

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:30pm. Commissioners Imperiale and Rice were present. Borough Attorney Michael McKenna could not make the meeting due to a family matter.

The Mayor asked all to rise for the Pledge of Allegiance.

The Mayor stated to the best of his knowledge all the requirements of the Sunshine Law have been met. Pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule of this meeting of the Board of Commissioners of the Borough of Harvey Cedars is listed in the notice of meetings posted on the bulletin board located in the Borough Hall and the Borough's website and was published on December 22, 2022 in the Asbury Park Press and on December 29, 2022 in the Beach Haven Times.

**Motion** to approve the minutes of the previous meeting held on November 3, 2023 was made by Commissioner Imperiale, seconded by Commissioner Rice.

The Mayor read the following ordinance by title and number and stated that proof of publication is on hand and the ordinance has been posted.

**ORDINANCE #2023-14 SECOND READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XIII ENTITLED "ZONING" AS IT PERTAINS TO INSTALLATION OF POOLS**

Motion to open public discussion: Commissioner Imperiale

Second: Commissioner Rice

There was no public questions or comments.

Motion to close public discussion: Commissioner Imperiale

Second: Commissioner Rice

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

Vote: Ayes – Oldham, Imperiale, Rice

The Mayor read the following resolutions by title and number and asked for a motion to adopt. Copies of the full resolutions are attached hereto and made a part hereof:

**RESOLUTION #2023-104:**

**ENCOURAGES OUR STATE LEGISLATORS TO PROVIDE FAIR AND EQUITABLE DISTRIBUTION OF DISCRETIONARY SPENDING APPROPRIATIONS IN THE ANNUAL STATE BUDGET FOR KEY PROGRAMS**

Motion: Commissioner Rice

Second: Commissioner Imperiale

**RESOLUTION: #2023-105 BILLS**

**Motion** to approve the bills for payment: Commissioner Rice

Second: Commissioner Imperiale

**COMMISSIONER PRESENTATION-**

Mayor Oldham read aloud a prepared proclamation celebrating the 100<sup>th</sup> birthday of Frederick L. Lynch III. Mayor Oldham stated that reaching 100 years is quite an accomplishment. Frederick's daughter, Jaqualine Lynch received the signed proclamation for her father in his absence.

**PRIVILEGE OF THE FLOOR –**

Jim Fritz, 82<sup>nd</sup> Street asked for updates on the beach replenishment. Mayor Oldham stated that the Army Corp and the Department of Protection are in talks with Fish and Wildlife

regarding where the sand is going to be pulled from for the replenishment. The Corp is expected to award a bid soon. Best-case scenario the project could start as early as this March if all goes well.

Kathy Ries, President of the Taxpayers Assassination commented on how good the Point at Sunset Park looks. Custom bricks have been inlaid into the path; the area is looking even better than anticipated stated Ries.

Fred Schragger, East Salem Ave. gave an update on the Board of Education, stating that there will be a legal hearing on December 7, 2023 concerning the proposed sale of the school. Fred also suggested that the Commissioner write a letter to the Board of Education asking for up to date information regarding all matters and to request a mold report.

#### TOPICS OF INTEREST –

Commissioner Imperiale again promoted “*No Shave November*”. The Police Department is participating with David’s Dream & Believe Cancer Foundation to raise money for the cause. Commissioner Imperiale stated that the police department was also collecting toys for Toys for Tots.

Commissioner Rice mentioned that holiday beach badges were available for purchase.

Mayor Oldham announced that the bid for the Well Project came in much higher than anticipated. A discussion will take place to decide how the Board will proceed. Oldham also announced that the Borough was awarded \$432,000 for phase 2 of the Streetscape project. Work will continue for the original Streetscape plan with these additional funds.

Mayor Oldham reported that the Board of Elections told him that there were enough irregularities in the municipal election to warrant a recount. Mayor Oldham stated that he thinks it makes sense to do a recount for transparency in the election process.

**Motion** to adjourn: Commissioner Rice  
Second: Commissioner Imperiale

Meeting adjourned at 4:42pm.

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Anna Grimste, Municipal Clerk

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**Jonathan S. Oldham, Mayor**

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**John M. Imperiale, Commissioner**

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**Paul G. Rice, Commissioner**

**ORDINANCE NO. 2023-14**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY,  
NEW JERSEY AMENDING CHAPTER XIII ENTITLED “ZONING”  
AS IT PERTAINS TO INSTALLATION OF POOLS**

**THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY  
CEDARS DOES ORDAIN AS FOLLOWS:**

Section 1. Section 13-7.4 entitled “Permits” is hereby amended by supplementing the following sentence to the end of the paragraph: All pool construction and inspections must be completed within 60 days of the issuance of a pool permit.

Section 2. Section 13-17.5 entitled “Swimming Pools.” is hereby supplemented by adding paragraph f. as follows:

- f. *Dewatering.* No dewatering shall be permitted between the Friday before Memorial Day and Labor Day of any calendar year. All dewatering for swimming pools, including excavation and seasonal draining, shall be completed within 15 days from the start of the pumping.

Groundwater pumped to the surface either during construction or for any other maintenance requirements must be directed via flex pipe with a silt bag/filter (properly maintained) into the nearest storm drain or into the bay or lagoon if the pool location is along the bay or lagoon. No dirt, silt, sand or runoff debris of any kind shall be permitted or caused to accumulate on a public street or any body of water. No rubbish, debris or litter of any kind shall be permitted to remain or accumulate in or about the swimming pool during construction.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 5. This Ordinance shall take effect upon final adoption after publication in accordance with law.

MOTION TO ADOPT: Commissioner Imperiale

SECOND: Commissioner Rice

ROLL CALL:

AYES: Oldham, Imperiale, Rice

NAYS: None

ADOPTED ON: November 20, 2023

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Jonathan S. Oldham, Mayor

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John M. Imperiale, Commissioner

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Paul G. Rice, Commissioner

**RESOLUTION #2023-104**

**ENCOURAGES OUR STATE LEGISLATORS TO PROVIDE FAIR AND  
EQUITABLE DISTRIBUTION OF DISCRETIONARY SPENDING  
APPROPRIATIONS IN THE ANNUAL STATE BUDGET FOR KEY  
PROGRAMS**

**WHEREAS**, Ocean County's year-round population continues to grow along with the needs of its residents; and

**WHEREAS**, Ocean County is one of the largest counties in the state land wise with one of the largest county road networks, and is also home to the largest body of water in the state - Barnegat Bay - a national estuary; and

**WHEREAS**, Ocean County, which is a premier tourism destination bringing in large sums of revenue to the state of New Jersey, doesn't get the same financial help or benefits as other areas of the state, including many northern and urban cities and counties; and

**WHEREAS**, as an example, Ocean County once again was excluded from the state's annual "Christmas Tree" list receiving no extra state funding for projects that fall outside of the normal budget; and

**WHEREAS**, in the meantime, millions of dollars have been allocated to towns and counties in predominantly urban regions, without a comprehensive list of appropriations and no way to easily access information on how all the money is being spent; and

**WHEREAS**, media reports on the "Christmas Tree" list, a fund for legislators' pet projects and other expenses that normally fall outside the line items of the annual budget, revealed that Ocean County received zero dollars in 2023; and

**WHEREAS**, urban and city legislative districts received the bulk of the \$661.6 million that lawmakers earmarked for projects in individual counties or towns; and

**WHEREAS**, included on the list was funding for a new marina, swimming pool and a dog park in Northern New Jersey, Camden County received \$64 million for new infrastructure projects and Union County was second with \$57.5 million award; and

**WHEREAS**, in the absence of additional funds for Ocean County, the Route 9 corridor continues to present a traffic bottleneck, as do other state roads in the County. Additional funds could also help with the construction of a new justice complex annex to house state courts, substantial repairs to the county parking garage, to fund recreational programs, transportation services, needed assistance for our seniors and veterans, to protect Barnegat Bay and to help the 33 municipalities that make up the County.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, encourage our state legislators to provide fair and equitable distribution of discretionary spending appropriations in the annual state budget for key programs that will assist not just Ocean County residents but the thousands of people from across the state that visit the County annually.

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be made available to Governor Phil Murphy, Ocean County Mayors, and State Legislators.

PASSED ON: November 20, 2023

RESOLUTION #2023-105

November 20, 2023  
11:26 AM

BOROUGH OF HARVEY CEDARS  
Bill List By P.O. Number

Page No: 1

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P.O. Type: All	Open: N	Paid: N	Void: N
Range: First       to Last	Rcvd: Y	Held: Y	Aprv: N
Format: Condensed	Bid: Y	State: Y	Other: Y   Exempt: Y
Vendors: All	Include Non-Budgeted: Y		
Rcvd Batch Id Range: First   to Last			

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00039	01/10/23	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	water supplies	Open	37.59	0.00
23-00082	01/25/23	JHARR005	J HARRIS ACADEMY OF POLICE	Search Warrants & Miranda	Open	149.00	0.00
23-00334	03/30/23	HOME0010	HOME DEPOT/GECF	buildings and grounds	Open	209.73	0.00
23-00428	04/18/23	AWISCO005	AWISCO NJ LLC	oxygen and acetylene rental	Open	68.11	0.00
23-00499	05/08/23	OCUT0010	OC UTILITIES AUTHORITY	4th Qtr 2023 installment	Open	45,438.75	0.00
23-00516	05/15/23	MUNIC055	MUNICIPAL EMERGENCY SERVICES	Turnout Gear	Open	249.00	0.00
23-00666	06/19/23	SREG0020	S REGIONAL BOARD OF EDUCATION	2023-2024 Reg. School Taxes	Open	212,453.58	0.00 B
23-00831	07/28/23	HOME0010	HOME DEPOT/GECF	borough hall rehab	Open	347.09	0.00
23-00895	08/15/23	NESTL005	NESTLE WATERS NORTH AMERICAN	monthly water	Open	88.45	0.00
23-00896	08/15/23	AMERIO70	AMERICAN WEAR, INC.	monthly uniform rental	Open	172.00	0.00
23-00961	09/01/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Respirator	Open	399.88	0.00
23-00998	09/11/23	JOHNN010	UNITED SITE SERVICES	monthly rental	Open	155.00	0.00
23-01043	09/20/23	ONEC0010	ONE CALL CONCEPTS INC	monthly markouts	Open	45.76	0.00
23-01054	10/02/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Pipe Wrench	Open	104.40	0.00
23-01104	10/12/23	HOME0010	HOME DEPOT/GECF	shop supplies	Open	133.98	0.00
23-01107	10/12/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Watermain Supplies	Open	158.80	0.00
23-01112	10/16/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Battery Backup	Open	67.98	0.00
23-01130	10/23/23	AGRAE005	AGRA ENVIRONMENTAL, INC	monthly testing	Open	60.00	0.00
23-01143	10/23/23	LONG0010	LONG BEACH TOWNSHIP	LBT Shared Services	Open	3,612.50	0.00
23-01145	10/24/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	PW Supplies	Open	157.43	0.00
23-01160	10/31/23	PCSL005	PCS, LLC	Storage hard drive replacement	Open	383.50	0.00
23-01182	11/03/23	NJSAC010	NJSACOP	2023 NJSACOP Mid-Year Meeting	Open	249.00	0.00
23-01183	11/06/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	38.32	0.00
23-01184	11/06/23	MAGEL010	LINE SYSTEMS	October Telesystem Bill	Open	1,430.34	0.00
23-01187	11/06/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Water Supplies	Open	345.97	0.00
23-01188	11/06/23	LANGU010	LANGUAGE LINE SERVICES, INC	Phone Interpretation	Open	17.00	0.00
23-01189	11/07/23	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	365.12	0.00
23-01191	11/08/23	STAMP010	STAMP FULFILLMENT SERVICE	Envelopes with Postage	Open	3,969.10	0.00
23-01192	11/09/23	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	police car maintenance	Open	305.97	0.00
23-01193	11/09/23	HOME0010	HOME DEPOT/GECF	borough hall rehab	Open	135.79	0.00
23-01194	11/09/23	HOME0010	HOME DEPOT/GECF	shop supplies	Open	125.55	0.00
23-01195	11/09/23	AMERIO70	AMERICAN WEAR, INC.	monthly rental	Open	164.00	0.00
23-01196	11/09/23	TIMET005	TIMETRAK SYSTEMS INC	software support agreement	Open	455.00	0.00
23-01197	11/13/23	BERMA005	BERMAN, MINDA E.	Wine Tasting Reimbursements	Open	372.84	0.00
23-01201	11/13/23	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.04	0.00
23-01202	11/13/23	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	289.45	0.00
23-01203	11/13/23	JOSEP015	JOSEPH H ROBERTS INC.	Diagnostic Fee Courtroom Heat	Open	95.00	0.00
23-01204	11/13/23	HIERIO10	HIERING, GANNON & MC KENNA	October Legal Fees	Open	487.20	0.00
23-01205	11/13/23	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthly Advertising - October	Open	153.12	0.00
23-01207	11/15/23	IMPER005	IMPERIALE, JOHN	NJLM - Mileage & Parking	Open	81.23	0.00
23-01208	11/16/23	MEADO020	MEADOWBROOK INDUSTRIES LLC	October Trash & Recycling	Open	27,976.43	0.00
23-01209	11/16/23	CASAD005	CASADONTE, DAVID M, ESQUIRE	Municipal Prosecutor November	Open	550.00	0.00
23-01210	11/16/23	TWPO0010	TWP OF STAFFORD	October Animal Control	Open	269.00	0.00
23-01211	11/16/23	CENTRO35	CENTRAL JERSEY HEALTH INS FUND	December Premium	Open	2,127.00	0.00
23-01213	11/16/23	LONG0010	LONG BEACH TOWNSHIP	LBI Trolley Shared Service	Open	20,000.00	0.00
23-01214	11/16/23	LONG0010	LONG BEACH TOWNSHIP	911 Police Dispatch Agreement	Open	38,796.71	0.00
23-01217	11/16/23	LISIE005	LISIEWSKI, CHRISTINE	NJLM Mileage/Parking/Tolls	Open	180.61	0.00
23-01218	11/17/23	GRIMS005	GRIMSTE, ANNA	Eyeglass reimbursement	Open	259.00	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
23-01221	11/17/23	QUINL005 QUINLAN, ESQ., KEVIN	2023:06 - Atty Fees	Open	355.00	0.00		
23-01223	11/20/23	OWEN0010 OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	550.00	0.00		
23-01224	11/20/23	VERIZ030 VERIZON WIRELESS - CELL	Cell Phones	Open	211.45	0.00		
23-01225	11/20/23	ATLAN030 ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	5,343.94	0.00		
23-01226	11/20/23	ATLAN030 ATLANTIC CITY ELECTRIC	Electric - W&S Charges	Open	6,326.52	0.00		
Total Purchase Orders:		53	Total P.O. Line Items:	0	Total List Amount:	376,670.23	Total Void Amount:	0.00

Totals by Year-Fund

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	2-01	482.88	0.00	482.88	0.00	0.00	482.88
Current Fund	3-01	318,361.71	0.00	318,361.71	0.00	0.00	318,361.71
Utility Operating	3-09	56,498.80	0.00	56,498.80	0.00	0.00	56,498.80
Year Total:		<u>374,860.51</u>	<u>0.00</u>	<u>374,860.51</u>	<u>0.00</u>	<u>0.00</u>	<u>374,860.51</u>
Grant Fund	G-02	249.00	0.00	249.00	0.00	0.00	249.00
Trust Fund	T-17	1,077.84	0.00	1,077.84	0.00	0.00	1,077.84
Total of All Funds:		<u><u>376,670.23</u></u>	<u><u>0.00</u></u>	<u><u>376,670.23</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>376,670.23</u></u>

BE IT RESOLVED by the Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the foregoing bill list dated November 20, 2023 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: November 20, 2023