

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



Council Meeting

June 13, 2017

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 Bendel
 Council President Berglund
 Mayor Silver

Councilmember Snow
 Councilmember Thompson
 Councilmember Wudzki
 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 - None

3. ORDINANCE

Ordinance 2017-01 Public Hearing (second reading)

Mayor Silver began by saying that there shall be respectful dialogue from the public and any member of the public displaying any dialogue or behavior that is disrespectful or disruptive shall be removed from the meeting. He also set a three minute per person limit on public comment. Mayor Silver then opened the Public Hearing.

Dan Milne, 145 Central Avenue, Unit 10A, on behalf of the condominium association, stated that the condominiums are private residences with no business entities, and believes they are being categorized as a business. There are 24 families that live in the facilities and don't generate that much garbage.

Borough Attorney O'Connell told Mr. Milne that condominiums fall under the category of residences, so the condominiums would still receive residential pickup. Under the Municipal Services Act, which is the State law, a municipality cannot treat a condominium differently as a single-family, stand alone, home.

Mr. Milne strongly recommended that taking away garbage pickup for commercial entities would deter business owners from coming into Island Heights. They will go to another town. Mayor Silver said that in Toms River, businesses are responsible for their own trash pickup. Mr. Milne said that he feels municipal trash pickup for businesses would be an incentive for new businesses.

Brian Hall, 136 Bay Avenue & Dillon's Creek Marina 243 Lake Avenue, asked Mayor Silver to explain the recycling pickup section in the Ordinance. He asked if the Borough will continue to pickup recycling at businesses. Mayor Silver told him that it is an option that has been put back in the Ordinance. Depending on the contract the Borough enters into with the contractor, recycling would be picked up from commercial entities if Council decides to. Attorney O'Connell said that the Borough was returning to the language that was in the original Ordinance which is the current, existing law in the Borough. Mr. Hall stated that the answer is "definitely, maybe." Attorney O'Connell said that he was correct depending on how much it will cost the Borough. Bid specifications are currently being worked on.

Mr. Hall asked if the plan in the future was that the public works truck would not pick up anything. Mayor Silver said that would be correct if we go in that direction. Mr. Hall asked how Council could move forward with the Ordinance without knowing all the answers. Attorney O'Connell said the existing law has always been that commercial properties must be responsible for their own recycling. Whether it was enforced or done is a different story. The current code in Island Heights is that commercial properties are responsible for their own recycling and homeowners are not. Councilmember Asay added that the Ordinance also says commercial properties are responsible for their own pickup unless the Borough chooses to pick up that recycling. Since the Ordinance was adopted in 1988 the Borough has been exercising the option to pick up the recycling up to now. It is not being changed if the Ordinance was adopted tonight.

Mr. Hall said he was still having problems understanding the intent of the Ordinance. Attorney O'Connell told him that the wording for the recycling pickup for businesses is staying the same as the existing Ordinance. It has always been the prerogative of the Borough to decide to pick up recycling for businesses. Additionally, garbage and recycling collection services must go out to bid and afterwards it will be up to the Council to determine what is affordable and what is not.

Councilmember Thompson clarified that there are two things happening tonight. One is; the Ordinance will be changed so that commercial and multifamily residential will be responsible for their own pickup. The second is; Mayor and Council are considering awarding a garbage collection contract which addresses Mr. Hall's question of if the Borough will pick up commercial recycling. Council must deliberate on the cost effectiveness of the Borough having to pick it up or having a contractor pick it up. Since that is later in the agenda, we don't know yet. The Council must discuss it.

Gloria Bonelli, 21 Central Avenue, asked if Section 17-2.5 C referring to recyclables is wording that has always been there. Mayor Silver said yes. She wanted it clarified that even though recyclables have been picked up in the past, when the Borough signs the new contract, there may be a change to the recyclables. Mayor Silver said the Ordinance always allowed the Borough to pick up recycling or not to pick up recycling. Pick up was always done by municipal employees and now there is an option in the bid specifications to have an outside contractor perform that service. Ms. Bonelli said she agreed with Mr. Hall that it was confusing because collection has always been done in the past, even though the wording was there, and it was never enforced. She said this new contract may change that and it may be enforced. Mayor Silver told her she was correct.

Linda Tavares, owner of Cozy Cove Marina, 10 Lake Drive, asked if there was a significant savings for the Borough to pick up recyclables since the Borough's trucks have been doing it and the Borough has its own recycling center and generates its own money. Councilmember Asay said he can't answer the question because Council is deliberating on specific bids that have been submitted by contractors, which will be discussed in Executive Session this evening. What Council is balancing out is the continued cost of maintaining our truck, the fuel, maintenance, etc., plus the staffing salaries, benefits, etc., versus the service being done by a private hauler. Those are the numbers the Council is currently looking at and deciding on how to proceed.

Ms. Tavares asked if a private contractor was hired, would they be putting the recycling they collect into the Borough's recycling center or taking them elsewhere. Councilman Asay explained that when recycling is currently picked up at the curb, it isn't put in the Borough's recycling center. The Borough employees take the truck directly to the County in Lakewood and dump the truck at the recycling center in Lakewood. The recycling center in the Borough is for the residents who decide to bring their own recycling there. When we load our garbage truck they take it out to the County recycling center and empty it.

Mrs. Tavares asked how Council is planning on handling businesses with residences on top of them. How will it be distinguished whose trash is whose? Attorney O'Connell said that by definition commercial property is property which is primarily used for commercial purposes. If you have an office complex that has an apartment above it, it is primarily commercial. If you have a residential home but have a shop in your basement, or if you have a work from home office, that is a residential property.

Mrs. Tavares asked if the people running businesses out of their home or the people who have construction vehicles parked in their driveway will have their garbage picked up, but the apartment above the Deli will not. Attorney O'Connell said that was correct and Mayor Silver confirmed it.

Tom Gavin, 42 River Avenue, said there was nothing in the Ordinance about cottage industry which lets you have three employees on the property in the town. How will that be addressed? Mayor Silver said that these are things that we are looking to change. Councilmember Thompson responded by saying that Section 17-2.3 identifies properties used primarily for commercial purposes, which is the distinguishing language, versus property which is a residence with a cottage business, which is permitted by zoning. Mr. Gavin said you need to register your cottage business with the town.

Patty Hall, 136 Bay Avenue, asked if commercial properties would be allowed to bring their recycling to the Borough's recycling center. Mayor Silver told her they would be allowed. She also asked if the Borough would be downsizing the Department of Public Works. Mayor Silver said that it was very possible.

Linda Tavares said that there seems to be a lot of unanswered questions. There is no data to prove how much we are saving or how much could potentially be saved. We don't know who is classified as what. She wanted Council to delay the vote tonight and pick it up again next time. Mayor Silver said that if the Borough saved \$100 a month multiplied by 32 commercial properties, the Borough would save \$3,200 per month. Multiply that by 12 it comes out to \$38,000 annually. If it was a 5 year contract it would be \$192,000 in savings. He admitted there would be variables in season and out of season. Mrs. Tavares said that it would be that much savings per month if you have seasonal businesses. Mayor Silver said a savings is a savings. We could save almost \$200,000 over five years and that is a savings.

Dan Milne asked if the Borough has looked into shared services. Mayor Silver said the building, plumbing and construction officials are all shared services. Toms River was asked and they had no interest. Councilmember Asay said that the problem with Toms River is that we are not a big enough addition for them to add staff or trucks. It adds to their workload without creating enough revenue for them to expand their operations. It would put such a strain on their workload that there was no upside for them to do it and their answer was "no." Mr. Milne asked if Council has looked to other small towns. Mayor Silver said that the biggest municipality would be our neighbor who would have enough workforce and vehicles to perform those types of services. They are not interested. Councilmember Bendel said that it was an interesting discussion, but if anyone is considering sharing services for Public Works, he is opposed. Public Works is one of the services that makes this town Island Heights. We have a level of service that we are used to and he is not interested in turning that over and sharing services with anyone. We have done that in other areas and we should continue to look into it, but not there.

Mr. Milne said he was speaking about sanitation. Has the Borough investigated other small towns? Bill Hummel, 18 Ocean Bend, said that Pine Beach is across the river, Lavellette is along the beach, it would cost a lot of money to run trucks per mile. The idea isn't cost effective. Mr. Milne said they actually drive up Route 37 through Toms River.

Rob Salanto, Owner of Playabowls, takes his garbage to the dump at least once a week. He said there is a problem every time he takes his recyclables there. Mayor Silver asked him if it is dirty cardboard. Mr. Salanto said it was clean plastic bins and cardboard boxes. Mayor Silver said it has to be corrugated cardboard and not plastic bags. Councilmember Snow said that we don't recycle plastic bins and it has to be corrugated cardboard. Councilmember Thompson told him he probably is bringing the wrong type of cardboard.

William Hummel, 18 Ocean Bend, said that it sounds like the Ordinance is left over from a time when we got paid for recyclables and wants to know why businesses have to measure and weigh everything and have annual reports. Councilmember Snow said we have to report to the County on a quarterly basis what is being recycled. The money is constantly fluctuating due to the market. It is not a constant. Councilmember Asay said we still make money on it. It is weighed when we tip it. Based on that, we get our share of the profits from the County each year.

Mr. Hummel asked if businesses are going to have to get the report monthly from their service provider and then convert it to an annual report. Councilmember Asay said that if a commercial

entity was paying someone to pick up their recycling they are required to generate a report. That is not the Borough's requirement, it is the County and State's requirement.

Mr. Hummel asked how you do that without a scale and a truck. Mayor Silver began to explain and Ms. Tavares interrupted by saying she could answer the question. The carting companies report it to the County. She said there is no reason for commercial properties to report it at all. Whoever picks up the recyclables reports it to the County. Mayor Silver said we have a recycling coordinator. Ms. Tavares said commercial properties would have no way to know how much recycling they have. They would have to get it from the individual carting companies that pick it up.

Councilmember Asay told Mr. Hummel that this is a recycling ordinance which was adopted in 1988. From what he was told, the ordinance was based on model language that was supplied to the Borough by the County/State for how they wanted you to set up a recycling program. This is why all those details are in the ordinance. No one on the Council in 1988 sat and wrote all that stuff. They were given a model ordinance on how to adopt a recycling program. You can read it all in 7-2. Mayor Silver said it was a form letter from the County at that time.

Mr. Hummel asked if he was a business, would he still be required to submit an annual report. Councilmember Asay said he would not if the Borough was still picking it up. If the Borough wasn't picking it up, he would have to submit an annual report. The Borough has to require it because it is State law. It is not unique to Island Heights.

Ms. Tavares asked if the Recycling Coordinator coordinates with the County. Council answered yes. Ms. Tavares said that she was sure the coordinator could get the information from the County. Councilmember Asay said that this language is probably dated. If commercial entities are using private haulers, all of this is probably now collected at the County level. Ms. Tavares said that this furthers her point that we are voting on something that all the bugs aren't worked out. Attorney O'Connell said that this isn't what was being voted on. This is part of the existing ordinance that isn't being touched.

Gloria Bonelli commented that she looked into recycling and the interesting thing is that they are very lax about enforcing any of the rules they put out. She agrees that there has to be a simpler way for commercial businesses to report recycling. Councilmember Snow said the State came up with these laws and the municipalities are responsible for enforcing them. All members of the Council that have been on the tour of the recycling center can tell you that plenty of things taken to the recycling center are actually garbage that has to be removed. The State and County come up with the laws and the municipality is required to enforce it. Brian Hall said that Ocean County Health Department does enforce recycling rules. Last year they paid him a surprise visit.

Dan Janquitto, lives at 214 Lake Avenue, and his business is Beachwood Canvass at 39 Lake Avenue, said to Attorney O'Connell that when he first moved into town, and received planning board approval, they said he was not required to provide garbage pickup due to the number of people he had working there. The number of people working there has not increased and his business has decreased by 50% since Superstorm Sandy. Does this override his planning board approval? Attorney O'Connell said yes, this would become the new law for the Borough.

Mr. Janquitto said he looked at his tax rate for his house and his business and it is the same for both. Now that garbage pickup will be taken away from the business, he wanted to know how much of the tax rate goes toward garbage collection. Mayor Silver said garbage is not broken out into the tax rate. Mr. Janquitto said that he assumes he would not be getting a tax reduction because he is not getting garbage pickup.

Mr. Janquitto said he does not put that much garbage out. He tries to compact everything at his house and probably puts a can out once every two weeks. As far as his business, he has 10 cans which were put out only a quarter or half full. Now he has told his employees to compact the cans before they put them out. He has watched and he does not put out more than one or two cans a pickup. As a result they are not putting out any more than residential garbage. He suggests that when Council goes around town they look at the places that have an awful lot of cans out because they have businesses and construction garbage coming back home. Council might want to visit limiting 2 or 3 cans of garbage per pickup. Mayor Silver told him that is the language with the trash contractor. There is language limiting how many cans can be put out per pickup. Mr.

Janquitto asked if the extra cans will be rejected by the contractor. Mayor Silver told him they would be rejected. He said that is something that would be kept on with the new contractor as part of the bid specifications. Mayor Silver said for years he has been working on trying to get a handle on businesses that bring home their trash from their job site and dispose it here. Mr. Janquitto said that trying to limit tipping fees with limiting the number of cans collected makes sense to him. Mr. Janquitto suggested that Council revisit the issue in a year and see if there was a savings. Mayor Silver said part of changing laws (ordinances) is that if things don't work out, you can always go back and make a change. You keep amending it and customizing it until it works best.

A member of the audience said if a business hires its own contractor to do the recycling you have to fill out the paperwork, by law, to the County. If you take care of your own recycling, is that required? Councilmember Snow said that if they bring it over to the Borough's recycling center it is still being weighed and taken to the County. You don't have to file any reports because it is coming from the Borough.

Gloria Bonelli said it seems cumbersome to fill out all these reports and weigh things. If someone hires a contractor to pick up their recycling, doesn't the contractor get paperwork when they tip it? If all the business used the same carting company, is there a way the carting company could do the paperwork instead of the businesses? Mayor Silver said that part of the problem is that they have to come in here with an empty truck. They have to do all the report filing. Councilmember Snow said the individual businesses wouldn't be doing the report filing, it would be the carting company they were using that would put in the reports. Ms. Bonelli said that the language says something different. Mayor Silver said the businesses should estimate the weight of what they put out. Councilmember Snow said if necessary, she could reach out to the County and have them pull the reports from the past year for every town and our report if people would like to see how it is reported. She could report next meeting on how it actually works.

Tom Gavin asked who the Borough's Recycling Coordinator is. Mayor Silver told him Oscar Cradle is the Borough's Recycling Coordinator through a shared services agreement with the Borough of South Toms River.

There being no further comments, Mayor Silver asked for a motion to close the public hearing.

Motion to close Public Hearing:

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

Councilmember Asay said that he echoes a lot of what people said here tonight. He does not think that this addresses the issue. He doesn't think changing definitions in the recycling ordinance is the way to do it. He doesn't think the way to do this is to single out entities by type. He believes the way to do this is to address the garbage by saying if you are going to put limits on garbage, if you are above that limit; you are going to have to make arrangements. If it is material that is hazardous or not appropriate for the Borough to pick up, you make your own arrangements. Mayor Silver said that the contractor has to enforce that. The Borough has no way to monitor that. Who would be the enforcing entity? Councilmember Asay said that we have code enforcement that enforces our codes. If we make a determination that a particular property is not going to be picked up because it is non-household or hazardous or too voluminous for the Borough to pick up via the ordinance. Mayor Silver said it has to do with the fact that they have consumers that are disposing of their refuse after they have enjoyed their time or doing maintenance on their properties. He told Councilmember Asay that he could vote however he wants to: yes, no or abstain.

Motion to adopt Ordinance:

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

4. EXECUTIVE SESSION FOR CONTRACT AND LITIGATION MATTERS

Resolution 2017-113

Motion to Enter into Executive Session Meeting at 7:48 p.m.:

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

Motion to Re-enter Regular Meeting at 8:07:

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

5. APPROVAL OF MEETING MINUTES

The meeting minutes of May 9, 2017 and May 23, 2017 were voted on as a consent agenda.

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. RESOLUTIONS

Resolution 2017-95 Approving Application for Use of Pavilion and the Contiguous Property by George Smith for a Wedding Ceremony on August 27, 2017

Public Comment - None

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 2017-96 Approving a Social Affairs Permit for the Rotary Club of Toms River on September 9, 2017

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 2017-97 Authorizing a Medical Leave of Absence for Police Officer Dominique D’Amico Violante

Councilmember Asay requested that this item be tabled temporarily in order to discuss in Executive Session.

Motion to Table:

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 2017-98 Appointing Denise Pinaha as Summer Seasonal Badge Checker at a Rate of \$11.00 Per Hour Not To Exceed 30 Hours Per Week

Public Comment – Tom Gavin asked for a telephone number where she can be reached. Mayor Silver said that she can be reached through calling the Borough Offices at 732-270-6415.

Councilmember Asay asked what her schedule was. Mayor Silver replied that the schedule would vary until it is determined the best hours needed.

Roll Call

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

Resolution 2017-99 Appointing Martin W. Lynch, CTA, as Tax Assessor

Public Comment – Brian Gabriel, 185 Summit Avenue asked if this was part time or full time and what was the salary associated with the position. Mayor Silver told him it was part time and he would be paid \$15,000 and change.

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 2017-100 Urging Representatives from the State of NJ to Support the Legislative Action to Re-Authorize and Extend the National Flood Insurance Program (NFIP)

Public Comment – Gloria Bonnelli asked what this resolution was about. Mayor Silver explained that there was legislative action regarding flood insurance for low lying areas affected by rising waters. It’s for insurance through the National Flood Insurance Program which is somewhat like homeowners insurance for floods. Council was voting to show support for it.

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 2017-101 Authorizing Ocean County Park Department’s Pontoon Boat, the ‘Bay Cruiser,’ to Dock at the Central Avenue Municipal Dock

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 2017-102 Appointing Leanna D’Amico as Seasonal Office Assistant at a Rate of \$12.50 Per Hour Not to Exceed 28 Hours Per Week

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 2017-103 Approving a Special Events Application and Street Closing/
Partial Closing for Island Heights Yacht Club’s Mid-Atlantic
Junior Olympic Sailing Event July 23, 2017 through July 25,**

2017

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 2017-104 Authorizing Change Order No. 1 for Jaynes Avenue Water and
Sanitary Sewer Improvements**

Mayor Silver explained that this change order will increase the contract by \$15,290. If they do find a shut off and don’t have to do a line stop on this water main, we will save \$4,000 which will bring the amount down to around \$11,000. However, the governing body needs to authorize the full \$15,290.

The problem is on the bottom of Simpson by River Avenue. There is a cone in the road and water running down the street. There is a water main valve box for which the gate is about 100 years old. When they went to utilize it to do cutover work for the new main, it got jammed up. This is why the water is coming up through the ground there. He told Mrs. Kempton that they would be excavating in front of her home.

Public Comment – Ann Kempton said it was good the cone was out because cars were bottoming out.

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 2017-105 Setting Fees and Adopting a Formal Application for the Island
Heights Farmers’ Market**

Councilmember Wudzki requested that the start date be changed to July 10, 2017. Motion was made on the amended resolution.

Councilmember Thompson asked if they were going to be on the grass or macadam. Mayor Silver said they would be on a little of both.

Public Comment – Tom Gavin asked why they don’t just get it started. He believed \$35 was a little steep to charge.

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 2017-106 Rejecting All Bids for Solid Waste and Recyclable Materials Collection Service in the Borough of Island Heights

Public Comment – Bob McNeal asked if the previous contract ran out on June 1st. Mayor Silver told him that the current provider granted an extension at the same rate they have charged in the past.

Bill Hummel asked when recycling every week begins. Mayor Silver told him that it started already. Recycling will be collected once a week, every week from Memorial Day to Labor Day.

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 2017-107 Appointing Paige Van Duyne to the Summer Recreation Program

Councilmember Snow said that arts and crafts will be scheduled once a week on Wednesday nights. The schedule will be published and the notice will be sent out to the school. Page was our counselor last year. Mayor Silver said that our CFO will be helping out with recreation this year.

Public Comment - None

Roll Call

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

Resolution 2017-108 Appointing Hannah Levin to the Summer Recreation Program

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 2017-109 Setting the Dates and Approving the Calendar for the 2017 Summer Recreation Program

Councilmember Snow said that the program will begin on July 10th and run through August 3rd. Hours will be from 6 to 7:30 p.m. Sports activities will meet at Memorial Field on Monday, Tuesday and Thursday. Arts and Crafts will be at Borough Hall on Wednesday nights.

Public Comment – Bill Hummel, 18 Ocean Bend, asked about the pickle ball court. Councilmember Snow said she hadn’t received anything this year but knew there was discussion about it last year. Measurements were taken and then nothing happened.

Mr. Hummel asked about repairing the cracks in the tennis courts. Mayor Silver said he had hoped Mr. Hummel had some insight into what was happening with the cracks. Mr. Hummel said he took his neighbor, who is in the paving business, down to the tennis courts for an estimate. His quote was very high. Mayor Silver said the Borough could rent a machine to fill in the void with a slurry material. Then provisions could be made to seal coat the court and stripe it for pickle ball. Mr. Hummel asked if the tennis people would object to them making one court a pickle ball court. Mayor Silver said one court would be for pickle ball and the other would be for tennis. Mr. Hummel said that the pickle ball court should be the farthest court, because the first court you could still play tennis on. The farthest away court could be used for pickle ball so it would cause the least disruption to the tennis players.

Tom Gavin said there should be a statement made that donations will be accepted. People who are passionate about pickle ball will donate for a court.

Mayor Silver asked Council President Berglund to get some quotes on the machine to fill the cracks. Mr. Hummel offered to stripe the court with his machine after the cracks were fixed. It was decided that the east court was best for pickle ball.

Roll Call

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

Resolutions 2017-110 and 2017-111 were voted on as a consent agenda.

Resolution 2017-110 Approving an Application to Use County Roads for Sailfest on September 9, 2017.

Resolution 2017-111 Approving a Special Events Application by the Rotary Club of Toms River on September 9, 2017 for Sailfest

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 2017-112 Approving Raffle License #2017-1 for the Rotary Club of Toms River

Council President Berglund asked Attorney O’Connell if Council could approve a resolution that was in conflict with the original Rotary Club application to the ABC. The ABC Social Affairs

Permit on question 19, page 4 says there is no gambling and Resolution 2017-112 specifically says a raffle. Could Council approve a raffle when it would be in conflict of their application to the ABC. Attorney O'Connell said that Council could not approve until ABC approves because it is their ultimate authority. The Rotary would need to clarify this with the ABC. Councilmember Asay will reach out to the rotary.

Motion was made to table this item.

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			

7. BILL LIST

Public Comment – Brian Hall asked what the bill list was? Mayor Silver said that the bill list pays the utilities, payroll, insurance, engineer, Borough Attorney, etc. Mr. Hall asked if Council approved the Borough Engineer’s conceptual drawing and meeting with the State at the last meeting. Mayor Silver said it all got put on hold.

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			

8. PURCHASE ORDERS

A. Approving the Following Purchase Order:

Vendor: Brick Municipal Utilities Authority
 Item: Jet Vac & Televis Work for December 2016
 Amount: \$3,156.47

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

B. Approving the Following Purchase Order:

Vendor: GP Jager Inc.
 Item: 24 Item #71629 Arch Constant Chlor Briquettes, 50# Pail
 Amount: \$2,857.44

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

C. Approving the Following Purchase Order:

Vendor: Joseph Kostecki

Item: Qualified Purchasing Agent Compensation as per Adopted Resolution 2016-92

Amount: \$3,500.00

Councilmember Thompson asked if we paid Mr. Kostecki in advance. Mayor Silver said yes. Councilmember Thompson suggested the Mr. Kostecki be paid quarterly or biannually in case, for some reason we have a parting of the ways. Mayor Silver said that we are actually late paying him this year. The contract goes from the first of the year to the end of the year and we are half way through the year. We have used his services for six months without paying him this year, so it would be pretty much biannually now. Mayor Silver said that going forward he will be paid quarterly.

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

9. ITEMS FOR DISCUSSION

A. Letter from Maser Consulting, P.A. regarding a Proposal for Professional Services for River Avenue Pavilion – Structural Investigation of the Second Floor

Mayor Silver said that when the rehab work was done, they put tongue and groove flooring over the existing flooring and the pitch is not allowing for water runoff. This is causing the water to pond and now the floor is rotting. We have money set aside in the amount of \$30,000 for waterfront access. Councilmember Asay felt comfortable reaching out to the engineer, because the engineer would be the person ultimately responsible for adequately redesigning the second floor for water to run off.

Councilmember Thompson reached out to the State. The State said because we are not building a new structure, only renovating an existing structure, we would not need an engineer to perform the task and the Borough could go out to bid for private contractors. Since the budget is \$30,000 and under the \$40,000 bid threshold, there is no need to advertise to solicit bids. Three quotes would only be required. Mayor Silver asked Councilmember Thompson to reach out to contractors to get three quotes.

Councilmember Asay said that Maser Consulting, the Borough’s engineer, suggested that we might want to fix the bad areas to save money. Councilmember Asay said he doesn’t think that fixing the bad area is the direction to go because the type of flooring up there will continue to cause problems. Councilmember Asay suggested a design that would allow the water to run off and drain.

Mayor Silver said that this was just an idea and an item for discussion. No action will be taken at this meeting.

B. Letter from Maser Consulting, P.A. Regarding the Reconstruction of River Avenue FY 2015

Municipal Aid Program

Mayor Silver said that the road and boardwalk are being raised at the bottom of Simpson and River along with the outflow pipe to alleviate the flooding there. DOT has given the Borough \$175,000 to do the work. The Engineer's estimate comes to \$341,743. Mayor Silver said we do not have the funding to do the engineering. Mayor Silver gave Bob Mullin, Maser Engineering, approval for an authorization form, which is a discretionary funding application to DOT, to say what we intend to do exceeds the dollar amount they gave us. Hopefully they will give us additional funding.

Mayor Silver asked the governing body for authorization to do a Discretionary Funding Application to DOT. The estimated financial amount needed by the engineer to submit the Discretionary Funding Application would be \$2,450.00 to get the Borough the extra money to do the job. Councilmember Thompson said that some of the application material is already completed in the work the engineer has done to date. Mayor Silver said that the request is a maximum amount, in other words, an amount not to exceed \$2,450.00.

Councilmember Asay asked if he knew of any expectation that we would receive the additional funding. Mayor Silver said it was very promising. The engineer seemed very confident.

Motion was made on Resolution 2017-114 authorizing \$2,450.00 for Maser Consulting to prepare the Discretionary Funding Application to the State Department of Transportation.

Roll Call

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

10. COUNCIL REPORTS

Councilmember Asay shared news from Congressman McArthur's office that the new KC-46 refueling tanker will first be headquartered at Joint Base McGuire/Dix/Lakehurst, here in Ocean County. They will be the first base to get them beginning in 2021. It is Ocean County's largest employer and it is good news for the base.

Councilmember Asay commended and thanked the whole Island Heights emergency management team, police, fire, first aid and Mr. Platt, as well as the school personnel on the emergency operations drill on May 23rd. He said he was down there briefly and saw the drill go off. It was extremely well run. It simulated a mechanical emergency in the school and it evacuated a number of students to the Methodist Church orderly and professionally. He thanked them for making those preparations.

Councilmember Asay said that he spoke to the Attorney for Toms River, Mr. Mundy, about the bulkhead/groin on Dillon's Creek. Mr. Mundy said this is the lengthiest litigation he has ever participated in for the Township of Toms River. He has appeared in court ten times already on this issue. Gilford Park Yacht Club has now taken the position that this is neither their responsibility nor their property. It belongs to Toms River. Mr. Mundy said the next step is that the case will be kicked up to Superior Court within the next sixty to ninety days. A Superior Court Judge, or whoever he appoints, will take into consideration all the information and make a decision as to whose responsibility this is. There will not be any repairs to the bulkhead/groin this summer or the near foreseeable future.

Councilmember Bendel had no report.

Council President Berglund reported that the Brick MUA and Island Heights Public Works jettied the private culvert on Lake Avenue at the curve and got the water flowing. It solved the immediate problem.

Council President Berglund participated in Central Regional School District's Teacher for the Day and received a certificate. He also received a very nice "Thank You" card signed by all the students. He had a "real blast." He told the students that he was representing the town because the town had been asked to supply someone to teach. He got to teach algebra. He asked the students what message they would like him to bring back to the public and to Council. They unanimously told him to "Tell them we are fantastic!" Council President Berglund said they are fantastic.

Council President Berglund said that the butterfly garden was designed to attract monarch butterflies into the area. There is milkweed in flower and he saw the first monarch today.

Councilmember Snow said she already covered the recreation program. She asked Councilmember Wudzki when would be the best time to send the recreation flyer to the school. Councilmember Wudzki said she should send them a couple days before the end of school.

Councilmember Snow said the campout is still scheduled for June 24th. Set up of tents will start around 3:00 p.m. and she will be reaching out to Alan Fumo about getting a flyer out to the school.

Councilmember Thompson had no report.

Councilmember Wudzki thanked the police and fire departments for the volunteers who came out to the school's fun run. It was the best day ever according to the texts she received from the parents. The children were excited to see the officers running with them and on the field helping with the game. The water was the hit of the day and the children want to know when they can do it again. They greatly appreciate it. She thanks them very much and it really made the kids' day. She also thanked them for coming out for the health and safety fair. The children really enjoyed that.

The school is having a Flag Day ceremony on June 14 at 9:30 in front of the school. It is open to the community. She believed some Council members were attending. The Superintendent has invited everyone out. The children have a presentation that they have worked on.

Councilmember Wudzki reported that she has a good list of vendors for the Farmers' Market. She has very interested people, now that it is official. Her priority is to get the registration form out and to get something to Jersey Gov who has the website of all the local farm markets in Ocean County and the radio stations. This way we can get some advertisements going for it. She has had all positive feedback and is excited about it.

Mayor Silver said that he has been working with Maria Sessa from Jersey Central Power & Light to include Island Heights in a pilot program for LED street lights. The LED street lights would replace the sodium lights we currently have. The LED lights are a flat fixture. She will give Island Heights, at no cost, between ten and twelve fixtures. Mayor Silver wants to pick out a street that would best suit the replacement lighting.

Ms. Sessa told him the lighting is more direct. It doesn't flood out as much, so the lighting won't go into people's homes as much. Brian Hall said he has LED lights in his parking lot and he gets complaints about them because they are very bright on the eyes. He said they are very cost effective, which is why he put them in. He suggested that, before the Mayor picks a location, drive at night through one of his parking lots and look at his. Mayor Silver asked Mr. Hall if his lights were the same height as the poles on the street. Mr. Hall said they weren't quite as high. He said he like the idea, but if you are light sensitive at all, they are very offensive to your eyes. Mayor Silver said he'd asked about the lumen output or if there was a diffuser. Mr. Hummel said the Mayor would need the 2700K which is the lowest, warmer light.

Councilmember Bendel said if it is one thing we have learned, it is we must let the people know that something is happening on their street. Please let them know when we do decide. Mayor Silver said he would let the residents know after the decision is made. Ms. Sessa said that she could let us have up to twelve fixtures and maybe we could pick a smaller area that would take fewer fixtures. He would ask for a lower illumination.

11. PRIVILEGE OF THE FLOOR

Bob MacNeal, 237 Ocean Avenue, asked about the rejection of bids for the reassessment. Did the Borough pick another company and when will it be done? Mayor Silver said that the new assessor that was just hired will probably do it in-house. He will also ask for an extension from the County to do the reassessment next year because we will never be able to do one by the deadline requirement the County gave us this year.

Mr. MacNeal asked about going to a different type of chlorine instead of the tablets that were being bought for water treatment. Mayor Silver said that the tablet system is a proprietary system that the contractor sold to us. Council President Berglund and the Mayor have met with the engineer over the issue. They do not want to assume that a switch over to liquid chlorine “should” work. It needs to definitely be able to work. So they have to go back to Hungerford and Terry, who were the original designers of the water plant, because there are so many variables to the system. It isn’t as easy as just saying, “I don’t want a solid system anymore, I want a liquid system.” There is more chemistry behind it that needs to take place before any authorization is given to change over.

Mr. MacNeal said he thought the street cleaning was great. He commends the entire Council. He thought the Toms River people did a super job and finally all the stuff that washed down the street is gone. Mayor Silver said Toms River charged \$2,300 for cleaning the street. Mr. MacNeal said it was a good deal.

Mayor Silver said the beach cleaning took place during the week and they charged us \$45 per hour. It cost around \$200 through a shared services agreement with Toms River.

William Hummel, 18 Ocean Bend, asked if the orange barrels could be removed on the corner on Ocean Avenue and also Summit and Central. He suggested striping instead of having a barrel. Mayor Silver said that people will still defy the striping and any sign posted. He asked Lt. Arnold to recommend what could be done to make people not use the shoulder as a turn lane. Lt. Arnold said to keep the barrel there. The police can’t sit on two corners and enforce just that. As soon as the police are not there, it will start again. He said they removed the one from Ocean Avenue for a couple of weeks and then put them right back. People automatically assume it’s a yield and don’t stop. They roll right through the stop sign. He said Summit Avenue is worse than Ocean Avenue. Mayor Silver said he has the County coming in next week to do the striping on West End Avenue and enhance the stop lines at all the intersections. They will continue the striping on West End down to River. He will ask their opinion as to what they would recommend to prevent people from using the shoulder as a right turn lane.

Mr. Hummel asked if the doggie bag stations will be coming back. Mayor Silver said he hasn’t ordered them yet. Mr. Hummel asked if there could be another discussion on that. He thinks people should be responsible to clean up their pet’s mess and also provide their own bags and bring them home with them. The stations don’t get emptied and it smells. Also people throw other types of trash in there thinking it is a trash receptacle. He asked how we ended up with them. Mayor Silver said that somewhere along the way it was beckoned and approved. The Mayor said he would go down to the boardwalk and clean up so public works wouldn’t have to. He said it should be carry in and carry out. It went away primarily because every time public works is called in to empty a container, it is a three hours call out time. It was an expense to do this because on weekends it is time and a half.

Mr. Hummel asked how the stations would be emptied. Mayor Silver said it would be up to public works to do it in the morning and afternoon but not on the weekends. Mr. Gavin asked why the dog owners aren’t being responsible. Mayor Silver said that the compost pile over at the community garden has turned into a dog waste station. Mr. Gavin said the street by him has become a dog waste station, too. It doesn’t make it right. Mr. Gavin said if waste stations are put back up the Borough is taking responsibility for it. Mayor Silver agreed. Mr. Gavin said he doesn’t think the Borough should do it. A member of the audience said some people just don’t pick up after their dogs.

Mr. Hall addressed the Council and said that Public Works is the identity of Island Heights. Public Works improves the quality of life in Island Heights. He heard the Mayor talk about taking the recycling away from Public Works. He said these are the same guys who come out at midnight and

pump manholes. They need a certain labor force. Public Works and the Police Department are part of the paid labor force in this community and when we lose them, we lose our identity. He asked them to please not reduce Public Works. They are a great bunch of dedicated guys. Mayor Silver added the Police Department to Mr. Hall's statement. Mr. Hall agreed that the Police Department does a great job. He implored the Council not to push the Public Works Department into a layoff position. He said, when you need them, you won't get that quality of people. Mayor Silver thanked Mr. Hall for his thoughts.

Maureen DeSanto wanted to reiterate that the whole town is invited to the school for Flag Day. The band will be playing. She also told everyone that the last day of school will be June 21.

12. CONTINUATION OF EXECUTIVE SESSION FOR CONTRACT, LITIGATION AND PERSONNEL MATTERS

Re-Enter Executive Meeting at 9:15 p.m.:

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

Re-enter regular meeting at 9:52 p.m.:

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 2017-97 Authorizing a Medical Leave of Absence for Police Officer Dominique D'Amico Violante

Motion made to adopt Resolution 2017-97 with the amendment that leave will be granted to 12/31/17 with an option to request an extension.

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			

13. ADJOURNMENT at 9:55 p.m.

First: Bendel Second: Berglund All In Favor

Katherine Fenton-Newman, RMC, CMR
Borough Clerk

Items of Interest:

- ❑ The **Island Heights Board of Education** regularly scheduled meeting is Wednesday, July 12, 2017 at 6:15 PM held at the Island Heights Grade School, 115 Summit Avenue, Island Heights.
- ❑ The **Island Heights Planning Board** regularly scheduled meeting is Thursday, July 13, 2017 at 7:00 PM held at the borough hall.
- ❑ The **Island Heights Environmental Committee** regularly scheduled meeting is Wednesday, July 19, 2017 at 7:00 PM held at the borough hall.
- ❑ The **Central Regional Board of Education** regularly meeting is Thursday, July 20, 2017 at 7:00 PM held at the ISLAND HEIGHTS borough hall.
- ❑ The **Island Heights Board of Health** regularly scheduled meeting is Tuesday, August 8, 2017 at 9:00 AM held at the borough hall.
- ❑ The **Island Heights Mayor and Council** regularly scheduled meeting is Tuesday, August 8, 2017 at 7:00 PM held at the borough hall.
- ❑ The **Island Heights Board of Education** regularly scheduled meeting is Wednesday, August 9, 2017 at 6:15 PM held at the Island Heights Grade School, 115 Summit Avenue, Island Heights.
- ❑ The **Island Heights Planning Board** regularly scheduled meeting is Thursday, August 10, 2017 at 7:00 PM held at the borough hall.
- ❑ The **Central Regional Board of Education** regularly meeting is Thursday, August 17, 2017 at 7:00 PM held at the **Hugh J. Boyd Elementary School**, 1200 Bay Boulevard, Seaside Heights.

DOG & CAT LICENSES ARE TO BE RENEWED JANUARY 1 OF EACH YEAR

*** Proof of Current Rabies Required, Spaying/Neutering Certificate to obtain \$3.00 discount**

Cat & Dog Fee: \$10.00 Proof Spayed/Neutered: \$7.00

In addition, a Late Fee of \$5.00 will be imposed February 1 and an additional \$1.00 each month late thereafter.

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