

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 10, 2015 and the Asbury Park Press on December 15, 2015.

Motion to approve the minutes of the previous meeting, December 2, 2016, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

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

ORDINANCE #2016-15 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 APPLICABILITY OF ZONING REGULATIONS AND DRIVEWAYS

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

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

Vote: Ayes – Oldham, Gerkens, Garofalo

ORDINANCE #2016-16 FIRST 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 BEACH VEHICLES, BEACH BADGES AND SPECIAL ACTIVITY FEES

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

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

Vote: Ayes – Oldham, Garofalo, Gerkens

ORDINANCE #2016-17 FIRST READING

AN ORDINANCE AMENDING CHAPTER 12 ENTITLED "BUILDING AND HOUSING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, AS IT PERTAINS TO LAND ELEVATION ON BAY SIDE

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

ORDINANCE #2016-18 FIRST READING

AN ORDINANCE AMENDING CHAPTER 7 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "SEWER AND WATER" AS IT PERTAINS TO METER FEES

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, Garofalo, Gerkens

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 #2016-110:

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE HARVEY CEDARS POLICE DEPARTMENT/P.B.A. LOCAL #175

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-111:

AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF LONG BEACH FOR DISPATCHING SERVICES FOR A PERIOD OF ONE YEAR

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-112:

AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF LONG BEACH FOR THE ANNUAL MAINTENANCE OF THE POLICE COMPUTER AIDED DISPATCH (CAD) SYSTEM

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-113:

APPOINTMENT OF A TEMPORARY REGULAR PATROLMAN FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-114:

AUTHORIZING TRANSFER OF FUNDS

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-115:

AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR THE PROVISION OF MUNICIPAL COURT SERVICES

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-116:

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

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-117:

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2017

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-118:

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2017

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-119:

DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND WATER/SEWER BILLS FOR THE YEAR 2017

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-120:

AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2017

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-121:

CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES OF LESS THAN TEN DOLLARS FOR THE YEAR 2017

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-122:

**AMENDMENT TO THE POLICY AND PROCEDURE MANUAL FOR THE
BOROUGH OF HARVEY CEDARS AS IT PERTAINS TO CALL-OUTS & DRUG
TESTING**

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2016-123: Bills

Motion to adopt: Commissioner Gerken

Second: Commissioner Garofalo

TOPICS OF INTEREST –

The Mayor stated there will be a budget meeting on the 29th at 3:00PM.

Chief Burnaford announced a GoPro was found on the beach which was turned into the police department around 11:00AM, and by 2:00PM, through social media, the owner was found. He is from Ventnor and will be coming to pick it up.

PRIVILEGE OF THE FLOOR –

Walt Naisby mentioned that the garbage collectors do a great job but has noticed when recycling is out on garbage days, it gets taken along with the garbage.

Mr. Naisby suggested to contact the 3 large entities in town regarding open space possibilities and the Borough obtaining the right of first refusal should the entities decide to sell. The Mayor said this could be done.

Kathy Ries said she has received questions, through the Taxpayers' Association, asking if there are limits or regulations regarding the storage of boats and trailers on private properties as well as landscaping regulations. The Mayor said there are ordinances for parking trailers on public streets, but none for storing them on private property; there is a property maintenance ordinance that addresses properties with weeds, etc. but not regulating landscaping.

Motion to adjourn: Commissioner Garofalo

Second: Commissioner Gerken

Meeting adjourned at 4:55pm.

ORDINANCE NO. 2016-15

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 APPLICABILITY OF ZONING REGULATIONS AND DRIVEWAYS

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

Section 1. Section 13-1 entitled “Title, Purpose and Interpretation” is hereby supplemented with new paragraph 13-1.4 as follows:

13-1.4 Applicability of Zoning Regulations. In applying the provisions of this chapter, a departure from the literal requirement shall not be considered a violation if, in the opinion of the Zoning Officer, the departure is minimal and necessary to meet safety needs and current code.

Section 2. Section 13-3 entitled “Definitions”, the definition entitled “Yard abutting public streets” is hereby amended by replacing the visibility impediment height from “thirty (30) inches” to “twenty-four (24) inches”.

Section 3. Section 13-9.6 entitled “Off-Street Parking Requirements” paragraph c. is hereby amended and supplemented as follows:

c. No driveway shall exceed eighteen (18) feet in width at the street line, clearly designated by striping, paving, or otherwise delineating the selected eighteen (18) feet of driveway area. Only one (1) driveway shall be permitted for each fifty (50) feet of lot width. Lots exceeding seventy (70) feet at the street line may split the 18’ driveway into two (2) nine (9) foot driveways for the purpose of maximizing street parking. Distance between the two (2) nine (9) foot driveways must be a minimum of twenty (20) feet at the street line.

The provisions of this section shall not apply in the General Business, Limited Commercial and Marine Commercial Districts.

Section 4. This Ordinance repeals any inconsistent ordinance or ordinances or part of parts thereof.

Section 5. If any provision, section, subsection, or paragraph of this Ordinance shall be declared 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 6. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

ADOPTED ON: January 6, 2017

ORDINANCE NO. 2016-16

**AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED
“GENERAL LICENSING” AS IT PERTAINS TO BEACH VEHICLES, BEACH BADGES
AND SPECIAL ACTIVITY FEES**

**THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS,
OCEAN COUNTY, NEW JERSEY, DOES ORDAIN:**

Section 1. Section 4-2 of the Revised General Ordinances of the Borough of Harvey Cedars, 1975, entitled “Licensing of Beach Vehicles” is hereby amended by replacing section 4-2.5 entitled “Time Prohibited” in its entirety as follows:

4-2.5 Time Prohibited. No vehicle shall be operated on the strand or beach front from May 15 to September 30 of each year.

Section 2. Section 4-3 of the Revised General Ordinances of the Borough of Harvey Cedars, 1975, entitled “Beach Fees” is hereby amended by supplementing Section 4-3.2 paragraph g. as follows:

g. When available, holiday badges shall be sold at the established pre-season rate plus two (\$2.00) dollars for a gift box.

Section 3. Section 4-7 entitled “Activity Committee Fees” is hereby amended by supplementing the following:

Sweatshirts / jackets \$15.00 to \$50.00

Section 4. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 5. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 6. This Ordinance shall take effect after final adoption and publication in accordance with law.

ADOPTED ON: January 6, 2017

ORDINANCE NO. 2016-17

**AN ORDINANCE AMENDING CHAPTER 12 ENTITLED
“BUILDING AND HOUSING” OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF HARVEY CEDARS, 1975,
AS IT PERTAINS TO LAND ELEVATION ON BAY SIDE**

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

Section 1. The last (sixth) paragraph of Section 12-8.11 entitled “Lot Elevation Below Borough Street Profile – Building Permits” located in Chapter 12 of the Revised General Ordinances regarding additions, alterations or repairs, is hereby amended in its entirety as follows:

In the case of additions, alterations or repairs to existing structures, the above requirements shall apply when:

- a. In the case of additions, alterations or repairs to existing structures east of Long Beach Boulevard, the above requirements shall apply when additions, alterations or repairs are made within any 36 month period which costs exceed fifty (50%) percent of replacement value of the existing structure or structures on a given building lot.
- b. In the case of additions, alterations or repairs to existing structures west of Long Beach Boulevard, the above requirements shall apply when the size or scope of the addition, alteration or repair exceeds seventy-five (75%) percent of the square footage of the existing structure.
- c. When any structure on a building lot is moved from its existing foundation for the purpose of installing piling or to raise the structure to a higher elevation.

Section 4. If any provision, section, subsection, or paragraph of this Ordinance shall be declared 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 5. This Ordinance shall take effect after final adoption and publication in accordance with law.

ADOPTED ON: January 6, 2017

ORDINANCE NO. 2016-18

AN ORDINANCE AMENDING CHAPTER 7 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “SEWER AND WATER” AS IT PERTAINS TO METER FEES

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

- Section 1. Section 7-2.2 entitled “Meter Connections and Fees” is hereby amended as follows:
- | | |
|-----------|------------|
| ¾” line | \$275.00 |
| 1” line | \$375.00 |
| 1 ½” line | \$675.00 |
| 2” line | \$2,500.00 |
- Section 2. Section 7-2.4 entitled “Water Rate Schedule”, paragraph A is hereby amended as follows:
- A. Residential and Commercial Customers. All residential, commercial, industrial, institutional and governmental users shall be charged a base rate per dwelling unit and on gallons used. The maximum dwelling units per property shall be fixed at three (3).
- Section 3. Section 7-2.4 entitled “Water Rate Schedule” paragraph A item 2 is hereby amended by removing the words “Single Unit” before “Rate Schedule” and removing items 2, 3, and 4.
- Section 4. All of the provisions of Chapter 7 of the Revised General Ordinances of the Borough of Harvey Cedars, 1975, not inconsistent herewith, are reaffirmed and readopted as if more fully set forth herein, and any provisions of said Ordinance which are inconsistent herewith are hereby repealed.
- Section 5. 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 6. This Ordinance shall take effect upon final adoption after publication in accordance with law.

ADOPTED ON: January 6, 2017

RESOLUTION #2016-110

**AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE
HARVEY CEDARS POLICE DEPARTMENT/P.B.A. LOCAL #175**

WHEREAS the labor agreement that currently exists between the Borough of Harvey Cedars and the Policemen's Benevolent Association Local 175 expires December 31, 2016; and

WHEREAS a new labor agreement has been negotiated for a four (4) year period from January 1, 2017 through December 31, 2020; and

WHEREAS the negotiated labor agreement has been ratified by Policemen's Benevolent Association Local 175.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that:

1. The PBA agreement for the years 2017–2020, a copy of which is on file in the Municipal Clerk's office, is hereby approved by the Borough of Harvey Cedars.
2. The Commissioner of Public Affairs and Safety is hereby authorized to execute same.
3. A certified copy of the resolution and the Agreement shall be forwarded to the Public Employment Relations Commission as per NJSA 34:13A-8.2.

PASSED ON: December 20, 2016

RESOLUTION #2016-111

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF LONG BEACH FOR DISPATCHING SERVICES
FOR A PERIOD OF ONE YEAR**

WHEREAS the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et. seq., authorizes municipalities to agree to provide shared services when approved by resolution under NJSA 40A:65-5; and

WHEREAS the Borough of Harvey Cedars and the Township of Long Beach have entered into a Shared Services Agreement for dispatching services, NCIC Look Up Service, name and address property look up services for a period of three years ending December 31, 2016 and it is the desire of the Board of Commissioners of the Borough of Harvey Cedars to authorize the renewal and execution of an agreement with the Township of Long Beach for said services.

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 Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Long Beach for police dispatching services, NCIC Look Up Service, name and address property look up service, and 911 emergency dispatching service, a copy of which is attached hereto, in accordance with the provisions of law for a period of one year commencing January 1, 2017 and ending December 31, 2017.

PASSED ON: December 20, 2016

RESOLUTION #2016-112

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF LONG BEACH FOR THE ANNUAL
MAINTENANCE OF THE POLICE COMPUTER AIDED DISPATCH (CAD)
SYSTEM**

WHEREAS the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et. seq., authorizes municipalities to agree to provide shared services when approved by resolution under NJSA 40A:65-5; and

WHEREAS the Township of Long Beach presently provides the Borough of Harvey Cedars general police dispatching services, NCIC Look-up Services, name and address property look-up services, and 911 emergency dispatching services through existing Shared Service Agreements; and

WHEREAS the Township of Long Beach and the Borough of Harvey Cedars shared the cost for the purchase of a Police Computer Aided Dispatch (CAD) System in 2015; and

WHEREAS the Township of Long Beach (Lead Agency), the Boroughs of Ship Bottom and Beach Haven and the Borough of Harvey Cedars now agree to further share the cost for the annual maintenance agreement of the CAD System.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, that the Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Long Beach for the annual maintenance agreement of the Police Computer Aided Dispatch (CAD) System; and

BE IT FURTHER RESOLVED the maintenance agreement shall have a 3-year duration effective January 1, 2017 through December 31, 2019 at an annual cost of Fourteen Thousand Five Hundred Dollars (\$14,500.00) that shall be paid annually in the following amounts:

Long Beach Township (55%) - \$7,975.00

Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$2,175.00 each

pursuant to the Share Service Agreement, a copy of which is attached hereto, in accordance with the provisions of law.

PASSED ON: December 20, 2016

RESOLUTION #2016-113

**APPOINTMENT OF A TEMPORARY REGULAR PATROLMAN FOR THE
BOROUGH OF HARVEY CEDARS**

WHEREAS the Director of Public Safety and the Chief of Police for the Borough of Harvey Cedars have recommended the Board of Commissioners appoint a temporary regular Police Officer for the Harvey Cedars Police Department; and

WHEREAS it is the mutual understanding between the appointee Benjamin Mrozinski and the Harvey Cedars Board of Commissioners as follows:

1. Benjamin Mrozinski shall be compensated at the rate of \$10.00 per hour for time worked while on assigned duty within the Borough of Harvey Cedars.
2. This appointment shall be for a probationary period. Probationary appointments may be revoked at any time by the Borough Commissioners.
3. The Borough of Harvey Cedars authorizes Benjamin Mrozinski to complete the waiver program for Class “A” certification through the Police Training Commission.
4. The appointment shall not be interpreted as the “probationary appointment as full-time patrolman”, subject to a salary guide and benefits set forth in a collective bargaining agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that Benjamin Mrozinski is hereby appointed as a temporary regular Police Officer for the Borough of Harvey Cedars effective December 23, 2016 for 120 working days as hereinabove set forth.

PASSED ON: December 20, 2016

RESOLUTION #2016-114

AUTHORIZING TRANSFER OF FUNDS

WHEREAS the date of this resolution is within the last two months of the calendar year 2016, and the first three months of the calendar year 2017; 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 2016 budget.

<u>CURRENT</u>		<u>FROM:</u>	<u>TO:</u>
Road Repair & Maint S&W	6-01-26-290-000-110		\$6,500.00
Beach Front Maintenance	6-01-28-383-000-023	\$6,500.00	
Lifeguard S&W	6-01-28-381-000-110	\$2,000.00	
Lifeguard OE	6-01-28-381-000-220		\$2,000.00

PASSED ON: December 20, 2016

RESOLUTION #2016-115

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT
FOR THE PROVISION OF MUNICIPAL COURT SERVICES**

WHEREAS the Borough of Harvey Cedars entered into a Shared Services agreement with the Borough of Beach Haven for the provision of certain administrative services related to the management of the municipal court and designating the Borough of Beach Haven as lead agency effective September 1, 2014 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, 2016 and copies of this Resolution shall be sent to the Borough of Beach Haven.

PASSED ON: December 20, 2016

RESOLUTION #2016-116

**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 **2017** 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 **2017**; 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 20, 2016

RESOLUTION #2016-117

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2017

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 20, 2016

RESOLUTION #2016-118

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2017

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 20, 2016

RESOLUTION #2016-119

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND
WATER/SEWER BILLS FOR THE YEAR 2017**

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 2017, 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 20, 2016

RESOLUTION #2016-120

**AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF
HARVEY CEDARS FOR THE YEAR 2017**

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 2017 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 20, 2016

RESOLUTION #2016-121

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES
OF LESS THAN TEN DOLLARS FOR THE YEAR 2017**

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 20, 2016

RESOLUTION #2016-122

**AMENDMENT TO THE POLICY AND PROCEDURE MANUAL FOR THE
BOROUGH OF HARVEY CEDARS AS IT PERTAINS TO CALL-OUTS &
DRUG TESTING**

WHEREAS the Borough of Harvey Cedars adopted employment policies and procedures on February 7, 1997 which are available to the employees through an encompassing manual known as the Policy and Procedure Manual; and

WHEREAS said manual shall be reviewed from time to time for policy updates.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby amends the personnel Policy and Procedure Manual for the Borough of Harvey Cedars as follows:

1. Section 10.1 Vacation Leave, paragraph d. entitled "Vacation Time Approval" is hereby amended by supplementing the following:

7. Vacation time cannot be used for sick day call-outs. If sick and personal days have been exhausted, the employee shall not be paid for the call-out day.

2. Section 12.4 Random Drug/Alcohol Testing, item c. is hereby replaced in its entirety with the following:

c. All public works employees with safety sensitive functions shall be tested quarterly on a random date.

BE IT FURTHER RESOLVED as follows:

1. Any Personnel Policies or Personnel Policy Manuals inconsistent herewith are hereby repealed.
2. This update to the Policy Manual shall take effect January 1, 2017.
3. The revision of the Job Description Manual shall be known as Revision 12/2016.
4. The Personnel Officer shall offer copies of this resolution to all employees.

PASSED ON: December 20, 2016