

HARVEY CEDARS, NJ

Monday, January 6, 2025

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

The Mayor also 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 in the Beach Haven Times and the Asbury Park Press and on December 20, 2024.

Motion to approve the minutes of the regular meetings held on December 6th and December 16th .:

Motion: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

Motion to approve the minutes of the work session and executive session minutes for May 1, 2024 through December 31, 2024.

Motion: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

ORDINANCE #2025-001: AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ADMINISTRATION” AS IT PERTAINS TO THE UTILITY COLLECTOR

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

ORDINANCE #2025-002: AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ADMINISTRATION” AS IT PERTAINS TO MEETINGS AND PROCEDURES

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

ORDINANCE #2025-003: AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “GENERAL LICENSING” AS IT PERTAINS TO FIRE PIT AND RECREATION

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-001: AUTHORIZING TEMPORARY BUDGET

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-002: DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2025

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-003: ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS FOR THE YEAR 2025

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-004: RE-APPOINTMENT OF THE CHIEF FINANCIAL OFFICER

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-005: PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-006: ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-007: AUTHORIZING SIGNATORY FOR THE IMPLEMENTATION OF THE FIREFIGHTER CERTIFICATION PROGRAM

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-008: AWARD CONTRACT FOR THE 2024 WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$796,648.00

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-009: APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-010: RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING A GRANT APPLICATION FOR THE FY 2025 LOCAL RECREATION IMPROVEMENT GRANT

Motion to adopt: Commissioner Rice
 Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-011: AUTHORIZING THE CANCELLATION OF GRANT RECEIVABLE BALANCES AND GRANT RESERVE APPROPRIATED BALANCES

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-012: AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2025

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

RESOLUTION #2025-013: AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE HARVEY CEDARS POLICE DEPARTMENT/P.B.A. LOCAL #175

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

Vote:	Aye	Nay	Absent	Abstain
Mayor Imperiale	X			
Commissioner Gieger	X			
Commissioner Rice	X			

COMMISSIONER REPORTS / TOPICS OF INTEREST

Mayor John Imperiale used his Commissioners Report to swear in Harvey Cedars Police Officer Christopher Waldron.

Commissioner Paul Rice shared that the finance department is moving forward with budget preparation for 2025. The first budget workshop will take place on January 27, 2025.

Commissioner Joseph Gieger shared that the Department of Public Works was hard at work removing snow and ice from the roads.

PRIVILEGE OF THE FLOOR

Linda Kragie - 8 W. 75th Street - questioned if side roads would be salted after the snow storm. Commissioner Gieger shared that the Department of Public Works would be out the following day salting certain areas of town.

Frederic Schragger – 7 E. Salem Avenue – questioned the cost of recent litigation that was settled with the borough. The Board of Commissioners and Municipal Clerk had no knowledge of the information he was requesting. Mr. Schragger requested a copy of the recently adopted police contract.

MOTION TO ADJOURN

Motion to approve: Commissioner Rice

Second: Commissioner Gieger

The meeting adjourned at 4:51 PM

Christine Lisiewski, Acting Municipal Clerk

John M. Imperiale, Mayor

Joseph F. Gieger, Commissioner

Paul G. Rice, Commissioner

RESOLUTION #2025-001

TEMPORARY BUDGET

WHEREAS N.J.S. 40A:4-19 provides that where any contract, commitment, or payments are to be made prior to the final adoption of the 2025 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS the date of this resolution is within the first thirty days of January, 2025; and

WHEREAS the total appropriations in the 2024 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund is the sum of \$4,824,346.99; and

WHEREAS twenty-six and one quarter percent of the total appropriations in the 2024 budget, exclusive of any appropriations made for interest and debt redemption charges and the capital improvement fund is the sum of \$1,266,391.08.

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made as follows:

	<u>Account Number</u>	<u>2025 Temporary</u>
<u>Current Fund</u>		
Administrator S&W	5-01-20-100-000-110	500.00
Director - Public Affairs S&W	5-01-20-110-000-110	1,875.00
Director - Public Affairs OE	5-01-20-110-000-210	500.00
Director - Rev & Finance S&W	5-01-20-111-000-110	1,875.00
Director - Rev & Finance OE	5-01-20-111-000-210	500.00
Director - Pub Works S&W	5-01-20-112-000-110	1,875.00
Director - Pub Works OE	5-01-20-112-000-210	500.00
Municipal Clerk S&W	5-01-20-120-000-110	20,000.00
Municipal Clerk OE	5-01-20-120-000-205	4,000.00
Finance Administration S&W	5-01-20-130-000-110	33,100.00
Finance Administration OE	5-01-20-130-000-210	3,000.00
Audit Services	5-01-20-135-000-200	19,500.00
Computer Data Processing OE	5-01-20-140-000-200	2,000.00
Tax Collection S&W	5-01-20-145-000-110	20,000.00
Tax Collection OE	5-01-20-145-000-220	3,000.00
Tax Assessor S&W	5-01-20-150-000-110	6,000.00
Tax Assessor OE	5-01-20-150-000-220	800.00
Legal Services	5-01-20-155-000-270	15,000.00
Engineering	5-01-20-165-000-220	15,000.00
Land Use Board S&W	5-01-21-180-000-110	8,000.00
Land Use Board OE	5-01-21-180-000-220	2,000.00
Zoning OE	5-01-21-180-000-221	1,000.00
Construction S&W	5-01-22-195-000-110	3,000.00
Construction OE	5-01-22-195-000-220	1,000.00
Liability Insurance	5-01-23-210-000-000	28,000.00
Workers Comp Insurance	5-01-23-215-000-000	27,000.00
Employees Group Health	5-01-23-220-002-000	160,000.00
Health Benefits Waiver	5-01-23-222-000-000	5,000.00
Unemployment Insurance	5-01-23-225-000-000	6,416.08
Police S&W	5-01-25-240-000-110	400,000.00
Police OE	5-01-25-240-000-220	30,000.00

Borough Prosecutor OE	5-01-25-275-000-200	2,200.00
Road Repair & Maint S&W	5-01-26-290-000-110	70,000.00
Road Repair & Maint OE	5-01-26-290-000-220	17,000.00
Garbage & Trash Collection	5-01-26-305-000-220	96,000.00
Buildings & Grounds OE	5-01-26-310-000-200	30,000.00
Vehicle Maintenance S&W	5-01-26-315-000-110	9,000.00
Vehicle Maintenance OE	5-01-26-315-000-250	15,000.00
Recreation S&W	5-01-28-370-000-110	1,000.00
Recreation OE	5-01-28-370-000-201	2,000.00
Maintenance of Parks OE	5-01-28-375-000-220	8,000.00
Beaches OE	5-01-28-380-000-220	6,000.00
Lifeguards S&W	5-01-28-381-000-110	15,000.00
Lifeguards OE	5-01-28-381-000-220	10,000.00
Beachfront Maintenance OE	5-01-28-383-000-023	10,000.00
Electricity	5-01-31-430-000-000	8,000.00
Street Lighting	5-01-31-435-000-000	19,500.00
Telephone	5-01-31-440-000-000	12,000.00
Natural Gas	5-01-31-447-000-000	2,500.00
Gasoline	5-01-31-460-000-000	18,000.00
Landfill Disposal Costs	5-01-31-465-000-781	35,000.00
Recycling Tax	5-01-31-466-000-782	1,000.00
Social Security	5-01-36-472-000-000	36,000.00
Health Services Shared Svc	5-01-42-330-020-000	15,000.00
Animal Control Shared Svc	5-01-42-340-020-000	1,500.00
Municipal Court S&W	5-01-43-490-000-110	4,500.00
Municipal Court OE	5-01-43-490-000-201	1,000.00
Public Defender	5-01-43-495-000-000	750.00

Total Current Fund temporary appropriations 1,266,391.08

Water/Sewer Fund

Water/Sewer S&W	5-09-56-100-000-110	130,000.00
Water/Sewer OE	5-09-56-100-000-201	157,505.43
Social Security	5-09-56-541-000-010	8,830.50
Unemployment Insurance	5-09-56-542-000-010	883.05
Principal NJEIT	5-09-56-524-000-024	4,097.44
Interest NJEIT	5-09-56-525-000-025	3,677.19

Total Water/Sewer Utility temporary appropriations 304,993.61

PASSED ON: January 6, 2025

RESOLUTION #2025-002

DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2025

WHEREAS, the Board of Commissioners of the Borough of Harvey Cedars has determined that it should hire a borough attorney, bond counsel, prosecutors, auditor, engineer, public defenders, labor attorneys, and computer software specialists; and

WHEREAS, said contracts for professional services need not be bid under the Local Public Contract Law of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following professionals be retained by the Borough of Harvey Cedars, *upon receipt of properly executed State mandated forms*, for a period commencing January 1, 2025 and ending December 31, 2025 and the following fees are set for said professional services per quotes and contracts received by the Borough:

1. Tennant D. Magee Sr. as Borough Attorney
400 Union Avenue, Brielle, NJ 08730
\$200 per hour
not to exceed \$17,500 annually
2. Arthur Thibault Jr., Esq of the firm Apruzzese, McDermott, Mastro & Murphy as Labor Attorney
25 Independence Blvd., Warren, NJ 07059
\$195.00 per hour
not to exceed \$17,500 annually
3. William Mayer, Esq of the firm DeCotiis, FitzPatrick, Cole & Giblin, LLP as Bond Counsel
61 South Paramus Road, Paramus, NJ 07652
\$120.00 - \$250.00 per hour / service dependent
not to exceed \$17,500 annually
4. Robert Allison, CPA of the firm Holman, Frenia & Allison as Municipal Auditor
1985 Cedar Bridge Ave., Suite 3, Lakewood, NJ 08701
\$51,250.00
\$90.00 - \$220.00 per hour / service dependent not to exceed \$17,500 annually
5. Frank J. Little, P.E. of the firm Owen, Little & Associates as Municipal Engineer
442 Atlantic City Blvd., Beachwood, NJ 08722
\$50.00 - \$220.00 per hour / service dependent not to exceed \$28,000 annually
6. Van Cleef Engineering Associates. LLC as Alternate Municipal Engineer
32 Brower Lane, Hillsborough, NJ 08844
\$60.00 - \$268.00 per hour / service dependent not to exceed \$28,000 annually
7. Debra H. Rumpf, Esq. as Public Defender
11 Leifried Lane, Tuckerton, NJ 08087
\$250.00 per session not to exceed \$3,000 annually
8. Edmunds & Associates, Inc. as Finance & Tax and Water Billing Software Support Professional
301A Tilton Road, Northfield, NJ 08225
Not to exceed \$14,000 annually
9. Dasti, McGuckin, McNichols, Connors, Anthony & Buckley, as Municipal Prosecutor
620 W. Lacey Road, Forked River, NJ 08731
\$700 per court session not to exceed \$17,500 annually
10. Phoenix Advisors, as Municipal Advisor
2000 Waterview Drive, Suite 101, Hamilton, NJ 08691
Not to exceed \$17,500 annually

BE IT FURTHER RESOLVED that the Mayor, the Commissioner of Revenue and Finance and the Municipal Clerk are hereby authorized to execute the professional service contracts.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-003

**ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS
FOR THE YEAR 2025**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Harvey Cedars that the following appointments be and are hereby made for a one (1) year term commencing January 1, 2025 and ending December 31, 2025 and the duties of each employee are governed by State statutes and/or the Ocean County Joint Insurance Fund:

1. John Imperiale as the Americans with Disabilities Act (ADA) Coordinator.
2. Christine Lisiewski as the Registrar.
3. Rebecca Wessler as the Deputy Registrar.
4. Cecilia Morillo as Alternate Deputy Registrar.
5. Christine Lisiewski as the Public Agency Compliance Officer (P.A.C.O.)
6. Joseph Gieger as the Joint Insurance Fund Commissioner.
7. William Montag as the Principal Designated Employer Representative (DER).
8. Rebecca Wessler as the backup Designated Employer Representative (DER).
9. Christine Lisiewski as the alternate backup Designated Employer Representative (DER).

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Harvey Cedars that the following appointments be and are hereby made for a one (1) year term commencing January 1, 2025 and ending December 31, 2025 and the duties of each appointee shall be governed and defined in the General Ordinances and/or the Personnel Policy Job Description Manual of the Borough of Harvey Cedars:

1. Christine Lisiewski as Deputy Tax Collector.
2. Rebecca Wessler as Deputy Municipal Clerk
3. Michelle Homberg as the Community Rating System (CRS) Coordinator.
4. Michelle Homberg as the Recycling Coordinator.
5. William Montag as Stormwater Coordinator.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-004

RE-APPOINTMENT OF THE CHIEF FINANCIAL OFFICER

WHEREAS NJSA 40A:9-140.10 requires the appointment of a Chief Financial Officer be for a period of four (4) years, which shall run from January 1 in the year in which the Chief Financial Officer is appointed; and

WHEREAS on February 19, 2021 Resolution #2021-020 was passed appointing Rebecca Wessler as the Chief Financial Officer of the Borough of Harvey Cedars commencing January 1, 2021 and ending December 31, 2024.

WHEREAS, pursuant to N.J.S.A 40A:9-145.8, the Board of Commissioners understand that re-appointing Rebecca Wessler will trigger tenure protection for Ms. Wessler; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that Rebecca Wessler is hereby appointed Chief Financial Officer for the Borough of Harvey Cedars for a four (4) year term commencing January 1, 2025, and that this re-appointment will trigger tenure for Ms. Wessler during her continued term of office.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-005

PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

WHEREAS the Borough of Harvey Cedars has budgeted funds for 2025 for payment of utilities, payroll, debt service, governmental fees, insurances, and mailing costs of the Borough; and

WHEREAS the payment of these items frequently arrives out of time for placement on the next available bill list and thereby inadvertently placing these bills in arrears.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Chief Financial Officer is hereby authorized to make pre-payments of the following fixed items prior to the same appearing on the meeting bill lists; such funds to be taken from the pre-budgeted amount for each such expenses for 2025:

1. Utilities (electric, gas, telephone and cable).
2. Payroll.
3. Debt services as evidenced by pre-existing notes.
4. Health, dental, flood and other insurance premiums.
5. Federal, state, county, school fees and taxes.
6. Postage for tax bills, newsletters and other Borough mailings.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-006

ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS

WHEREAS, the Board of Commissioners of the Borough of Harvey Cedars adopted Ordinance No. 2011-01 on February 4, 2011 establishing the Land Use Board of the Borough of Harvey Cedars; and

WHEREAS, said Ordinance requires the Mayor to appoint one Class II, six Class IV and four Alternative members and the majority of the Board of Commissioners shall appoint one Class III member; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the Borough of Harvey Cedars that the following appointments are made to the Harvey Cedars Land Use Board:

1. Bill Montag to serve as Class II member for a (1) year term ending 12/31/2025
2. Richard Warren to serve as a Class IV member for a (4) year term ending 12/31/2028
3. Russell Harle to serve as Alternate member #3 for a (2) year term ending 12/31/2026

BE IT FURTHER RESOLVED by the majority of the Board of Commissioners of the Borough of Harvey Cedars that Joseph Gieger is hereby appointed to the Harvey Cedars Land Use Board to serve as a Class III member for a one (1) year term ending December 31, 2025.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-007

**AUTHORIZING SIGNATORY FOR THE IMPLEMENTATION OF THE
FIREFIGHTER CERTIFICATION PROGRAM**

WHEREAS the state has created a voluntary program to certify firefighters, and;

WHEREAS the Borough of Harvey Cedars has reviewed, discussed and voted to participate in the program, and;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars appoints Paul Rice as the Authorized Signatory to sign any documents necessary to implement the Firefighter Certification Program in the Borough of Harvey Cedars.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-008

**AWARD CONTRACT FOR THE 2024 WATER MAIN REPLACEMENT
PROJECT IN THE AMOUNT OF \$796,648.00**

WHEREAS the Borough of Harvey Cedars solicited bids for 2024 Water Main Replacement Project which were opened publicly on December 18, 2024 at 10:00am; and

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

WHEREAS Underground Utilities has the lowest qualified bid; 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 6th day of January 2025, for the reasons aforesaid, that a contract be and is hereby awarded to

Underground Utilities
711 Commerce Rd
Linden, NJ 07036

for the 2024 Water Main Replacement Project in the amount of Seven Hundred Ninety-Six Thousand Six Hundred Forty-Eight Dollars and No Cents (\$796,648.00) as per bid received.

MOTION: Commissioner Rice

SECOND: Commissioner Gieger

ROLL CALL VOTE: Mayor Imperiale, Commissioner Rice, Commissioner Gieger

DATED: January 6, 2025

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Municipal Clerk

RESOLUTION #2025-009

**APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS FOR THE
BOROUGH OF HARVEY CEDARS**

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars adopted Ordinance No. 2017-11 on June 2, 2017 with amendments made on June 20, 2017 establishing the Open Space Advisory Committee of the Borough of Harvey Cedars; and

WHEREAS said Ordinance states the Open Space Advisory Committee shall be appointed annually consisting of ten (10) members as follows:

1. One (1) member of the Harvey Cedars Board of Commissioners.
2. One (1) member of the Harvey Cedars Land Use Board.
3. Three (3) residents of the Borough of Harvey Cedars.
4. Four (4) property owners or residents of the Borough of Harvey Cedars.
5. One (1) representative of the Harvey Cedars Taxpayers Association designated by their Executive Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following are hereby appointed to the Harvey Cedars Open Space Advisory Committee for the year 2025:

1. John Imperiale to serve as a member from the Board of Commissioners.
2. Richard Warren to serve as a member of the Land Use Board.
3. MaryLu Danna to serve as a resident member.
4. Linda Pugliese to serve as a resident member.
5. Edward O'Connor to serve as a resident member.
6. Judith Gerkens to serve as a property owner member.
7. Susan Carril to serve as a property owner member.
8. William Voris to serve as a property owner member.
9. Edward Penberthy- for a property owner member.
10. James Fritz and/or his designee to serve as a representative from the Harvey Cedars Taxpayers Association.

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2024-010

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING A
GRANT APPLICATION FOR THE FY 2025 LOCAL RECREATION IMPROVEMENT
GRANT**

WHEREAS the Borough of Harvey Cedars desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately One Hundred Thousand Dollars (\$100,000.00) to carry out a project to procure and install new playground and recreation equipment in Sunset Park.

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

1. that the Borough of Harvey Cedars does hereby authorize the application for such a grant; and
2. recognizes and accepts that the Department of Community Affairs may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Harvey Cedars and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

John M. Imperiale, Mayor

Rebecca Wessler, CFO

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-011

**AUTHORIZING THE CANCELLATION OF GRANT RECEIVABLE BALANCES AND
GRANT RESERVE APPROPRIATED BALANCES**

WHEREAS, various grant receivable balances remain on the Borough's Grant Fund Balance Sheet which have been researched and are no longer valid; and

WHEREAS, various grant reserve appropriated balances remain on the Borough's Grant Fund Balance Sheet which have been researched and are no longer valid; and

WHEREAS, it is necessary to formally cancel the following receivable balances and the appropriated reserve balances from the balance sheet; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby authorizes that the following grant receivable balances and grant reserve appropriated balances be cancelled by the Chief Financial Officer:

<u>Grant Title</u>	<u>Receivable Cancelled</u>	<u>Appropriation Cancelled</u>
FY2022 ARP Firefighter Grant	\$679.00	\$679.00

PASSED ON: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

RESOLUTION #2025-012

AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2025

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 2025 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.

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk

PASSED ON: January 6, 2025

**CASH MANAGEMENT PLAN OF THE BOROUGH OF HARVEY CEDARS
IN THE COUNTY OF OCEAN, NEW JERSEY**

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 15-4 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Harvey Cedars ("the Borough"), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest or dividend bearing accounts or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. CASH MANAGEMENT POLICY

- A) Objectives: The priority of investing policies shall be, in order of descending importance - **security, liquidity and yield.**
- (1) Security: The safety of principal is the foremost objective of the Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.
- (2) Credit Risk: Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
- (a) Limiting investments to the safest types of securities.
 - (b) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors an entity will do business with.
 - (c) Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- (3) Interest Rate Risk: Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:
- (a) Structuring the investment portfolio so the securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - (b) By investing operating funds primarily in shorter-term securities.

- (4) **Liquidity:** The investment portfolio must remain sufficiently liquid to meet all structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity)
- (5) **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions:
 - (a) A declining credit security could be sold early to minimize the loss of principal.
 - (b) A security swap would improve the quality, yield, or target duration in the portfolio.
 - (c) Liquidity needs of the local unit require that the security be sold.

B) Standards of Care

(1) Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with written procedures and Plan and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market place changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the Plan and policy.

Investments shall be made with the judgement and care, under circumstances then prevailing, which person of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(2) Ethics and Conflicts of Interest

The designated officials involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. The Local Government Ethics Law shall govern the actions of individuals administering the Plan. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. The designated officials shall refrain from undertaking personal investment transactions with the same individual business is conducted with on behalf of the Borough.

(3) Delegation of Authority

Authority to manage the Plan is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A5-14. Responsibility for the operation of the plan is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough.

Current Fund	Water/Sewer Utility Operating Fund
General Capital Account	Utility Capital Account
Recycling Trust Fund	Payroll Account

Special Activities Trust Fund
Tax Collector's Trust Account
Drunk Driving Enforcement Account
Special Trust Account
POAA Account
Green Acres Trust Account
BOHC Health Benefits Account

Dog Trust Account
Forfeited Funds Trust Account
Alcohol Education Account
Public Defender Trust Account
Open Space Trust Account
Traffic Control Trust Account

IV. DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer is hereby authorized and directed to deposit and/or invest the funds referred to in the plan. Prior to making any such Deposits or any Permitted Investments, the Chief Financial Officer is directed to supply to all depositories or any other parties Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with the Chief Financial Officer and the Municipal Clerk.

V. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

New Jersey Cash Management Fund
OceanFirst Bank

Also, for purposes of investing any other institution presenting a GUDPA certificate may be used. All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgement to the Designated Officials referred to in Section IV above.

VI. BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Chief Financial Officer of the Borough may deal for purposes of buying and selling securities identified in the Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Officials referred to in Section III above.

New Jersey Cash Management Plan (NJCM)
NJ Asset & Rebate Management Trust (NJARM)
New Jersey Cooperative Liquid Assets Securities System (NJ CLASS)

VII. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Chief Financial Officer is hereby authorized to invest the public funds covered by this plan, to the extent not otherwise held in Deposits, in the following permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;
 - (3) Any obligation that a federal agency or a federal instrumentality has been issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Funds established pursuant to section of P.L. 1977, c. 281 (C.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
 - (I) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (II) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 12 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;

- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the **safety, liquidity and yield** of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

VIII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is not unauthorized use of the funds or the Permitted Investments for Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds.

To ensure that all parties the Borough deals with by way of Deposit or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of the Plan in writing, a copy of which shall be on file with the Designated Officials.

IX. REPORTING REQUIREMENTS

On the first day of each month this Plan is in effect the Chief Financial Officer shall supply to the governing body of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough as a Deposit of a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough.

X. EFFECTIVE DATE OF PLAN

This Plan shall be effective beginning January 1, 2025. Any prior Plan is hereby rescinded and replaced by this document. Attached to this Plan is a resolution of the governing body of the Borough approving this Plan. The Plan may be amended from time to time. The Chief Financial Officer is directed to supply copies of all amendments adopted by the Commission to all parties who otherwise have received a copy of the originally approved Plan, which amendments shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**CASH MANAGEMENT PLAN OF THE BOROUGH OF HARVEY CEDARS
RECEIPT OF PLAN AND REVIEW ACKNOWLEDGMENT**

As provided for in the Cash Management Plan of the Borough of Harvey Cedars, Section VIII, page 5, the undersigned hereby acknowledges the receipt and review of the Plan along with a certified copy of the Borough of Harvey Cedars Resolution approving such Cash Management Plan. The undersigned agrees to follow the requirements as dictated in said Plan.

Authorized Representative

Name of Authorized Depository or Brokerage Firm/Dealer

Mailing address of entity listed above

Date of Receipt

Please return two signed copies of this acknowledgement to:

**The Borough of Harvey Cedars
Attn: Rebecca Wessler
P. O. Box 3185
Harvey Cedars, NJ 08008**

RESOLUTION #2025-013

**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, 2024; and

WHEREAS a new labor agreement has been negotiated for a four (4) year period from January 1, 2025 through December 31, 2028; 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 2025–2028, 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: January 6, 2025

CERTIFICATION

I, Christine Lisiewski, Acting Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on January 6, 2025.

Christine Lisiewski, Acting Municipal Clerk