### HARVEY CEDARS, NJ

### Monday, November 1, 2024

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 21, 2023.

**Motion** to approve the minutes of the regular meeting held on October 21, 2024:

Motion: Commissioner Rice Second: Commissioner Gieger

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

# RESOLUTION #2024-131: AUTHORIZING A ONE-YEAR EXTENSION OF CONTRACT FOR SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL FOR THE BOROUGH OF HARVEY CEDARS

Motion: Commissioner Rice Second: Commissioner Gieger

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

#### RESOLUTION #2024- 132: DESIGNATING THE HOLIDAY SCHEDULE FOR 2025

Motion: Commissioner Gieger Second: Commissioner Rice

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

# RESOLUTION #2024- 133: ORDERING THE CORRECTION OF THE BOROUGH'S TAX RECORD AND AUTHORIZING THE REFUND OF EXCESSIVE PAYMENT

Motion: Commissioner Rice Second: Commissioner Gieger

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

Commissioner Rice	X		

### **RESOLUTION #2024-134: AUTHORIZING TRANSFER OF FUNDS**

Motion to adopt: Commissioner Gieger

Second: Commissioner Rice

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

# RESOLUTION #2024-135: AMENDING RESOLUION #2024-104 PERTAINING TO THE INCREASE OF ANNUAL LOSAP CONTRIBUTIONS

Motion to adopt: Commissioner Rice

Second: Commissioner Gieger

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

#### **RESOLUTION #2024-136: BILLS**

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**

**Commissioner Paul Rice** thanked Chief Financial Officer Rebecca Wessler for her review of the budget and transferring of funds.

**Commissioner Joseph Gieger** shared that the borough is currently anticipating a bid packet from the borough engineer for the anticipated water main project, street drains, and bulkhead replacement.

**Mayor John Imperiale** congratulated **Kristen Christofora** on her completion of her Land Use Board Secretary certification. He invited all to attend the Wine Tasting event on November 2<sup>nd</sup> and the Salute Our Veterans Event on November 8<sup>th</sup>. He acknowledged the committee members in attendance for their hard work.

**Mayor Imperiale** added that at the next meeting a new Harvey Cedars Police Officer will be sworn in.

# PRIVILEGE OF THE FLOOR

**Frederic Schragger** - 7 E. Salem Avenue – likes the idea of the firepit. He asked if the borough has reviewed the plans with the attorney and insurance due to issues that may arise. Mayor Imperiale confirmed that it has been reviewed and we are covered.

**Jim Fritz** – 1 W. 82<sup>nd</sup> Street – presented the borough with a \$7000 check for the purchase of the aerators.

Mr. Fritz asked the board what was meant by the recent edition of the Harvey Cedars Community Currents where it mentions changing residential zoning and businesses. Mayor Imperiale shared that it will be revised as a whole and compared to recent Land Use Board cases. Commissioner Gieger shared examples of retaining walls and lot fill. In reference to the businesses, Mayor Imperiale explained that the borough is looking at items such as outdoor dining, and signage.

Frederic Schragger – 7 E. Salem Avenue – is thrilled that the borough is working with the governor's office in regards to the school tax and requested an update. Mayor Imperiale stated that another meeting is being planned to meet with the State of New Jerseys Board of Education Legislative Director and an attorney with the states Board of Education. He explained that it is a work in progress.

**Mr. Schragger** asked if the borough had any knowledge on a CAFRA permit that was submitted from Lange Avenue. Commissioner Rice believes that it will be unlikely that they will be approved.

**Mr. Schragger** would like insight on why the amount being transferred into the legal fees and engineering fees is so large. **Mayor Imperiale** confirmed that a bulk of the legal fees is the \$20,000 borough contribution to fight the offshore wind and unexpected legal fees accrued throughout the year.

#### MOTION TO ADJOURN

Motion to approve: Commissioner Rice Second: Commissioner Gieger The meeting adjourned at 4:51PM

Christine Lisiewski, Acting Municipal Clerk	
	John M. Imperiale, Mayor
	Joseph F. Gieger, Commissioner
	Paul G. Rice, Commissioner

# AUTHORIZING A ONE-YEAR EXTENSION OF CONTRACT FOR SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL FOR THE BOROUGH OF HARVEY CEDARS

WHEREAS, the Borough of Harvey Cedars adopted Resolution #2020-112 approving a three (3) year agreement with Meadowbrook Industries, LLC for solid waste collection and disposal and for recyclable material collection and disposal for residential and commercial properties on December 4, 2020; and

WHEREAS, services commence on January 1, 2021 and terminate on December 31, 2023 unless the Borough chooses to extend the contract by written notice for an additional year per section 6.9 of the agreement; and

**WHEREAS**, it is the desire of the Board of Commissioners of Harvey Cedars to extend the solid waste and recycling collection at this time for a one (1) year term.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that the contract with Meadowbrook Industries, LLC for solid waste and recyclable materials is hereby extended for one (1) year commencing January 1, 2025 and ending December 31, 2025 for the annual rate of Two Hundred Eighty-Six Thousand Dollars and no cents (\$286,000.00) for garbage and recyclables combined.

**BE IT FURTHER RESOLVED,** that a copy of this resolution shall be forwarded to:

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

PASSED ON: November 1, 2024

# **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 November 1, 2024.

# **DESIGNATING THE HOLIDAY SCHEDULE FOR 2025**

**BE IT RESOLVED,** by the Board of Commissioners of the Borough of Harvey Cedars that the following are declared holidays for all full-time employees of the Borough of Harvey Cedars:

New Year's Day	Monday	January 1, 2025
Martin Luther King Day	Monday	January 20, 2025
President's Day	Monday	February 17, 2025
Good Friday	Friday	April 18, 2025
Memorial Day	Monday	May 26, 2025
Juneteenth	Friday	June 20, 2025
Independence Day	Thursday	July 4, 2025
Labor Day	Monday	September 1, 2025
Columbus Day	Monday	October 13, 2025
Veteran's Day	Monday	November 11, 2025
Thanksgiving Day	Thursday	November 27, 2025
Thanksgiving Day Friday	Friday	November 28, 2025
Christmas Floating Holiday	Wednesday	December 24, 2024
Christmas Day Holiday	Thursday	December 25, 2024

**BE IT FURTHER RESOLVED,** that copies of this resolution be forwarded to the Commissioners and the Department Heads of the Borough of Harvey Cedars and be posted on the official bulletin board.

PASSED ON:

### **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 November 1, 2024.

# RESOLUTION OF THE BOROUGH OF HARVEY CEDARS ORDERING THE CORRECTION OF THE BOROUGH'S TAX RECORD AND AUTHORIZING THE REFUND OF EXCESSIVE PAYMENT

**WHEREAS**, 6309 F Long Beach Boulevard LLC (the "Property Owner") is the owner of real property commonly known as 6309 F Long Beach Boulevard, Borough of Harvey Cedars, Block 38, Lot 6 as shown on the Tax Maps of the Borough of Harvey Cedars; and

**WHEREAS,** in the tax year 2023, the property known as 6309F Long Beach Boulevard was originally assessed with land value only in the amount of \$1,269,900; and

**WHEREAS,** the Tax Assessor added an improvement assessment for a single-family dwelling and an elevator for \$1,268,500, making the total assessment \$2,538,400; and

**WHEREAS,** in the tax year 2024 the tax duplicate was erroneously billed with a land value of \$1,269,900 and an improvement value of \$2,538,400, for a total assessment of \$3,808,300; and

WHEREAS, the Property Owner was mistakenly billed twice for the land improvement value and subsequently paid the erroneous bill; and

WHEREAS, pursuant to N.J.S.A 54:4-54 "[w]here by mistake [real] property... has been twice entered and assessed on the tax duplicate, the governing body of the taxing district... may order and cause the tax record to be corrected and if the tax has been twice paid the governing body of the taxing district shall refund the excessive payment without interest"; and

WHEREAS, the Board of Commissioners of the Borough of Harvey Cedars, as recommended by the Tax Assessor in accordance with N.J.S.A. 54:4-54, desires to correct a mistake for the tax year 2024, by removing the erroneous improvement assessment to exclude the land value in the improvement value from the tax records of the Borough, and any taxes due thereunder be cancelled, and to provide the Property Owner a refund for overpayment in an amount of \$14,286.38.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, and State of New Jersey as recommended by the Tax Assessor in accordance with N.J.S.A. 54:4-54, that for the tax year 2024, Block 38, Lot 6 on the tax record of the Borough reflect the corrected assessment of \$1,268,500 and any taxes due be cancelled.

**BE IT FURTER RESOLVED,** that the Certified Tax Collector is hereby authorized and directed to execute such documents as may be required of the Borough to make payments of the refund to 69309 F Long Beach Boulevard LLC in the amount of \$14,286.38.

**BE IT FUTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation.

PASSED ON: November 1, 2024

## **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 November 1, 2024.

# **AUTHORIZING TRANSFER OF FUNDS**

WHEREAS, the date of this resolution is within the last two months of the calendar year 2024, and the first three months of the calendar year 2025; 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 2024 budget.

CUR	RENT_	FROM:	<u>TO:</u>
Administrator S&W	4-01-20-100-000-110	\$10,000.00	
Dir Public Affairs OE	4-01-20-110-000-210		\$500.00
Dir Public Works OE	4-01-20-112-000-210	\$500.00	
Municipal Clerk S&W	4-01-20-120-000-110	\$10,000.00	
Municipal Clerk OE	4-01-20-120-000-210		\$1,000.00
Finance Admin OE	4-01-20-130-000-210		\$1,300.00
Computer Date Processing	4-01-20-130-000-210		\$1,200.00
Tax Collection OE	4-01-20-145-000-220		\$500.00
Tax Assessor OE	4-01-20-150-000-220	\$1,000.00	
Legal Services OE	4-01-20-155-000-270		\$30,000.00
Engineering OE	4-01-20-165-000-220		\$10,000.00
Workers' Comp Insurance	4-01-23-215-000-000		\$0.01
Liability Insurance	4-01-23-210-000-000	\$1,300.01	
Police S&W	4-01-25-240-000-110	\$40,000.00	
OEM S&W	4-01-25-252-000-100	\$2,000.00	
Road Repair & Main OE	4-01-26-290-000-220		\$500.00
Building & Grounds OE	4-01-26-310-000-200		\$10,000.00
Beaches OE	4-01-28-380-000-220		\$600.00
Lifeguards S&W	4-01-28-381-000-110	\$1,600.00	
Lifeguards OE	4-01-28-381-000-210		\$500.00
Beach Front Maintenance	4-01-28-383-000-023	\$1,000.00	
Landfill Disposal Costs	4-01-31-465-000-781		\$1,300.00
LBI Trolley Shared Service	4-01-42-370-020-000		\$10,000.00

PASSED ON: November 1, 2024

# **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 November 1, 2024.

# AMENDING RESOLUTION #2024-104 PERTAINING TO THE INCREASE OF ANNUAL LOSAP CONTRIBUTIONS

**WHEREAS,** on August 5, 2024, Resolution #2024-104 was adopted at a public meeting of the Harvey Cedars Board of Commissioners; and

**WHEREAS**, Resolution #2024-104 increased the Length of Service Award Program ("LOSAP") contributions by the Consumer Price Index ("CPI") factor authorized by the State; and

**WHEREAS**, in 2001, the Borough created its LOSAP in accordance with P.L. 1997, c. 388, and the provisions of N.J.S.A. 40A:14-183 to reward active members of the High Point Volunteer Fire Company and incentivize additional membership; and

**WHEREAS**, pursuant to the ordinance and referendum approval, the Borough is responsible for \$630 towards the statutory maximum contribution amount of \$1,150 (the remaining \$520 of the statutory maximum amounts is contributed by the Township of Long Beach); and

WHEREAS, pursuant to the statute and Division of Local Government Services Local Finance Notice No. 2024-01 and applicable law, the CPI may be increased by the Borough beginning the year following the first year the LOSAP program was in effect, which is 2003; and

WHEREAS, in accordance with applicable law, the Borough only controls its base contribution amount of \$630 and may only increase that amount by the CPI; and

**WHEREAS**, the Borough has elected to amend Resolution #2024-104 to revise the Borough's LOSAP contribution as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, in accordance with the foregoing Recitals, which are incorporated herein by reference, as follows.

- 1. That the maximum LOSAP base contribution for High Point Volunteer Fire Company (\$630) is increased by the CPI for the years 2003 through 2023.
- 2. Based upon the CPI, the new maximum contribution amount for the High Point Volunteer Fire Company is increased from \$630 to \$1,029.
- 3. Resolution #2024-104 is superseded by this Resolution and the increase shall take effect as of the date of the resolution when depositing funds into member's accounts at Lincoln Financial for their 2023 LOSAP.

PASSED ON: November 1, 2024

# **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 November 1, 2024.

Void: N

Aprv: N

Bid: Y State: Y Other: Y Exempt: Y

Paid: N

Held: Y

Open: N

Rcvd: Y

P.O. Type: All

Vendors: All

Range: First to Last

Format: Condensed

Include Non-Budgeted: Y

Rcvd Batch Id Range: First to Last

0 # PO Date	Vendor		PO Description	Status	Amount V	oid Amount PO Ty
4-00308 03/19/24	JSUTT005	J SUTTER ENTERPRISES LLC	Truck Graphics	Open	923.64	0.00
4-00519 05/07/24	NESTL005	BLUETRITON BRANDS INC	monhtly water	0pen	104.53	0.00
4-00628 05/31/24	PMCAS005	PMC ASSOCIATES	Radios	0pen	1,333.50	0.00
4-00893 07/26/24	JBAWA005	JB AWARDS	Awards for Island Races	0pen	411.07	0.00
4-00907 07/31/24	VERIZ030	VERIZON WIRELESS - CELL	monthly cell	0pen	240.35	0.00
4-00919 08/02/24	TUCKE010	TUCKERTON LUMBER COMPANY	park and pickleball improvemen	0pen	700.04	0.00
4-00949 08/15/24	SHOBE005	SHOBER, ELIZABETH	LIT	0pen	300.00	0.00
4-01053 09/17/24	PACEA005	PACE ANALYTICAL SERVICES, LLC	monthly water testing	0pen	64.00	0.00
4-01088 09/27/24	PCSLL005	PCS, LLC	OnSite Visit	0pen	1,322.75	0.00
4-01090 09/27/24	OCP00020	OC POLICE CHIEFS ASSN	2024 pistol match	0pen	30.00	0.00
1-01101 10/03/24	AMAZOO05	AMAZON CAPITAL SERVICES, INC	Brick Project	0pen	25.99	0.00
1-01104 10/03/24	EYESO005	EYES ON THE BALL TENNIS	Refund Camp Refundable Deposit	0pen	200.00	0.00
1-01135 10/08/24	AMAZO005	AMAZON CAPITAL SERVICES, INC	HCAC - Wine Tasting Supplies	0pen	164.19	0.00
4-01136 10/09/24	SANDP010	SANDPAPER	fall 2024 hydrant ad	0pen	101.60	0.00
1-01149 10/11/24	MGLF0010	MGL FORMS-SYSTEMS	Water Deposit Slips	0pen	241.00	0.00
		AMAZON CAPITAL SERVICES, INC	Siding Project	Open	482.85	0.00
		COUNTY OF OCEAN	County Tax Payment	Open	1,959,577.17	0.00
		MANAHAWKIN MAGIC WASH	Vehicle wash	0pen	50.50	0.00
		TUCKERTON LUMBER COMPANY	Material	0pen	52.80	0.00
		GOLD TYPE BUSINESS MACHINE INC		0pen	73.10	0.00
		NJ STATE LEAGUE OF MUNI	Burnaford/Tilton	0pen	140.00	0.00
		AMAZON CAPITAL SERVICES, INC	Wine Tasting Supplies	0pen	41.06	0.00
• •		· · · · · · · · · · · · · · · · · · ·	Lifeguard quad repairs	0pen	397.62	0.00
• •		AMAZON CAPITAL SERVICES, INC	Christmas Decorations	0pen	375.22	0.00
• •		OWEN, LITTLE & ASSOCIATES	Monthly Invoice	0pen	40,182.03	0.00
		LISIEWSKI, CHRISTINE	Monthly Newsletter	0pen	45.00	0.00
• •		METLIFE - GROUP BENEFITS	Monthly Invoice - November	Open	228.80	0.00
• •		SHORE BUSINESS SOLUTIONS	Monthly Invoice	Open	82.88	0.00
I-01203 10/20/24			Huntress	Open	132.00	0.00
		HIGH POINT VOLUNTEER FIRE CO	2024 Contribution	Open	12,000.00	0.00
		DECOTIIS, FITZPATRICK & COLE	Legal Services	Open	25.00	0.00
		DECOTIIS, FITZPATRICK & COLE	Legal Services: BANS	Open	28.23	0.00
I-01207 10/30/24 I-01208 10/30/24		•	Monthly Invoice - W&S Charges	•	149.37	0.00
		DASTI, MURPHY & MC GUCKIN, PC	Municipal Prosecutor	Open Open	1,400.00	0.00
		OWEN, LITTLE & ASSOCIATES	· · · · · · · · · · · · · · · · · · ·	Open Open	9,765.00	0.00
			Monthly Invoice	Open		
		LBI HEALTH DEPARTMENT	Fourth Quarter Health Services	•	11,969.49	0.00
		BLUETRITON BRANDS INC	Lifeguards Water	Open	11.98	0.00
• •		LISIEWSKI, CHRISTINE	2024 Eyeglass Reimbursement	Open	249.55	0.00
• •		CREATIVE MANAGEMENT INC	Fuel Invoices	Open	679.63	0.00
		CREATIVE MANAGEMENT INC	Fuel Invoices	Open	701.58	0.00
I-01219 11/01/24			Fuel	0pen	593.85	0.00
		OWEN, LITTLE & ASSOCIATES	Monthly Invoice	0pen	2,500.00	0.00
4-01221 11/01/24			Monthly Invoice -	0pen	136.17	0.00
4-01222 11/01/24	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	0pen	181.76	0.00
otal Purchase Or	ders:	44 Total P.O. Line Items:	O Total List Amount: 2,048	,415.30	Total Void Amou	nt: 0.0

Totals by Year-Fund Fund Description Fun	nd	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund 3-0	01	4,950.00	0.00	4,950.00	0.00	0.00	4,950.00
Utility Operating 3-0 Year Tota		<u>1,558.59</u> 6,508.59	0.00	1,558.59 6,508.59		0.00	1,558.59 6,508.59
Current Fund 4-0	01	1,999,651.23	0.00	1,999,651.23	0.00	0.00	1,999,651.23
Utility Operating 4-0 Year Tota		1,961.77 2,001,613.00	0.00	1,961.77 2,001,613.00		0.00	1,961.77 2,001,613.00
General Capital F C-0	04	8,251.83	0.00	8,251.83	0.00	0.00	8,251.83
Utility Capital F C-0 Year Tota		27,887.00 36,138.83	0.00	27,887.00 36,138.83		0.00	27,887.00 36,138.83
Trust Fund T-1	17	4,154.88	0.00	4,154.88	0.00	0.00	4,154.88
Total Of All Fund	ds:	2,048,415.30	0.00	2,048,415.30	0.00	0.00	2,048,415.30