HARVEY CEDARS, NJ

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:31pm. Commissioners Imperiale and Rice were present.

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 9, 2021 in the Asbury Park Press and on December 16, 2021 in the Beach Haven Times.

Motion to approve the minutes of the previous meeting held on January 7, 2022 was made by Commissioner Rice, seconded by Commissioner Imperiale.

The Mayor read the following ordinance by title and number and asked for a motion to introduce.

ORDINANCE #2022-03 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE SUM OF \$55,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR CERTAIN CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS

A copy of the full ordinance as introduced is attached hereto and made a part hereof. Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

Vote: Ayes – Oldham, Imperiale, Rice

The Mayor read the following ordinance by title and number and asked for a motion to introduce.

ORDINANCE #2022-04 FIRST READING

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ADMINISTRATION" AS IT PERTAINS TO OFF-DUTY PUBLIC WORKS FEES

A copy of the full ordinance as introduced is attached hereto and made a part hereof. Motion to adopt: Commissioner Imperiale Second: Commissioner Rice Vote: Ayes – Oldham, Rice, Imperiale

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 #2022-01 SECOND READING

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ADMINISTRATION" AS IT PERTAINS TO FIRE DEPARTMENT MEMBERSHIP

Motion to open public discussion: Commissioner Imperiale Second: Commissioner Rice

The Clerk noted a minor change is necessary to the introduced ordinance to clarify the age limit for membership. The following sentence in Section 2-12.2 is changed from *"Persons applying for active membership shall be above the <u>age of 18 and not over the</u> age of 40." to <i>"Persons applying for active membership shall be the age of 18 or above and not over the age of 40."* The Board agreed.

There were no public questions or comments.

Motion to close public discussion: Commissioner Rice Second: Commissioner Imperiale Motion to adopt with the noted change: Commissioner Rice Second: Commissioner Imperiale Vote: Ayes – Oldham, Rice, Imperiale A copy of the full ordinance as adopted is filed in the ordinance book.

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 #2022-02 SECOND READING**

AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "GENERAL LICENSING" AS IT PERTAINS TO MUNICIPAL PROPERTY USAGE FEES

Motion to open public discussion: Commissioner Rice Second: Commissioner Imperiale

There were no public questions or comments.

Motion to close public discussion: Commissioner Imperiale Second: Commissioner Rice

Motion to adopt: Commissioner Rice Second: Commissioner Imperiale Vote: Ayes – Oldham, Imperiale, Rice A copy of the full ordinance as adopted is filed in the ordinance book.

The Mayor read the following resolutions by title only and asked for motions to adopt after reading each title. Copies of the full resolutions are attached hereto and made a part hereof: **RESOLUTION #2022-012:**

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS TO CANCEL TAXES RECEIVABLE DUE TO ERRONEOUS TAX ASSESSMENT Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

RESOLUTION #2022-013:

CERTIFICATION OF RECYCLING TAXES SUBMITTED FOR THE YEAR 2021

Motion to adopt: Commissioner Rice Second: Commissioner Imperiale

RESOLUTION #2022-014:

ENDORSING SUBMISSION OF THE 2021 RECYCLING TONNAGE GRANT APPLICATION TO THE STATE

Motion to adopt: Commissioner Rice Second: Commissioner Imperiale

RESOLUTION #2022-015: Bills

Motion to approve bills for payment: Commissioner Rice Second: Commissioner Imperiale

Public Property Usage requests:

1. Block Party Fundraiser – Sunset Park

A motion was made by Commissioner Rice, seconded by Commissioner Imperiale, to approve the use of Sunset Park to the High Point Volunteer Fire Company for a block party fundraiser on Saturday, June 11, 2022 from 12pm to 9pm. Music, food, beer & wine.

2. Wedding Ceremony – Sunset Park

A motion was made by Commissioner Imperiale, seconded by Commissioner Rice, to approve the request by Stacey Schell for a wedding ceremony at the Sunset Park gazebo on Friday, July 22, 2022 at 5pm. Ceremony only, 25 people.

3. Wedding Ceremony & Reception – Beach & Sunset Park

A motion was made by Commissioner Imperiale, seconded by Commissioner Rice, to approve the request by Dana Meyers for a wedding ceremony on the beach followed by a reception in the park on Saturday, September 24, 2022; catered, tents, alcohol, 200 people, diagram submitted.

TOPICS OF INTEREST / COMMISSIONERS REPORTS -

Mayor Oldham stated Long Beach Township will be opening the Boulevard in certain places to install water meters for the Township; he noted the Borough supplies water to half of Loveladies, and Township pays a percentage of the Borough's water budget based on how much water they use. He said that North Beach will be replacing sewer pipes which will be a mess.

PRIVILEGE OF THE FLOOR -

Joe Gieger, E. 77th Street, said he spoke with the Borough Engineer who informed him the Borough needs to put money in place for the streetscape project. A discussion was held regarding the project, including the type of curbing, the survey, sidewalk removal, the need for design completion, a plan for both sides of the Boulevard, and the safety priority of people crossing the Boulevard from parking lots.

Craig Coddington, 80th Street, asked the status of the beach street signs. The Mayor stated it is a good idea, but there has not been further discussion; he stated the Borough should have the street signs up by the summer, but he said he would like additional signs, such as animals to help children identify locations. Kathy Ries, Cedars Ave., stated this was discussed at the last HCTA meeting. A discussion continued of what can be used to designate the streets, and it was suggested to create a committee to work on the designs.

Motion to adjourn: Commissioner Rice Second: Commissioner Imperiale

Meeting adjourned at 5:04pm.

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE SUM OF \$55,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR CERTAIN CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS as follows:

- <u>Section 1.</u> Pursuant to the applicable statutes of the State of New Jersey, there is hereby authorized the capital improvements within the Borough of Harvey Cedars as follows:
 - A. For the purchase of a police vehicle and all accessory equipment necessary therefore and incidental thereto, there is hereby appropriated the sum of \$55,000.00.
- Section 2. This Capital Improvement Ordinance is to be financed from the capital funds that the Borough presently has on hand.
- <u>Section 3.</u> The Capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services as on file with the municipal clerk and is available for public inspection.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **January 21, 2022**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on **February 4, 2022** at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Daina Dale, Municipal Clerk

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ADMINISTRATION" AS IT PERTAINS TO OFF-DUTY PUBLIC WORKS FEES

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, as follows:

Section 1. Subsection 2-6.3 entitled "Employment of Off Duty Public Works Employees", paragraph C., is hereby amended to read as follows:

C. All persons or entities shall pay to the Chief Financial Officer of the Borough of Harvey Cedars such hourly sum of \$60.00 an hour for such service. The Borough shall remit to the public works employee performing such duties fifty (\$50.00) dollars of said hourly rate, and the remaining ten (\$10.00) dollars shall be retained by the Borough for administrative expenses and vehicle expenses.

- <u>Section 2.</u> If any provision, section, subsection, or paragraph of this ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a Court of competent jurisdiction, such provision, section, subsection, or paragraph shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining provisions, subsections, or paragraphs of this ordinance.
- Section 3. This Ordinance shall take effect upon final adoption after publication in accordance with law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **January 21, 2022**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on **February 4, 2022** at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Daina Dale, Municipal Clerk

RESOLUTION #2022-012

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS TO CANCEL TAXES RECEIVABLE DUE TO ERRONEOUS TAX ASSESSMENT

WHEREAS N.J.S.A. 54:4-99 authorizes a governing body to cancel taxes receivable and release the Tax Collector from the tax liability of such canceled taxes; and

WHEREAS the Ocean County Tax Board has issued a Memorandum of Judgment to the Tax Office; and

WHEREAS the property listed below has been assessed added taxes due to an assessment error; and

WHEREAS the property owner has paid assessed taxes and is therefore due a refund that will be applied to future taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, and State of New Jersey, that the Certified Tax Collector is hereby released from the tax liability of the following property and authorized to process the cancellation of property taxes as follows:

Block	Lot	2021 taxes
71	5.03	\$1,394.73

PASSED ON: January 21, 2022

RESOLUTION #2022-013

CERTIFICATION OF RECYCLING TAXES SUBMITTED FOR THE YEAR 2021

WHEREAS the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities; and

WHEREAS there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 322, in 2021 in the amount of Two Thousand Five Hundred Twenty-Seven Dollars and Ninety-Five Cents (\$2,527.95). Documentation supporting this submission is available at 7606 Long Beach Blvd. and shall be maintained for no less than five years from this date.

PASSED ON: January 21, 2022

Tax Reimbursement Certified By:

Rebecca Wessler, Chief Finance Officer Date

RESOLUTION #2022-014

ENDORSING SUBMISSION OF THE 2021 RECYCLING TONNAGE GRANT APPLICATION TO THE STATE

WHEREAS the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Commissioners of the Borough of Harvey Cedars to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby endorses the submission of the 2021 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Briana Lombard to ensure that the application is properly filed.

PASSED ON: January 21, 2022

January 21, 2022 12:38 PM

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

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	e: All e: First t: Condens	to La sed	ast		Open: Rcvd: Bid:	Y Held:Y	Void: N Aprv: N Other: Y	Exer	npt: Y
PO #	PO Date	Vendor		PO Description	Status	Amount	Void Amount	PO	Туре
			TONY'S GENERAL MECHANDISE INCO		Open	60.51	0.0		
			S REGIONAL BOARD OF EDUCATION		Open	250,826.67	0.0		
			ONE CALL CONCEPTS INC	Monthly Mark Outs	Open	40.04	0.0		
	· · · ·		ST OF NJ - PWT DIV OF TAXATION	· · · · · · · · · · · · · · · · · · ·	Open	161.62	0.0		
			SHORE PROMOTIONS	Borough Polos	Open	264.00	0.0		
			BEACH HAVEN AUTOMOTIVE, INC	police vehicles	Open	211.86	0.0		
			AC SHULTES, INC.		Open	450.00	0.0		
			HOLMAN FRENIA ALLISON PC	Consulting	Open	1,250.00	0.0		
			AMAZON CAPITAL SERVICES, INC	Equipment for outer carrier	Open	37.00	0.0		
	· · · ·		AC SHULTES, INC.	reset booster - Salem plant	Open	3,469.00	0.0		
			RUTGERS THE STATE UNIVERSITY	Municipal Tax Collection 2	Open	1,129.00	0.0		
			HOME DEPOT/GECF	buildings and grounds supplies		41.94	0.0		
			HOME DEPOT/GECF	snowflakes	Open	130.74	0.0		
			HOME DEPOT/GECF	saw blades for pipe job	Open	341.40	0.0		
			OXYGEN SUPPLY COMPANY	oxygen and acetylene rental	Open	49.00	0.0		
			AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	26.76	0.0		
			HOME DEPOT/GECF	pipe job supplies	Open	407.80	0.0		
			AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	27.46	0.0		
	· · · ·		AMAZON CAPITAL SERVICES, INC	Testing Kits	Open	161.82	0.0		
			AMAZON CAPITAL SERVICES, INC	Pump parts & Die heads	Open	623.31	0.0		
			JOSEPH H ROBERTS INC.	DPW HVAC unit Inspection	Open	170.00	0.0		
			TREASURER, STATE OF NJ		Open	25.00	0.0		
			LISIEWSKI, CHRISTINE	LUB - Zoom Montly Fee	Open	14.99	0.0		
			ARTHUR R. HENRY, INC	Directional Drilling	Open	117,821.00	0.0		
			AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	36.06	0.0		
			DYNAMIC TESTING SERVICE	Random Drug Testing - DPW	Open	400.00	0.0		
			MUN CLERKS ASS'N OF OC	2022 Membership Dues	Open	185.00	0.0		
			UNITED SITE SERVICES	porta potty rentals	Open	305.01 354.00	0.0		
			TOMASELLA'S FIRE PROTECTION	fire extinguisher recharge	Open		0.0		
			TREAS.STATE OF NJ-DEPT TREAS	2022 Water Allocation	Open	4,790.00			
			HARD ROCK HOTEL & CASINO AC MUN CLERKS ASS'N OF NJ	2022 Education Confrence Stay	Open	357.00	0.0		
			AMAZON CAPITAL SERVICES, INC	2022 Education Conference Subsciption	Open Open	375.00	0.0		
			AMAZON CAPITAL SERVICES, INC	Office Supplies	Open Open	117.80 63.57	0.0		
			DELAWARE VALLEY PAYROLL, INC.	Payroll Processing Services	Open Open	71.15	0.0		
			EDWARDS TIRE COMPANY INC.	Tires for police vehicles	Open Open	540.08	0.0		
			EDWARDS TIRE COMPANY INC	Truck #2 Tires	Open Open	911.00	0.0		
	01/13/22			2022 membership dues	Open Open	50.00	0.0		
			AMAZON CAPITAL SERVICES, INC	Water Supplies	Open Open	19.52	0.0		
			TOWNSHIP OF STAFFORD	Construction Permits	Open Open	17,130.60	0.0		
			MEADOWBROOK INDUSTRIES LLC	December Trash & Recycling	Open Open	26,868.04	0.0		
			VERIZON WIRELESS - CELL	Police Cell Phones	Open Open	20,808.04 224.31	0.0		
			VERIZON WIRELESS - CELL	Police MDT's	Open	152.04	0.0		
			HARD ROCK HOTEL & CASINO AC	2022 Education Conference Stay		357.00	0.0		
			OWEN, LITTLE & ASSOCIATES	Monthly Invoices	Open	4,064.62	0.0		
			POWER DMS, INC	2022 DMS training software	Open	2,059.69	0.0		
			OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	400.00	0.0		
			ATLANTIC CITY ELECTRIC	Electric - W&S Charges	Open	3,386.08	0.0		
			ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	5,273.21	0.0		
					Uperi	J, LI J. LL	0.0		

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

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PO #	PO Date Vendor		PO Description	Status	Amount Vo	id Amount	РО Туре
22-00091 22-00092			December Legal Fees Copier Maintenance Fees DPW admin help wanted Annual membership fee 2022	Open Open Open Open	638.40 92.43 28.20 175.00	0.00 0.00 0.00 0.00	
Total Pu	Irchase Orders:	54 Total P.O. Line Items:	0 Total List Amount:	447,726.26	Total Void Amo	unt:	0.00

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

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Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
	5	5	5			
Current Fund 1-01	298,639.59	0.00	298,639.59	0.00	0.00	298,639.59
Utility Operating 1-09	5,975.09	0.00	5,975.09	0.00	0.00	5,975.09
Year Total:	304,614.68	0.00	304,614.68	0.00	0.00	304,614.68
Current Fund 2-01	12,944.35	0.00	12,944.35	0.00	0.00	12,944.35
Utility Operating 2-09	8,176.08	0.00	8,176.08	0.00	0.00	8,176.08
Year Total:	21,120.43	0.00	21,120.43	0.00	0.00	21,120.43
General Capital F C-04	1,489.62	0.00	1,489.62	0.00	0.00	1,489.62
Utility Capital F C-08	119,741.00	0.00	119,741.00	0.00	0.00	119,741.00
Year Total:	121,230.62	0.00	121,230.62	0.00	0.00	121,230.62
Trust Fund T-17	760.53	0.00	760.53	0.00	0.00	760.53
Total Of All Funds:	447,726.26	0.00	447,726.26	0.00	0.00	447,726.26

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 January 21, 2022 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: January 21, 2022