

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 Gerkens and Garofalo were present.

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

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 in the Beach Haven Times on December 18, 2014.

**Motion** to approve the minutes of the previous meeting, May 1, 2015, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

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

**ORDINANCE #2015-04 FIRST READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "TRAFFIC" AS IT PERTAINS TO THE PARKING OF TRAILERS**

A copy of the full ordinance as introduced is attached hereto and made a part hereof.

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Vote: Ayes – Oldham, Gerkens, Garofalo

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

**ORDINANCE #2015-05 FIRST READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ZONING" AS IT PERTAINS TO GENERAL BUSINESS OFF STREET PARKING**

A copy of the full ordinance as introduced is attached hereto and made a part hereof.

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

Abstain: Garofalo

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 #2015-040:**

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR CONSTRUCTION CODE ENFORCEMENT SERVICES**

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

**RESOLUTION #2015-041:**

**AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO ACCEPT THE LEASE RENEWAL WITH THE UNITED STATES POSTAL SERVICE**

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

**RESOLUTION #2015-042: Bills**

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

**Public Property Usage requests:**

1. **Wedding Ceremony – Sunset Park**

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request by Logan Selfridge for a wedding ceremony on Saturday, September 26, 2015 from 2:00pm to 5:00pm.

2. **Community Yard Sale**

A motion was made by Commissioner Gerkens, seconded by Commissioner Garofalo, to approve the Harvey Cedars Taxpayers' Association town wide yard sale on Saturday, May 23, 2015.

The Board had a discussion with Kathy Ries about holding the yard sale a different weekend to help extend the season and to reduce the traffic on Memorial Day weekend. Kathy Ries said she will talk to the Taxpayers Association, but most people have extra family members to help them that weekend with the sale.

**PRIVILEGE OF THE FLOOR –**

Mayor Oldham stated that Freeholder Vicari sent a note regarding the DEP press conference held in Ship Bottom announcing the start of the beach replenishment project for the rest of the Island.

Kathy Ries said the Taxpayers Association is preparing to send a newsletter which will include DPW's brush recycling message, and asked the Board if there were any other items to mention. The Mayor stated that since the Borough has been exceeding its water usage limits in July and August, the DEP wants the Borough to install a test well before approval of a diversion permit; the Borough is looking for other ways of reducing water usage, perhaps a landscaping program. The Mayor said grant money may be available to construct the well.

Jim Loudon said the Taxpayers Association newsletter will do a survey for the Harvey Cedars open space referendum.

Commissioner Gerkens stated that the Harvey Cedars regional school tax will be going up approximately 4 cents because of the disproportionate amount of students: 16 high school students vs. 7 elementary students. A brief discussion was held regarding the school tax and the local elementary school consolidation.

**Motion** to adjourn: Commissioner Gerkens

Second: Commissioner Garofalo

Meeting adjourned at 5:00pm.

**ORDINANCE NO. 2015-04**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "TRAFFIC" AS IT PERTAINS TO THE PARKING OF TRAILERS**

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

- Section 1. Section 8-3.7 of the Revised General Ordinances of the Borough of Harvey Cedars entitled "Trailers Prohibited" is hereby amended by re-lettering paragraph d. as paragraph e., and inserting new paragraph d. as follows:
- d. Trailers – Exceptions  
Construction trailers are permitted as per Chapter 13 Zoning.
- Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
- Section 3. 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 4. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: June 5, 2015

**ORDINANCE NO. 2015-05**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ZONING” AS IT PERTAINS TO GENERAL BUSINESS OFF STREET PARKING**

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

Section 1. Section 13-11.5 of the Code of the Borough of Harvey Cedars entitled “Off Street Parking Requirements” paragraph c. entitled “Violations and penalties” is hereby amended as follows:

Any person, corporation, occupant, or entity that violates or fails to comply with this section or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine of five hundred (\$500.00) dollars for the first offence. Each day for which a violation of this section occurs after the first offence shall be considered a separate offence and shall be punishable by a fine of twelve hundred fifty (\$1,250.00) dollars.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. 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 4. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: June 5, 2015

**RESOLUTION #2015-040**

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT  
FOR CONSTRUCTION CODE ENFORCEMENT SERVICES**

**WHEREAS** the Borough of Harvey Cedars entered into a Shared Services agreement with the Boroughs of Beach Haven, Surf City and Barnegat Light for the provision of Construction Code Enforcement Services effective January 4, 2013 for a period of four (4) years; and

**WHEREAS** certain amendments to Schedule C need to be made to said agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that the attached Schedule C is hereby approved effective January 1, 2015 and copies of this Resolution shall be sent to the Boroughs of Beach Haven, Surf City and Barnegat Light.

PASSED ON: May 15, 2015

**RESOLUTION #2015-041**

**AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO ACCEPT THE  
LEASE RENEWAL WITH THE UNITED STATES POSTAL SERVICE**

**WHEREAS** the Borough of Harvey Cedars executed a lease agreement with the United States Postal Service on August 6, 2010 for a term beginning March 1, 2012 and ending February 28, 2017, a total of five years; and

**WHEREAS** pursuant to said lease agreement the lease may be renewed at the option of the Postal Service for one consecutive term beginning March 1, 2017 and ending February 28, 2022 provided that notice is sent, in writing, to the Borough at least 90 days before the end of the original lease term; and

**WHEREAS** said written notice was received on May 14, 2015.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars accepts and authorizes the extension of the existing lease and its terms with the United States Postal Service beginning March 1, 2017 and ending February 28, 2022 for an annual rental of \$8,100.00.

PASSED ON: May 15, 2015