

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 15, 2016 and the Asbury Park Press on December 10, 2016.

Motion to approve the minutes of the previous meeting, December 1, 2017, was made by Commissioner Gerkens, seconded by Commissioner 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 #2017-121:

AUTHORIZING TRANSFER OF FUNDS

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2017-122:

AWARD CONTRACT FOR SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-123:

AUTHORIZING THE FILING OF APPEALS AND COMPLAINT FORMS WITH OCEAN COUNTY BOARD OF TAXATION

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2017-124:

APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-125:

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2018

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-126:

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2018

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-127:

DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND WATER/SEWER BILLS FOR THE YEAR 2018

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2017-128:

CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES OF LESS THAN TEN DOLLARS FOR THE YEAR 2018

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2017-129:

AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR PURCHASE OF MATERIALS AND SUPPLIES FOR THE 2018 ROAD & TRAFFIC LIGHT MAINTENANCE (SCHEDULE “C”)

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2017-130:

AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2018

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2017-131: Bills

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

PRIVILEGE OF THE FLOOR –

Bob Danna asked the meaning of the transfer resolution. The Board explained it is transfers within the budget, between appropriations; transfers within the budget may be done beginning in November.

Jim Loudon asked the meaning of the Schedule C resolution. The Board explained it is an interlocal agreement with the County for materials and equipment at certain rates, if needed; it is also for the traffic light maintenance; the traffic lights at Salem and 75th Streets were requested by the Borough.

TOPICS OF INTEREST –

The Mayor stated it will be necessary to borrow water from Barnegat Light for a short period while the chlorine pipe project is being installed at the Salem Water Plant. The project should start shortly.

Mr. Loudon and the Mayor discussed the possible installation of walkover mats adjacent to the drive over accesses; vehicles should not be driven on the mats; mats will most likely not be needed after the spring beach project because of the hardpack used for walkovers.

The Mayor wished all a Merry Christmas and a Happy New Year.

Motion to adjourn: Commissioner Gerkens
Second: Commissioner Garofalo

Meeting adjourned at 4:45pm.

RESOLUTION #2017-121

AUTHORIZING TRANSFER OF FUNDS

WHEREAS the date of this resolution is within the last two months of the calendar year 2017, and the first three months of the calendar year 2018; and

WHEREAS N.J.S.A. 40A:4-58 provides for the making of transfers between budget appropriations during the five month period beginning November.

NOW, THEREFORE, BE IT RESOLVED (Not less than two-thirds of all members of the governing body affirmatively confirming) that the following transfers be and the same hereby are made between budget appropriations accounts in the 2017 budget.

<u>CURRENT</u>		<u>FROM:</u>	<u>TO:</u>
Dir. Of Public Works	7-01-20-112-000-210		\$5,000.00
Vehicle Maint. S&W	7-01-26-315-000-110	\$8,500.00	
Streets & Roads S&W	7-01-26-290-000-110		\$20,000.00
Tax Assessor OE	7-01-20-150-000-220	\$1,500.00	
Streets & Roads OE	7-01-26-290-000-220	\$11,800.00	
Beaches S&W	7-01-28-380-000-110	\$3,200.00	

PASSED ON: December 19, 2017

RESOLUTION #2017-122

**AWARD CONTRACT FOR SOLID WASTE AND RECYCLABLE
MATERIAL COLLECTION AND DISPOSAL
FOR THE BOROUGH OF HARVEY CEDARS**

WHEREAS the Borough of Harvey Cedars duly advertised for the receipt of bids for solid waste collection and disposal and for recyclable material collection and disposal for residential and commercial properties; and

WHEREAS in response to the invitation to bidders, on November 30, 2017, one (1) bid was received; and

WHEREAS it is in the opinion of the Borough that the lowest qualified bid be accepted for same; and

WHEREAS Meadowbrook Industries, LLC, 800 East Grand Street, Elizabeth, NJ 07201 gave the lowest qualified bid for solid waste and recyclable material collection and disposal; and

WHEREAS the Finance Officer has certified the availability of funds for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars this 19th day of December 2017 for the reasons aforesaid, that a contract be and is hereby awarded to:

Meadowbrook Industries, LLC
800 East Grand Street
Elizabeth, NJ 07201

for solid waste collection and disposal for a 3 year period commencing January 1, 2018 and ending December 31, 2020 in an aggregate amount not to exceed Two Hundred Sixty Seven Thousand Dollars (\$267,000.00) for trash collection and One Hundred Seventy Seven Thousand Dollars (\$177,000.00) for recyclable collection as per the bid documents received November 30, 2017.

PASSED ON: December 19, 2017

RESOLUTION #2017-123

**AUTHORIZING THE FILING OF APPEALS AND COMPLAINT FORMS WITH
OCEAN COUNTY BOARD OF TAXATION**

WHEREAS from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

WHEREAS the governing body of the Taxing District of the Borough of Harvey Cedars is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS if the above discovered errors are not corrected or a roll-back assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Taxing District of the Borough of Harvey Cedars that the Tax Assessor or Municipal Attorney is hereby authorized to act as the agent for the Taxing District during the year of **2018** and file a Petition of Appeal of Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED that the Tax Assessor or Municipal Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year **2018**; and

that a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

PASSED ON: December 19, 2017

RESOLUTION #2017-124

APPROVING THE CERTIFIED LIST OF ALL VOLUNTEER MEMBERS WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2016

WHEREAS Ordinance #2001-08 of the Borough of Harvey Cedars implemented the Length of Service Award Program (LOSAP) for the High Point Volunteer Fire Company and was passed by voters by a referendum on November 6, 2001; and

WHEREAS pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

WHEREAS the Governing Body has received and reviewed such certified list from the President of the High Point Volunteer Fire Company.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars as follows:

1. Per the certified list received, the following High Point Volunteer Fire Company members are hereby approved to receive the 2016 LOSAP award:

Paul Ash	Sean Marti
Arthur Ballinger	Christopher Oldham
AJ Ballinger	Jonathan Oldham
Robert Burnaford	Kelly Oswald
Craig Coddington	Scott Oswald
Robert Federicci	Ronald A. Ott
C. Dooley Glander	Ronald W. Ott
Richard Hathaway	Joseph Pinto
William Heitzmann	Paul Rice
Kim Hollander	Robert Selfridge
Paul Jansen	Anthony Sorrentino
Nicholas Kowalski	Taylor Stokes
David Mansfield	J. Lloyd Vosseller
Jason Marti	Scott Wolfschmidt
Justin Marti	James Zimmerman

2. The amount each qualified member will receive for the 2016 LOSAP award is \$620.00.
3. The certified list of members shall be posted at the office of the Municipal Clerk of the Borough of Harvey Cedars and at the High Point Volunteer Fire Company for a period of 30 days to allow sufficient time for membership review.
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Harvey Cedars, PO Box 3185, Harvey Cedars, NJ 08008, and must be received within 30 days of the posting date of the approved certified list.

PASSED ON: December 19, 2017

RESOLUTION #2017-125

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2018

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, that the below listed banking institutions are hereby designated as official depositories for the Borough of Harvey Cedars, wherein all public monies and other funds of the Borough shall be maintained and kept, as provided for by NJSA 40A:5-14.

BE IT FURTHER RESOLVED that said banking and savings institutions be and are hereby authorized to honor and pay checks, drafts, and warrants drawn on the several accounts in said banking institutions, when same are originally signed, or a combination of an original signature or stamped signature in the name of the Borough by the Mayor, the Commissioners, the Chief Financial Officer and the Municipal Clerk. In the case of payroll checks, electronic signatures are authorized.

BE IT FURTHER RESOLVED that investments are to be made by the Chief Financial Officer or his/her designee at any of the below designated depositories.

OceanFirst
Bank of America
Wachovia/Wells Fargo Bank
TD Bank
State of New Jersey Cash Management Fund
New Jersey ARM
Fulton Bank of NJ

PASSED ON: December 19, 2017

RESOLUTION #2017-126

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2018

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean that the following publications, located and/or circulated in the County of Ocean, are hereby designated as the Borough of Harvey Cedars' legal advertising agencies:

Beach Haven Times
Atlantic City Press
Asbury Park Press
Ocean County Observer
The Sandpaper

PASSED ON: December 19, 2017

RESOLUTION #2017-127

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND
WATER/SEWER BILLS FOR THE YEAR 2018**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Harvey Cedars
that:

- 1) A charge of eight percent (8%) per annum on the first \$1,500.00 of delinquent amounts and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 of delinquencies of tax and water/sewer bills for the year 2018, and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31 of the tax year, an additional penalty of six percent (6%) shall be charged against the delinquency.
- 2) There shall be a ten (10) day grace period for quarterly tax payments and ten (10) day grace period for quarterly water/sewer bills.
- 3) The Tax Collector is hereby authorized to hold a Lien Sale as provided for in N.J.S.A. 54:5 and is hereby authorized to send notification in lieu of two of the normal lien advertisement publications as per N.J.S.A. 54:4-104.48 and to charge \$25.00 per notice sent to each property owner included in said Lien Sale.

PASSED ON: December 19, 2017

RESOLUTION #2017-128

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES
OF LESS THAN TEN DOLLARS FOR THE YEAR 2018**

WHEREAS NJSA 40A:5-17.1(b) authorizes a governing body to designate an authorized municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax, water and sewer refund or delinquency of less than ten dollars (\$10.00).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the Certified Tax Collector and the Utility Collector of the Borough of Harvey Cedars are hereby authorized to process the cancellation of any property tax, water and sewer refund or delinquency of less than ten dollars (\$10.00) without further action on the part of the governing body.

PASSED ON: December 19, 2017

RESOLUTION #2017-129

**AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT
WITH THE COUNTY OF OCEAN
FOR PURCHASE OF MATERIALS AND SUPPLIES
FOR THE 2018 ROAD & TRAFFIC LIGHT MAINTENANCE
(SCHEDULE "C")**

WHEREAS the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith; and

WHEREAS the governing body of the Borough of Harvey Cedars has requested the County to provide certain materials and supplies for the maintenance of roads, property and traffic signals within the municipality for the year 2018 at a cost not to exceed **\$11,000.00**; and

WHEREAS the Borough of Harvey Cedars wishes to enter into an agreement with the County for the provision of these services.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF HARVEY CEDARS, STATE OF NEW JERSEY as follows:

1. The Mayor and Clerk of the Borough of Harvey Cedars are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the County of Ocean for the provision of materials, supplies and services in an amount not to exceed \$11,000.00 as more specifically set forth in that Agreement and to be allocated as follows:
 - a. Ocean County Road Department **\$ 10,000.00**
 - b. Ocean County Engineering Department **\$ 1,000.00**
2. A copy of the Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2018. Sufficient funds have been appropriated and are available for this purpose in the 2018 municipal budget.

PASSED ON: December 19, 2017

RESOLUTION #2017-130

AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2018

WHEREAS NJSA 40A:5-14 requires that a municipality adopt a cash management plan; and

WHEREAS the Chief Financial Officer has prepared and attached a cash management plan in order to comply with the aforementioned statute.

NOW, THEREFORE, BE IT RESOLVED by the Borough Commission of the Borough of Harvey Cedars, County of Ocean, in the State of New Jersey that the 2018 cash management plan, a copy of which is on file in the Borough Clerk's office, is adopted and the Chief Finance Officer is hereby directed to send a copy of the plan to each approved depository.

PASSED ON: December 19, 2017