to the school. They were excited to see what was done.

Mr. Rhem said the best part is that they are under budget and on time with this job. Right now punch list items are being worked on after school and after hours. He expects the project to be closed out sometime in November.

Mr. Rhem said one of the goals of the district is to have better information and a better relationship with the town. The school's objective is to get the information out to the people, who don't have children in school, who would like to find out more about the school. They came up with a monthly newsletter that will go out simultaneously with the Borough's newsletter. He asked Council to send it out with their newsletter. He explained parts of the Board of Education's newsletter to the Council and public present at the meeting.

Mr. Rhem thanked the Council, the Police Department, the Fire Department and Jon Brodbeck of Public Works for their help with the construction this past summer.

Council President Berglund asked Mr. Rhem if he will have metrics on the cost efficiency of fuel and energy, etc. Mr. Rhem said he absolutely would be doing that. He said one of the major improvements they made were new HVAC systems. He said they will also be looking at the maintenance they will be saving over the course of time.

Councilmember Thompson congratulated Mr. Rhem on getting the project in under budget and on time. She asked him what happens to the balance of the bonds since the project came in under budget. Mr. Rhem said he thinks when the project is under budget, you will not start paying the principal on the bond, since that money has been applied to it. So it might be a year or two before you need to start paying on the principal.

Councilmember Thompson asked if any additional work could be done with the unexpended balance. Mr. Rhem said it could not. Councilmember Thompson commented that as a result of the work being under budget, the impact to tax payers would be less. Mr. Rhem said it would be less. He said he will be able to provide the details after the closing of the job.

Councilmember Asay thanked Superintendent Rhem for his leadership. He complimented Mr. Rhem for bringing in County inmate labor and doing anything possible to make the project stay on schedule and be at the lowest possible cost for the taxpayers.

Mr. Rhem complimented the general contractors on the job. He said he has never seen a job that went as smoothly and was so well organized.

### **3. ORDINANCE**

2017-03 Amending Ordinance 2001-04 and Amending Ordinance 2008-05 Establishing a Length of Service Awards Program for the Members of the Island Heights Volunteer Fire Company No. 1 and Island Heights volunteer First Aid Squad, Inc.

**AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING  
ORDINANCE 2001-04 AND AMENDING ORDINANCE 2008-05  
ESTABLISHING A LENGTH OF SERVICE AWARDS PROGRAM**

**FOR THE MEMBERS OF THE ISLAND HEIGHTS  
VOLUNTEER FIRE COMPANY NO. 1 AND  
ISLAND HEIGHTS VOLUNTEER FIRST AID SQUAD, INC.**

**WHEREAS**, the Borough of Island Heights has deemed it appropriate and necessary to provide incentives for recruiting new volunteer fire fighters and first aid squad members in the form of a Length of Service Awards Program (LOSAP) for members of the Island Heights volunteer Fire Company No. 1 and Island Heights Volunteer First Aid Squad, Inc; and

**WHEREAS**, the Borough of Island Heights adopted Ordinance 2001-04 on August 12, 2001 establishing a Length of Service Award Program (LOSAP); and

**WHEREAS**, the Island Heights Volunteer Fire Company has asked the Mayor and Council to revise the ordinance to amend Exhibit A, Note 4 to read: "In order to be eligible, a member must attend a minimum of 30% of all alarms within the Borough of Island Heights."

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Island Heights that Exhibit A, Note 4 of Ordinance 2001-04 and Amending Ordinance 2008-05 read: "In order to be eligible, a member must attend a minimum of 30% of all alarms within the Borough of Island Heights."

**NOTICE OF PENDING ORDINANCE**

**THE ORDINANCE PUBLISHED** herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey, held on September 26, 2017. It will be further considered for second reading and final passage at a public hearing of said governing body to be held at the Municipal Building, One Municipal Complex, Island Heights, New Jersey on October 10, 2017 at 7:00 p.m. During the week prior to, up to including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

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Katherine Fenton-Newman, RMC, CMR  
Municipal Clerk

Councilmember Asay said that this resolution was a clarification to the Ordinance regarding calls in the LOSAP program. It is simply clarifying that LOSAP award points will be applied only to those calls within the Borough of Island Heights.

Introduction and First Reading

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

**4. PROCLAMATION**

A. National Friends of Libraries Week

**National Friends of Libraries Week**

## Proclamation

**Whereas**, Friends of the Island Heights Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

**Whereas**, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

**Whereas**, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

**Whereas**, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

**Now, therefore, be it resolved that** I Jeffery B. Silver, Mayor of the Borough of Island Heights proclaims October 15-21, 2017, as Friends of Libraries week in Borough of Island Heights, of Ocean County, New Jersey and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

Christine Maloney of the Island Heights Library thanked the Mayor for the Proclamation for National Friends of the Library Week. The Friends of the Library do an incredible amount for the Library. They help fund their programs. They helped pay for the carpets to be cleaned this past year. They help purchase supplies for programs.

The library runs all types of programs and not just for children. On Sunday, October 16<sup>th</sup> at 7:00 p.m. the library will present Stranger Stop and Cast an Eye: An Introduction to New Jersey's Historic Burial Grounds.

Ms. Maloney said the library has something for all ages, even if you don't have children, come and check it out. You are never too old. Also, Volunteer teens will be holding a book and bake sale this Saturday. The teens get volunteer hours. Part of the money raised goes to the Teen Program and the other part of the money goes to The Friends to help the library. They paid for the blinds a few years ago. If you want to join the Friends of the Library, they meet once a month. Stop in the library for more information.

Ms. Maloney said that the Island Heights library is one of the few libraries in the system that is consistently up in circulation. Most libraries are holding steady, but Island Heights is slightly up, which means it is getting a lot of use. She said the children in the school use the library often. During the Summer Reading Program one child read 200 books.

Mayor Silver asked Ms. Maloney if the library still offered music on CDs. Ms. Maloney said they have books, CDs, DVDs and Video Games. The Toms River library has sheet music that they can borrow if someone needs it. Newark also has a warehouse full of sheet music. If Island Heights Library doesn't

have something you want, they can always borrow it from somewhere. Ms. Maloney said they get new music and new DVD releases pretty quickly. You can borrow a new DVD for 3 days; if it is an older DVD you can renew it twice. You can borrow for longer, but they like to keep the new DVDs at 3 days because many people want to see it.

Councilmember Bendel said that back in the day, the library director would come in and demand to see the library card of each member of the Council. Ms. Maloney said if you don't have library card come in and get one. They are free and you get a lot of things with it. They have a new system called Hoopla. It is a program with many audio books. You don't have to be connected to Wi-Fi to listen to the books. You originally connect to the Wi-Fi to download the book, it is stored on your device, and you can listen to it from the device without being connected to Wi-Fi.

Mayor Silver said magazines are another unique thing he can get. Ms. Maloney said the program to get those magazines is Zinio. Mayor Silver said it is a subscription free service. Ms. Maloney said it interfaces very well with tablets.

Councilmember Wudzki said that Ms. Maloney is also the school librarian, since the school itself doesn't have a library. The children's involvement with the library has increased since Ms. Maloney has been there. She works very hard to do programs that are interesting to the children. As an example, she said fifth and sixth graders are allowed to be dropped off and stay alone at the library for the first time. Councilmember Wudzki told Ms. Maloney that circulation being up is a testament to the passion she has for her job and thanked her for it. Ms. Maloney said she had 17 fifth and sixth graders there just today.

## **5. APPROVAL OF MEETING MINUTES**

The following Executive Session Meeting Minutes were read as a consent agenda, except items I, K,L, and M, which were pulled from the agenda before a motion was made.

- A. Minutes of August 9, 2016 Executive Session Meeting
- B. Minutes of September 27, 2016 Executive Session Meeting
- C. Minutes of November 29, 2016 Executive Session Meeting
- D. Minutes of January 5, 2017 Executive Session Meeting
- E. Minutes of January 24, 2017 Executive Session Meeting
- F. Minutes of February 14, 2017 Executive Session Meeting
- G. Minutes of March 20, 2017 Executive Session Meeting
- H. Minutes of April 25, 2017 Executive Session Meeting
- I. Minutes of May 9, 2017 Executive Session Meeting – PULLED FROM AGENDA
- J. Minutes of May 23, 2017 Executive Session Meeting
- K. Minutes of June 13, 2017 Executive Session Meeting – PULLED FROM AGENDA
- L. Minutes of July 11, 2017 Executive Session Meeting – PULLED FROM AGENDA
- M. Minutes of August 8, 2017 Executive Session Meeting – PULLED FROM AGENDA

Michael O'Connell the Borough Attorney asked that minutes I, K, L, and M, be pulled from the agenda in order to speak about them in the Executive Session meeting. Mayor Silver pulled the items from the agenda.

After reentering the regular meeting, these items remained pulled from the meeting agenda.

Motion was made by Councilmember Thompson and seconded by Councilmember Asay. Councilmember Asay stipulated that council members are only voting for minutes for which they were present.

Ayes: Asay, Bendel, Berglund, Snow, Thompson, Wudzki, Mayor Silver

Nays: None

Abstained: Councilmember Snow for minutes of 11/29/2016, 1/5/2017 and 3/20/17  
Councilmember Wudzki for minutes of 8/9/2016, 9/27/2016 and 11/29/2016

## 6. RESOLUTIONS

### **Resolution 2017-154 Authorizing the 4<sup>th</sup> Annual Island Heights Grade School PTO Trunk or Treat, Sunday, October 29, 2017**

#### **RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE 4<sup>th</sup> ANNUAL ISLAND HEIGHTS GRADE SCHOOL PTO TRUNK OR TREAT, SUNDAY, OCTOBER 29, 2017**

**WHEREAS**, the Island Heights Grade School PTO has held its Annual Trunk or Treat in the Borough Hall Parking Lot for four (4) years; and

**WHEREAS**, the PTO would like the event to take place in the Borough Hall Parking Lot from 1:00 p.m. to 4:00 p.m. on Sunday, October 29, 2017.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Island Heights authorize the Island Heights Grade School PTO to hold its 4th Annual Trunk or Treat in the Borough Hall Parking Lot on Sunday, October 29, 2017.

#### **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 26th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

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Katherine Fenton-Newman, RMC, CMR  
Municipal Clerk

Councilmember Wudzki said this year Halloween falls very close to a weekend so the PTO decided to do Trunk or Treat on a weekend day and expand it a little. She met with the Recreation Committee and they are going to coordinate the Trunk or Treat with the town parade.

They are looking to do Trunk or Treat from 2 to 5 p.m. on Sunday, October 29, 2017. The parade will be in the same place, but at 1:00 p.m. They are having a bounce house. They are inviting local business owners to decorate a trunk in order for them to promote their business and for residents to be aware of the businesses within the town. They will decorate their trunks and parents are also invited to decorate trunks, too. They will continue to ask the “treaters” to bring a can or non-perishable item for the school step program.

Councilmember Wudzki spoke with the Fire Chief and they will be involved. She hasn’t spoken to the First Aid yet, but said they have always attended in the past. The Police Department will “haunt” one of their rooms so the children can go through it.

Councilmember Wudzki said she has asked Simply Sofrito, the food truck, to be there. Hopefully it will be a gorgeous day and everyone can have lunch outside and have a big community Halloween celebration. As far as the bounce house, the PTO will pay to have an attendant on hand at the bounce house. They will also add the Borough of Island Heights as an additional insured on their insurance for that day.

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 2017-155 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the 2018 Various Street Project**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2018 VARIOUS STREETS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Island Heights formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Island Heights Borough-00264 to the New Jersey Department of Transportation on behalf of Island Heights Borough.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Island Heights Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Mayor and Council on this 26th day of September, 2017.

\_\_\_\_\_  
Katherine Fenton-Newman, Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_

\_\_\_\_\_  
Katherine Fenton-Newman  
Municipal Clerk

\_\_\_\_\_  
Jeffrey B. Silver  
Mayor

Mayor Silver said that this is for the application for the 2018 NJDOT Grant season. Mayor Silver said this would be an application for the raising and culvert improvement of West End Avenue by Triangle Park. There would also be some paving down Lake to meet with the 2017 paving on Lake.

Public Comment - None

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 2017-156 Special Item of Revenue and Appropriation – Chapter 159, 966  
Equipment Grant FY17 - \$6,137.72**

**SPECIAL ITEM OF REVENUE AND APPROPRIATION - CHAPTER 159  
966 EQUIPMENT GRANT FY17 - \$6,137.72**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item appropriation for an equal amount, and

**WHEREAS**, the Borough of Island Heights has received \$6,137.72 from 966 Equipment Grant FY 17 and wishes to amend its 2017 Budget to include this amount as a revenue;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Island Heights hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$6,137.72.

**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 26th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

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Katherine Fenton-Newman, RMC, CMR  
Municipal Clerk

Mayor Silver explained that the 966 Grant comes from the Oyster Creek Nuclear Power Plant. Doug Platt, the Emergency Management Coordinator, puts in a request for communication equipment, the Borough pays the money and Oyster Creek reimburses the Borough.

Public Comment - None

Roll Call

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

**Resolution 2017-157 Authorizing the Reimbursement of Expenses to the Island Heights Volunteer Fire Company for the Months of January Through July, 2017**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
AUTHORIZING THE REIMBURSEMENT OF EXPENSES TO  
THE ISLAND HEIGHTS VOLUNTEER FIRE COMPANY FOR  
THE MONTHS OF JANUARY THROUGH JULY, 2017**

**WHEREAS**, the Mayor and Council of the Borough of Island Heights has previously authorized the reimbursement of expenses to the Island Heights Volunteer Fire Company; and

**WHEREAS**, the Island Heights Volunteer Fire Company has submitted to the Borough’s Chief Financial Officer expense bills for reimbursement for the months of January through July, 2017 in the amount of \$29,668.82; and

**WHEREAS**, the Chief Financial Officer has reviewed these expenses and determined them to be in accordance with the Borough’s prior.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey hereby authorize the reimbursement of \$29,668.82 to the Island Heights Volunteer Fire Company.

**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 26<sup>th</sup> day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

\_\_\_\_\_  
 Katherine Fenton-Newman, RMC, CMR  
 Municipal Clerk

Councilmember Asay said the total for reimbursement is \$29,668.82.

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 2017-158 Appointing Stephen J. Caruso as Patrol Officer in the Island Heights Police Department**

**BOROUGH OF ISLAND HEIGHTS, STATE OF NEW JERSEY, COUNTY OF OCEAN  
 APPOINTING STEPHEN J. CARUSO AS PATROL OFFICER  
 IN THE ISLAND HEIGHTS POLICE DEPARTMENT**

**WHEREAS**, the Borough of Island Heights Police Department has an opening for a full time patrol officer; and

**WHEREAS**, Stephen J. Caruso, who is currently appointed as a part time, Class II, Special Officer has applied for and meets all the requirements for the position.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Island Heights hereby appoint Stephen J. Caruso as full time patrol officer in the Police Department at the annual rate of \$43,809 per annum, per the collective bargaining agreement with the Policeman’s Benevolent Association.

**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 26th day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

\_\_\_\_\_  
 Katherine Fenton-Newman, RMC, CMR

Municipal Clerk

Councilmember Asay asked this item be held until after it was discussed in Executive Session. He also asked that Lt. Arnold join Council in Executive Session to discuss the appointment. His request was granted and after Executive Sessions was voted upon as follows:

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			

**Resolution 2017-159 Appointing Police Specials, Class II, Tyler Gebler and Tyler Anderson**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
APPOINTING POLICE SPECIALS, CLASS II,  
TYLER GEBLER AND TYLER ANDERSON**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Island Heights, County of Ocean, State of New Jersey that the following are hereby appointed as Class II Police Specials for the Borough of Island Heights Police Department:

Tyler Gebler  
Tyler Anderson

**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 26<sup>th</sup> day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

\_\_\_\_\_  
Katherine Fenton-Newman, RMC, CMR  
Municipal Clerk

Councilmember Asay asked this item be held until after it was discussed in Executive Session. He also asked that Lt. Arnold join Council in Executive Session to discuss the appointments. His request was granted and after Executive Sessions was voted upon as follows:

Public Comment - None  
Roll Call

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

**Resolution 2017-160 Accepting Resignation of Katherine Fenton-Newman as Borough Clerk, Registrar, Safety Coordinator, JIF Fund Commissioner, Affirmative Action Officer (P.A.C.O.) and Assessment Search Officer**

**RESOLUTION OF THE BOROUGH OF ISLAND HEIGHTS,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
ACCEPTING THE RESIGNATION OF KATHERINE FENTON-NEWMAN  
AS BOROUGH CLERK, REGISTRAR, SAFETY COORDINATOR,  
JIF FUND COMMISSIONER, AFFIRMATIVE ACTION OFFICER (P.A.C.O.)  
AND ASSESSMENT SEARCH OFFICER**

**WHEREAS**, Katherine Fenton-Newman has tendered her resignation as Borough Clerk, Registrar, Safety Coordinator, JIF Fund Commissioner, Affirmative Action Officer (P.A.C.O.) and Assessment Search Officer effective October 12, 2017.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Island Heights hereby accepts Katherine Fenton-Newman’s resignation.

**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 26<sup>th</sup> day of September, 2017, in the Borough Hall, Island Heights, New Jersey.

\_\_\_\_\_  
Katherine Fenton-Newman, RMC, CMR  
Municipal Clerk

Mayor Silver wished the Borough Clerk best of luck in her future endeavors.

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			

**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. PURCHASE ORDERS - None**

**9. ITEMS FOR DISCUSSION - None**

**10. COUNCIL REPORTS**

Councilmember Asay had no report.

Councilmember Bendel read the following statement:

“On August 9, 2016, Brooke Smith of 136 West End Avenue spoke during Privilege of the Floor and asked for a lower speed limit on that street. It is now 35 miles per hour. According to the minutes, Mrs. Smith provided a traffic study request, speed limit comparison of the main roads in Island Heights and a sample letter to the Ocean County Engineer.

The Mayor and the Council said they would “assist.” We assisted with the best of intentions by blowing a simple request into a major project to establish a single speed limit on all roads in the Borough, County included. That hasn’t happened and isn’t likely to.

So what about West End Avenue? A year and two months later, nothing happened there either. To be clear, we are only talking about that piece of West End from Triangle Park to the River, which is a Borough, not a County, road. The most critical section is the one block hill from Triangle Park to Summit

Avenue. When we moved here (Councilmember Bendel and his wife) 22 years ago, there were six homes on that block and no children. Now there are eleven homes, with land being cleared for a twelfth, and there are children. There are no sidewalks, but there are more pedestrians and more traffic. The current 35 mile per hour speed limit there makes no sense.

Councilman Asay, in an early meeting, suggested that since we have no specific speed ordinances on the books, default limits set by the State should apply. That would mean a 25 mile per hour limit on our piece of West End. I agree and believe we should immediately post signs to that effect. The Borough already has 25 mile an hour speed signs posted on our streets and here are just a few. (Councilmember Bendel passed out pictures of 25 mile per hour speed limit signs in Island Heights.) Our attorney and our engineer say it is not that simple. We must meet requisites of the State before the limits can be changed. As I understand it, we are in the process of jumping through those hoops now. How long will that take? Will we get the 'go ahead' in 2018? 2019? I certainly respect our Borough Attorney and our engineer and their opinions. In their roles, I would probably offer the same conservative advice. But this Council has a different role. Those professionals are advisors. They are not responsible for the well being of Island Heights, its streets and its people. We are.

Last week a Toms River man, walking his dog, was hit just blocks from West End Avenue, on Whittier, another busy street with no sidewalks. He has since died. West End is busier than Whittier, with more traffic and more pedestrians. We can't do anything about Whittier, maybe we can't do anything about the north end of West End, but we can do something about that piece of West End in our jurisdiction, and we should do it now. We should establish a 25 mile per hour speed limit on West End from Triangle Park to the River and 25 mile an hour signs should go up immediately, including a new one at Triangle Park on the south bound side of West End.

Questions arise about enforcement, of course. Tickets may be thrown out by the court, we are told. In that case, perhaps, the police can refrain from writing tickets. Maybe they can write warnings or do nothing at all. In fact, we have a precedent here. (Councilmember Bendel passed a photo of a 10 mile per hour speed limit sign.) The sign that you are looking at is on the west side of Lake Drive. It is not an official speed limit. The police do not enforce it. I don't believe the Borough put it there. Obviously, the Borough did not remove it, either. It is there because a concerned resident took unilateral action, even physically warning cars to slow down. Is that what we are asking the folks on West End Avenue to do?

Yes, some people will ignore the 25 mile an hour signs on West End, just as some people ignore the current signs. But with or without enforcement, some people will slow down and so will the cars behind them. The overall impact will be an aggregate reduction in speed. By how much? I don't know. We are talking about changing the odds and lowering the risk so that any reduction is good.

Will the State come after Island Heights for breaking the rules? Will they throw us all in jail for trying to make a dangerous street safer? If we are making a good faith effort, and I certainly hope we are, to meet State requirements: Why on Earth would they bother? And I think I should also point out that it is not at all unusual to have disputes between governments within this State and any other.

This Council has a responsibility here. It has been much too long already. We can do better than this. Let's not wait for a fatality. Let's act tonight."

Councilmember Bendel moved to adopt an ordinance to reduce the speed limit in that area to 25 miles an hour. Mayor Silver said we are doing something that has a requirement for a study. Borough Attorney O'Connell said that at the last meeting Council approved the study that is required under the Statute and legally it still remains his position that the study is still needed to change the speed limit and ultimately enforce that speed limit.

Councilmember Asay said he completely agrees with what Councilmember Bendel said. Councilmember Asay recommended that since the Borough is absent a speed limit ordinance, which he believes leaves the speed limit at 25, the 35 mile per hour speed limit signs should be removed and replaced with 25 mile hour speed limit signs. He suggested a resolution by the Council directing Public Works to take down the 35 mph speed limit signs and put up the 25 mph speed limit signs. He said it is clear the Council has the authority to direct. As a result of Councilmember Asay's recommendation and motion, Councilmember Bendel withdrew his motion and seconded Councilmember Asay's motion.

Mayor Silver asked the Borough Attorney if there were ramifications for the Borough if they approved this. Attorney O'Connell said that this was awkward to discuss publicly because he doesn't think this is enforceable and he is not sure that the Municipal Court will enforce it. But, as Councilmember Bendel put it, he just gives his legal advice and Council does what they have to do.

Mayor Silver said that Council has already authorized a certain procedure to take place. Councilmember Asay said none of the authorization would be derailed by this directive. Councilmember Thompson said she sees a parallel course where Council could address the signs and then provide substance that law enforcement and judiciary would meet. Mayor Silver commented; as long as there is no push back to say that Council was going out of their lanes of the path that they chose to do previously. Councilmember Thompson said she is in favor of having a 25 mile per hour speed limit throughout the town. She believes that this is somewhat jumping ahead but she is looking at the lengthy procedure involved. If Council has the authority to change signs, then perhaps there is a necessity to complete all the procedures in order for law enforcement to begin administering the signs.

Brian Gabriel, 185 Summit Avenue, asked if Council was saying that the police department could not enforce the State Law. Does the police department have the authority to act upon State Law? Councilmember Thompson said they have the authority to act on State law when it is properly administered. The problem is that there are signs which must undergo a legal process in order to take them down and change them with this traffic study. Attorney O'Connell said that the Statute states "any change" in the signage. There is signage up there currently that would have to be changed. It makes it difficult to enforce it. Councilmember Snow said a precedent was set when signs were put up for 35 miles per hour. Councilmember Thompson said that if Council can effectuate slower traffic by changing the signs, she would not be against it. Councilmember Asay said it is sometimes called "traffic calming." Councilmember Snow said she thought that information was needed to be put out to let people know that this process is started. One day the speed limit is 35 miles per hour and the next day it is 25 miles per hour, there may be some push back. She said the more that word gets out, the better.

Councilmember Bendel said that we are already trying to do this and hopefully we will catch up to this. Mayor Silver said we are striving for "traffic calming."

A roll call was taken and the motion passed unanimously.

Council President Berglund reported that the Department of Public Works has volunteered to go up to the homes having rusty water problems to help them flush their water tanks to get the tainted water out. They will show the people affected how to properly flush their water tanks. They have been doing this since the last Council meeting.

Council President Berglund reported that previously it had been suggested that Public Works use their own resources to do the pump station work around the municipal complex. He discussed it with the Department of Environmental Protection, who had an estimate of the time it should take to do the projects. They discussed the issues arising from the same people doing the installation being the same people who have to respond to any emergency that happens in town. It was concluded that it would be better to go to bid for an outside contractor to do the work. Although having Public Works do the work is cost effective, it does not make a lot of sense not to contract out the work. The Council President said, while we could have made it a trial, he agrees with the Mayor that public works should not be used to do the installation around the municipal building.

Mayor Silver said this has to do with our sanitary system and the Department of Environmental Protection issues. He has been working very hard to get to this point in a timely manner. He was trying to use the services of our public works people, but the project has to get done sooner than later. It has been going on way too long. Council President Berglund said it is the way we have to go. Mayor Silver said that we will be going out to bid to obtain a contractor to get the work done.

Councilmember Wudzki had nothing to report.

Councilmember Thompson said that part of the solid waste contract that was approved at the last meeting was getting the recycling pick up schedule to once a week. She thanked the Mayor and Councilmember Asay for working so hard to get that done. She appreciates it and she knows a lot of residents appreciate it.

Councilmember Thompson commented on the flooding on Simpson Avenue and the work which the engineer was authorized to perform. The Borough is currently in the process of reviewing the Borough's Master Plan. Flooding is an important part of a waterfront community and she suggested that the Master Planner should take a look, assess the town, and be aware of the rising waters. There might be an alternative that they have come across in another community that may be applicable in Island Heights.

Councilmember Thompson said she will be attending a conference called the Future of the Jersey Shores which is conducted by a non-profit foundation called New Jersey Future. It looks at municipalities, systems of infrastructure, and how it will be impacted by the changes of climate. Councilmember Thompson invited the other members of Council to join her.

Councilmember Snow thanked the new website designer. She said it is not often that you have a website designer agree to three meetings like this. The meetings must conform to the guidelines that constitute a quorum so three meetings had to be held in order for all Council members to have their input and not become a quorum. The employees are also being pulled in to the meetings for their insight. The navigation, the splash page, and a lot of the organization were worked out at the initial meeting. Once all the comments are in, the website can be finalized and put up.

Councilmember Snow reported that the Recreation Committee had a meeting last night and thanked Councilmember Wudzki for attending. The parade and the bon fire were addressed. She and



Councilmember Wudzki were of like minds in consolidating the Trunk or Treat and the Parade. There are a lot of events in October and they are constantly relying on the police, first aid and the fire company to come and help. They appreciate that, and they thought if they could get it to one day, it would be better.

Councilmember Snow said it was probably the best Recreation Committee meeting she has had. She said she has new members on the committee and will be appointing more. The committee has discussed all the upcoming events. They have set a schedule of events. They will be adding new events to the calendar. They are also discussing broadening the Recreation Committee and reaching out to some of the other committees who have gone defunct or maybe are having trouble with membership. They are thinking of having the Recreation Committee not be just child oriented and gearing it to all ages in the community. Mr. McNeal and Mr. Hummel have both been into Pickle Ball and various other items. Senior Advisory has disappeared and the Environmental Committee is bare bones. There are not enough people around for a lot of the other groups in town so maybe by consolidating they can do more.

Councilmember Snow reported that the Camp Meeting Methodist Restoration Association continues to make progress with their work. There is a new roof on the pavilion. They are planning on putting in info boxes which will have narratives and pictures. There will be a place inside the boxes that will identify the sail boats on the river, the history of Island Heights, the river and bay. They are also planning a plant swap and a maintenance schedule for October. They are also looking at researching grants for the restoration of the coast line for Camp Meeting. Councilmember Snow suggested that since Boy Scout Island is being looked at, maybe Camp Meeting could also be tied in.

Mayor Silver said he is working on running bus trips to Broadway and sporting events in 2018. He said it is something that has worked in other municipalities. There is a big discount on tickets and bus fare. The bus would come to Island Heights' municipal parking lot. He would like to get some feed back to see if people would be interested in going to Broadway or going to sporting events. Councilmember Snow said that many of the groups that used to exist used to sponsor trips. She would like to have the new website promote the town and its many wonderful aspects. The Mayor said he wants to get more community involvement.

**11. PRIVILEGE OF THE FLOOR – No Comments**

**12. EXECUTIVE SESSION FOR CONTRACT AND/OR PERSONNEL MATTERS**

**Resolution 2017-161**

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

**Motion to Renter into regular meeting by Council President Berglund, Seconded by Councilmember Snow. All were in favor.**

Once the regular meeting resumed Council voted upon Resolutions 2017-158 and 2017-159 as recorded above. Councilmember Asay asked that the record reflect congratulations to all the candidates.

**13. ADJOURNMENT AT 8:21 P.M.**

**MOTION: BENDEL**

**SECOND: BERGLUND**

**ALL IN FAVOR**

Respectfully submitted by:

Katherine Fenton-Newman  
Borough Clerk