

Mayor and Council Newsletter

Borough of Island Heights
 One Wanamaker Municipal Complex
 Post Office Box 797
 Island Heights, New Jersey 08732-0797
 (732) 270-6415
www.islandheightsboro.com



Official Council Meeting Minutes

November 29, 2016

The Regular Meeting of the Mayor and Council of the Borough of Island Heights is hereby called to order. Notice of this meeting is in accordance with the OPEN PUBLIC MEETINGS ACT P.L. 1975 Chapter 231 (Section 10:4-10). Notice of the Meeting appeared in the Asbury Park Press on December 30, 2015, published on January 7, 2016 and is posted on the bulletin board, and in the Municipal Building.

Pledge to the flag and a moment of silence.

Roll Call:

Council President Asay	Councilmember Snow
Councilmember Bendel	Councilmember Thompson
Councilmember Berglund	Mayor Silver
Councilmember Pillion	Attorney O'Connell

	Asay	Bendel	Berglund	Pillion	Snow	Thompson	Mayor Silver	Atty O'Connell
Present	X	X	X			X	X	X
Absent				X	X			

1. PUBLIC COMMENT

Council President Asay announced that David Ley passed away over the Thanksgiving Holiday. Mr. Ley was a member of the Island Heights Volunteer Fire Department for four years as well as a member of Plumsted Township's Fire Department. He was a very energetic young man who gave a lot of time and energy to our borough and into everything that he did. He is sadly lost at a very young age. Council President Asay quoted Governor Hughes on the loss of President Kennedy in remembering Mr. Ley by saying, "Now our friend belongs to history and his courageous spirit joins the fellowship of those who never flinched in the doing of right." Council President Asay said that he thought those were good words to leave our friend with.

Mayor Silver asked Brian Gabriel, a member of the Volunteer Fire Department for his thoughts on Mr. Ley. Mr. Gabriel said David Ley was a really good guy that would do anything for anybody. He said that David Ley didn't get short-changed. He did things you didn't think a man of his stature could do. He did marathons, half marathons, triathlons, cross-fit 3 or 4 days a week, hiking, diving, you name it, he did it. He probably had more adventures than anyone in the room had in their whole life. He was a good guy who will be sorely missed. Mayor Silver added that thoughts go out to David Ley and his family.

2. APPROVAL OF MINUTES

A. Minutes of November 9, 2016 Regular Meeting

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

3. RESOLUTIONS

Resolution 2016-244 Resolution – Designating the Meeting Dates for the Year 2017

Public Comment - None

Roll Call

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

Resolution 2016-245 Resolution – Authorizing the Execution of a Shared Service Agreement with the Island Heights Grade School for Snow and Ice Removal.

Public Comment - None
Roll Call

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

Resolution 2016-246 Resolution – Awarding a Contract for 2014 Ocean County CDBG Project Handicap Access Ramp/Accessibility Improvements to MNC Concrete, LLC.

Public Comment - None
Roll Call

The Resolution is in the amount of \$23,768.73 for work on the handicap ramps on the four corners of the intersection of Ocean and Central Avenues. It is for ADA Accessibility. There were 9 bidders. The lowest bidder did not have a bond, therefore the award went to the next lowest bidder, MNC Concrete, LLC.

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

Resolutions 2016-247 and 2016-248 both dealt with the cancellation of the same funds, therefore they were voted on as a consent agenda with one vote for both.

Resolution 2016-247 Resolution – Cancelling Grant Receivable Balance for 966 Equipment Grant in the Amount of \$421.15.

Public Comment - None
Roll Call

Resolution 2016-248 Resolution – Cancelling Grant Expenditure Balance for 966 Equipment Grant in the Amount of \$421.15.

Public Comment - None
Roll Call

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

Resolution 2016-249 Resolution – Authorizing Change Order and Payment Application Number 1 Final for a Net Decrease of \$2,554.00 for the Central Avenue Emergency Sanitary Sewer Replacement

Public Comment - None
Roll Call

It was noted that the final amount for this project was below what was estimated.

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

Resolution 2016-250 Bill List

Public Comment - None
Roll Call

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

4. PURCHASE ORDER

Resolution 2016-251 Approving the Following Purchase Order

Vendor: MorphoTrak, LLC
Item: Maintenance & Support Contract for LiveScan Unit
Amount: \$2,897.06

This contract is needed to comply with the State Bail Reform Initiative.

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

The following two purchase orders (Resolutions 2016-252 and 2016-253) were read as a consent agenda and were voted on as one as they were both part of the 966 Grants from the Nuclear Power Plant:

Resolution 2016-252 Approving the Following Purchase Order

Vendor: Motorola c/o Allcomm Technologies
Item: 1 - Motorola APX8000 Trunked Portable Radio
Amount: \$8,563.35

Resolution 2016-253 Approving the Following Purchase Order

Vendor: Motorola c/o Allcomm Technologies
Item: 4 – Motorola Minitor VI Pagers, Including Charges and Warranty
Amount: \$2,121.60

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

Resolution 2016-254 Approving the Following Purchase Order

Vendor: GP Jager Inc.
Item: Chlorine Briquettes
Amount: \$2,857.44

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

5. ITEMS FOR DISCUSSION

A. Speed Limit on West End Avenue

Mayor Silver read a draft letter to be sent to the Ocean County Engineer requesting that the speed limit on County Roads within the Borough of Island Heights be reduced to 25 miles per hour.

Ann Kempton, 76 River Avenue, commented that she has noticed a lot of police presence on many different roads which is causing motorists to slow down. She feels the police presence has been awesome.

Patrick Smith, 136 West End Avenue, said he has noticed more police presence on West End Avenue. He stated that the speeding is continuing when the police are not present. He said if the speed limit is 35, people are going 40 or more down the street. He asked if there was a timeline for the speed reduction.

Mayor Silver said that word needs to get out to the town as to our intentions. The County will go at their own pace as far as conducting a study on the speed limits. The Mayor felt that nothing will happen until spring with the Borough's Ordinance for lowering the speed limits in town. Council President Asay explained that Council had previously discussed adopting an ordinance in the winter but will not enforce it until the spring or summer. This will give the Borough the chance to change the signage and make everyone aware of the change.

Barry Constantine, 191 Central Avenue, said that Central Avenue is experiencing the same speeding problem as the rest of the Borough. He asked if the Borough will be doing anything different to the people who will be violating the 25 miles per hour speed than it could be doing when they violate 35 miles per hour speed. He said enforcement is just not happening. He believes that the new drivers in town need an education. The speed should be monitored and enforced to let them know the community is concerned about the traffic. Mr. Constantine believes that lowering the speed limit will only produce more violators and they are not respecting the 35 miles per hour now. He doesn't believe they are all criminals. They just need to be educated. It was also suggested to petition the County to put speed monitoring devices on their roads.

Brian Gabriel, 185 Summit Avenue, shared the same sentiments as Mr. Constantine. He said the majority of traffic is from Toms River residents going to the Island Heights Post Office. He said he sees them speed through town going to get their mail every day. There should be a traffic sign and a notice posted that says, "Speed Limit Will Be Strictly Enforced." Mr. Gabriel thinks that a strong police presence in different areas in town strictly enforcing the speed limit will go a long way to help reduce speeding. Toms River has lent us traffic signs in the past and we should ask to borrow them again.

Patrick Smith said that he feels 25 miles per hour is appropriate. Councilwoman Thompson added that when Mr. Smith's wife appeared at a previous Council Meeting, she brought interesting statistics with her. The statistics showed what happened when pedestrians were struck by vehicles going 35, 30 and 25 miles per hour. When a pedestrian is struck by a vehicle going 25 miles per hour, the death rate falls dramatically than if they were hit at a higher speed. This is why she got quickly on board with a town-wide 25 mile per hour speed limit. The Borough is a family oriented town that doesn't have sidewalks on all properties and as a result we need to make the town more pedestrian friendly. Mr. Smith said that the speed limit could be any speed. However, it must be enforced to make it effective. He believes the existing speed limits need to be enforced now.

A member of the public said that it will take the County a long time to do their studies and reduce the speed limit on their roads. What we can do early on is do a better a job of policing the roads and controlling the speeders coming into town.

Mayor Silver said he will make an attempt to borrow a mobile radar unit from one of the adjoining towns.

The letter requesting the speed limit reduction on County roads within the borough will be sent to the County Engineer by the Clerk.

6. COUNCIL REPORTS

Councilman Bendel reported that there were two local power outages in less than a week.

Councilman Berglund said the expansion of the Community Garden took place. The plowing was done. The existing fences were removed and will continue to be put in their new spots this Saturday. Wood chips to put in the pathways were delivered today.

The Community Garden was vandalized. He caught two "kids" that were jumping on things, smashing and throwing things and making a mess. Any vandalism that takes place in the Community Garden is vandalism against a borough property. It would be the same as if the Borough Hall was vandalized. The rules for

visitors will be tightened up when it comes time for the annual meeting of the members of Community Garden.

The number of beds went from 48 to 68 beds with the expansion. All the beds are fully subscribed now and there is a waiting list again.

Councilman Berglund reported a couple of meetings ago that there were 30 water meters inoperable. Because the meters are old and there are no funds to replace them with new ones, Public Works rebuilds them. In the last month of the year, vacations must be taken, so the rate of repair has been slower in this quarter.

Additionally, the old roll off truck needs a new clutch. The estimate to repair it is about \$3,000. Mayor Silver said a newer roll off truck is coming from the County. Councilman Berglund said when they went to pick up the new truck in Toms River the title hadn't cleared, so they were unable to pick it up. Hopefully next week Public Works will be able to start moving stuff out again.

Council President Asay followed up on the Airbnb discussion with a handout of a November 28, 2016 article from the Asbury Park Press. The article profiled a resident who is now making \$10,000 a year renting out two rooms in her house through Airbnb. The article goes on to speak of Airbnb in a number of communities. He also attached some pages from the Airbnb website which talks about their willingness, support and desire to collect taxes on behalf of government entities. They want to be a good neighbor and keep their operation going. He shared the handout with Borough Attorney, Michael O'Connell and asked that he do some preliminary research on what it would take to have an occupancy tax in Island Heights as one possible way to deal with the issue.

Toms River was planning to introduce an ordinance where they were going to outlaw the practice. After the stake-holders came in and made their case, it got tabled and pulled back. Now they are in the process of negotiating what they are going to do. Council President Asay said this type of activity would be difficult to stop. If the entity was willing to collect a tax that the Borough imposed to cover some of the Borough's cost, there would be no cost to the Borough. It would be simply receiving a check for that collection. This is one possible manner to address the room renting phenomena going on in town.

Mayor Silver cited the Asbury Park Press article in which it says Ocean Grove charges a \$65.00 initial application fee, where the town comes and inspects the property. In order to update the application, they charge \$15 each time a new guest comes in.

Fred DeFeo, 176 Lake Avenue, said he was totally against Airbnb. He is in a residential zone and the house next to him was just sold and there are three illegal apartments there. He understands that the woman who just purchased it wants to live there in the summer and rent out three separate apartments as Airbnb all year long. It's a single family residential zone and he would like to see an ordinance that would eliminate that happening.

Council President Asay said our existing ordinances on the topic are in conflict with each other. Mayor Silver said that the ordinance is vague right now. Council President Asay said there is a decision needed to be made. We could collect revenue from it or we could go around policing it. Right now we have staffing issues which make it difficult to enforce our existing summer and winter rentals. It's a balancing act to decide what course of action to take.

Mr. DeFeo said that anyone in the world could go on the site and rent a room in the house next to him. Before that gets out of hand he asks the Council to eliminate it.

Brian Gabriel said that the Council should get together with the Planning Board and Code Enforcement to "harden up" the ordinances. He believes that the town should try to avoid Airbnb at all costs.

Councilwoman Thompson had no report.

Mayor Silver said the Camp Meeting steps were completed and a ribbon cutting ceremony was held on Sunday. Some Council Members showed up. The Methodist Church came over. All the "girls" did a lot of hard work collecting the donations. They are collecting donations again to do the next phase of the project which will be a knee wall along the sidewalk.

Mayor Silver also reported that he and Councilman Bendel met with Ray Miller, Commander, from the American Legion. The grandson of Lenny from Central Printing, who was a resident of Island Heights, was killed in action. The American Legion would like to memorialize him in some way. The Mayor suggested to him that a monument could be put up with all the names of veterans that perished in all the great wars from Island Heights. The Borough would put in the concrete support pad and the American Legion would come up with the granite and engrave all the names on the monument. The Borough would have to designate the site where the monument would be placed.

Mayor Silver thought that Letter Park would be a good spot because there is already a monument there that speaks of everyone who has fought in our wars and lost their lives. Mr. Miller wanted to be more specific and list the individuals. Councilman Bendel believes Letter Park is the appropriate place because it is already a place of memorial. There are flags there and it is a pretty place. Mayor Silver said the example he saw from Mr. Miller said the monument would probably be about two foot by two foot in black granite. The Mayor stated he would like input from the residents about it. Councilman Berglund asked how many years back we would go to place names. The Mayor responded that he thought as far back as World War I.

Councilwoman Thompson suggested Memorial Field would be a good place to put the monument because more children would be likely to see it there.

Councilman Bendel added that Mr. Power had sadly passed away recently.

7. PRIVILEGE OF THE FLOOR – No one had a comment.

8. EXECUTIVE SESSION FOR CONTRACT DISCUSSION

Resolution 2016-255

- a. **Moved to enter Executive Session by:** Council President Asay **Seconded by:**
Councilman Berglund
All in Favor
- b. **Moved to close Executive Session by:** Council President Asay **Seconded by:**
Councilwoman Thompson
All in Favor

9. MOVE TO REOPEN REGULAR MEETING

FIRST: Bendel **SECOND:** Berglund **ALL IN FAVOR**

10. ADJOURNMENT 8:15 p.m.

Respectfully Submitted by:

Katherine Fenton-Newman
Acting Municipal Clerk

Items of Interest:

- ❑ The **Central Regional School Board** regularly scheduled meeting is Thursday, December 15, 2016 at 7:00 PM at the Board of Education building, Forest Hills Parkway, Bayville.
- ❑ The **Island Heights Planning Board** regularly scheduled meeting is Thursday, December 15, 2016 at 7:00 PM held at the borough hall.
- ❑ **All municipal offices will be closed** on Monday, December 26, 2016 in observance of Christmas.
- ❑ The **Island Heights Mayor and Council** regularly scheduled meeting is **Wednesday, December 28, 2016 at 12:00 PM** held at the borough hall.
- ❑ **All municipal offices will be closed** on Monday, January 2, 2017 in observance of New Year's.

The **Municipal Clerk's Office, Tax Collector & Water/Sewer Office**, are open Monday – Thursday 8:00 AM until 3:00 PM (**closed Friday**) and Monday evening 6:00 PM until 8:00 PM. Finance & Purchasing are open Wednesday 9:00 AM to 3:00 PM, Building Department & Fire Official, Tax Assessor and Municipal Court are open Monday evening 6:00 PM until 8:00 PM. Please call the borough hall at (732) 270-6415 for days and times of offices not listed above.

mayorcouncil@islandheightsboro.com

Council Member John Bendel

April D. Elley, Newsletter Editor (732) 270-6415