

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 Imperiale and Rice, and Borough Attorney Michael McKenna were present.

The Mayor 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 on December 9, 2021 in the Asbury Park Press and on December 16, 2021 in the Beach Haven Times, and republished with amendments on February 24, 2022 and March 8, 2022 respectively.

**Motion** to approve the minutes of the previous meeting held on December 2, 2022 was made by Commissioner Imperiale, seconded by Commissioner Rice.

The Mayor asked for a motion to table Ordinance #2022-20.

**ORDINANCE #2022-20 SECOND 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 DEFINITIONS, CALCULATIONS OF EASEMENTS, AND PERMIT FEES**

Motion to TABLE: Commissioner Imperiale

Vote: Ayes – Oldham, Imperiale, Rice

A copy of the tabled ordinance is filed in the ordinance book.

The Mayor read the following ordinance by title and number and stated that proof of publication is on hand and the ordinance has been posted.

**ORDINANCE #2022-21 SECOND READING**

**AN ORDINANCE AMENDING CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED STREETS AND SIDEWALKS AS IT PERTAINS TO MOUNTABLE CONCRETE CURBS**

Motion to open public discussion: Commissioner Rice

Second: Commissioner Imperiale

Walt Naisby, East 82<sup>nd</sup> Street, asked if these will be rolling curbs as opposed to vertical. Mayor Oldham stated the design is a mountable curb, about 9" wide, and will be what a regular curb would be with an inch-in-a-half slope to it; it will hold the pavers in place and help the water run off the property; at this point curbing is only required where pavers or driveways are installed, not the length of the property, however it is advised for ocean street side properties to run the length of the property for the runoff to stay on the street.

Jim Fritz, West 82<sup>nd</sup> Street, asked if it is mandatory whenever pavers are installed. The Mayor stated it has been mandatory for a while, however the design changed.

Motion to close public discussion: Commissioner Imperiale

Second: Commissioner Rice

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes – Oldham, Rice, Imperiale

A copy of the full ordinance as adopted is filed in the ordinance book.

The Mayor read the following ordinance by title and number and stated that proof of publication is on hand and the ordinance has been posted.

**ORDINANCE #2022-22 SECOND READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE SUM OF \$35,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR CERTAIN CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS**

Motion to open public discussion: Commissioner Imperiale  
Second: Commissioner Rice

There were no public questions or comments.

Motion to close public discussion: Commissioner Imperiale  
Second: Commissioner Rice

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

Vote: Ayes – Oldham, Imperiale, Rice

A copy of the full ordinance as adopted is filed in the ordinance book.

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 #2022-114:**

**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 Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-115:**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF LONG BEACH AS THE LEAD AGENCY FOR LICENSE PLATE RECOGNITION DATA**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-116:**

**DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2023**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-117:**

**AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN WATER/SEWER CHARGES**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-118:**

**AUTHORIZING AND PERMITTING A ZONING EXEMPTION AS IT PERTAINS TO DRIVEWAYS**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-119:**

**DESIGNATING REGULAR MEETING DATES FOR THE BOARD OF COMMISSIONERS FOR THE YEAR 2023**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-120:**

**DESIGNATING THE ZONING OFFICER FOR THE BOROUGH OF HARVEY CEDARS**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-121:**

**APPOINTMENT OF MUNICIPAL COURT JUDGE FOR THE BOROUGH OF HARVEY CEDARS**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-122:**

**ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS**

Motion to adopt: Commissioner Imperiale  
Second: Commissioner Rice

**RESOLUTION #2022-123:**

**AUTHORIZING TRANSFER OF FUNDS**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-124:**

**AUTHORIZING CHANGE IN CUSTODIAN FOR THE CLERK'S OFFICE PETTY CASH FUND**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-125:**

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

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-126:**

**DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2023**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-127:**

**DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2023**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-128:**

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND WATER/SEWER BILLS FOR THE YEAR 2023**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-129:**

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES OF LESS THAN TEN DOLLARS FOR THE YEAR 2023**

Motion to adopt: Commissioner Rice  
Second: Commissioner Imperiale

**RESOLUTION #2022-130: Bills**

Motion to approve bills for payment: Commissioner Rice  
Second: Commissioner Imperiale

**PRIVILEGE OF THE FLOOR –**

Linda Kragie, West 75<sup>th</sup> Street, thanked the Board for doing a great job putting out the link for legislator's contacts (to support the beach funding); she said it worked perfectly and easily. The Mayor said the federal budget is being fought over right now in Washington D.C., and it is important to contact the Congressmen and Senators. Arlene Schragger, East Salem Ave., suggested to re-send the email with contacts. The Mayor asked the Clerk to send another email and include a message for residents living outside of this district to contact their district legislators as well.

Fred Schragger, East Salem Ave., asked to explain the agenda item regarding tax appeals. The Board explained and discussed how tax appeals, assessments, and revaluations work.

Walt Naisby asked for an update on the Boulevard beautification. The Mayor stated a lot of progress was made this week; a committee meeting and appointments with businesses are scheduled for this week; the project will be introduced to the general public after the business meetings.

Another discussion was held regarding revaluation and how it affects property taxes.

Commissioner Imperiale welcomed Ceci (Morillo) as Zoning Officer.

Commissioner Rice noted it was the last meeting of the year and thanked everyone who attends the meetings; he said it is always good to see everyone and answer their questions.

Mayor Oldham thanked all the volunteers and employees for their hard work this year.

The Mayor stated Santa will be driving around tonight on the fire truck.

The Board wished all happy holidays.

**Motion** to adjourn: Commissioner Imperiale  
Second: Commissioner Rice

Meeting adjourned at 4:55pm.

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Daina Dale, Municipal Clerk

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**Jonathan S. Oldham, Mayor**

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**John M. Imperiale, Commissioner**

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**Paul G. Rice, Commissioner**

**RESOLUTION #2022-114**

**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 (Lead Agency), the Boroughs of Ship Bottom and Beach Haven and the Borough of Harvey Cedars have shared the cost for the annual maintenance agreement of the CAD System, said 3-year agreement expiring December 31, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, that the Commissioner of Public Safety 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 5-year duration effective January 1, 2023 through December 31, 2027 that shall be paid annually in the following amounts pursuant to the Share Service Agreement, a copy of which is on file in the office of the Borough Clerk:

Year 2023 – \$18,000  
    Long Beach Township (55%) - \$9,900.00  
    Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$2,700.00 each  
Year 2024 – \$19,000  
    Long Beach Township (55%) - \$10,450.00  
    Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$2,850.00 each  
Year 2025 – \$20,000  
    Long Beach Township (55%) - \$11,000.00  
    Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$3,000.00 each  
Year 2026 – \$21,000  
    Long Beach Township (55%) - \$11,550.00  
    Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$3,150.00 each  
Year 2027 – \$22,000  
    Long Beach Township (55%) - \$12,100.00  
    Harvey Cedars, Ship Bottom, Beach Haven (15% each) - \$3,300.00 each

PASSED ON: December 19, 2022

**CERTIFICATION**

I, Daina Dale, 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 December 19, 2022.



Daina Dale, Municipal Clerk

**RESOLUTION #2022-115**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
WITH THE TOWNSHIP OF LONG BEACH AS THE LEAD AGENCY FOR  
LICENSE PLATE RECOGNITION DATA**

**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 has agreed with the Borough of Harvey Cedars to enter into a Shared Services Agreement for access to the Long Beach Township Police Department “Vigilant LEARN” server in order to obtain License Plate Recognition information.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Harvey Cedars, County of Ocean, State of New Jersey as follows:

1. The Commissioner of Public Safety and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Long Beach as lead agency for access to the Long Beach Township Police Department Vigilant LEARN Server to download License Plate Recognition Data effective for a three (3) year period commencing January 1, 2023 through December 31, 2025.
2. The Borough of Harvey Cedars shall pay to the Township of Long Beach the following annual fees per unit:
  - a. Year 2023 – \$650.00 for fixed camera access
  - b. Year 2024 – \$700.00 for fixed camera access
  - c. Year 2025 – \$750.00 for fixed camera access
  - d. \$250.00 per vehicle mounted ALPR system
3. A copy of the Agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk’s Office during normal business hours.

PASSED ON: December 19, 2022

**CERTIFICATION**

I, Daina Dale, 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 December 19, 2022.



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Daina Dale, Municipal Clerk

**RESOLUTION #2022-116**

**DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2023**

**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, 2023 and ending December 31, 2023 and the following fees are set for said professional services per quotes and contracts received by the Borough:

1. The firm Hiering, Gannon & McKenna as Borough Attorney and Labor Attorney  
29 Hadley Avenue, Toms River, NJ 08753  
**\$160.00 per hour/ \$250.00 per Borough meeting**  
**not to exceed \$17,500 annually**
2. Armando V. Riccio, LLC as Alternate Labor Attorney  
7 North Main Street, Suite A, Medford, NJ 08055  
**\$90.00 - \$185.00 per hour / service dependent**  
**not to exceed \$17,500 annually**
3. Arthur Thibault Jr., Esq of the firm Apruzzese, McDermott, Mastro & Murphy as Alternate Labor Attorney  
25 Independence Blvd., Warren, NJ 07059  
**\$185.00 per hour**  
**not to exceed \$17,500 annually**
4. 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**
5. Robert Allison, CPA of the firm Holman, Frenia & Allison as Municipal Auditor  
1985 Cedar Bridge Ave., Suite 3, Lakewood, NJ 08701  
**\$45,200 per audit**  
**\$90.00 - \$220.00 per hour / service dependent not to exceed \$17,500 annually**
6. Frank J. Little, P.E. of the firm Owen, Little & Associates as Municipal Engineer  
442 Atlantic City Blvd., Beachwood, NJ 08722  
**\$40.00 - \$195.00 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. Brian DiStefano, Esq. as Alternate Public Defender  
1 Pelican Drive, 2<sup>nd</sup> Floor, Suite 6, Bayville, NJ 08721  
**\$300.00 per court attendance not to exceed \$3,600 annually**
9. David Casadonte, Esq. as Municipal Prosecutor  
Toms River, NJ  
**\$550.00 per month not to exceed \$6,600 annually**
10. Laura M. Benson, Esq. as Alternate Municipal Prosecutor  
212 Hooper Ave., Toms River, NJ 08754  
**\$550.00 per month not to exceed \$6,600 annually**
11. Edmunds & Associates, Inc. as Finance & Tax and Water Billing Software Support Professional  
301A Tilton Road, Northfield, NJ 08225  
**Not to exceed \$12,500 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: December 19, 2022

**CERTIFICATION**

I, Daina Dale, 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 December 19, 2022.



Daina Dale, Municipal Clerk

**RESOLUTION #2022-117**

**AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN  
WATER/SEWER CHARGES**

**WHEREAS** the Utility Collector of the Borough of Harvey Cedars processes quarterly utility bills based on the prior three months of water usage, and the Borough Superintendent reads and maintains monthly meter readings; and

**WHEREAS** the following property owner had high water usage for the 4<sup>th</sup> quarter of 2022 due to a water leak, and the Utility Collector investigated this usage and agreed to issue credits for this one occasion:

- Messina, Michael & Amanda – 16 Buckingham Ave. – leak

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that the Utility Collector is authorized to adjust and issue a one-time credit to the following utility account based on the calculated 2021 average homeowner usage for the 4<sup>th</sup> quarter:

ACCOUNT#	WATER CREDIT	SEWER CREDIT
431-0	\$757.18	\$234.75

PASSED ON: December 19, 2022



**RESOLUTION #2022-118**

**AUTHORIZING AND PERMITTING A ZONING EXEMPTION AS IT  
PERTAINS TO DRIVEWAYS**

**WHEREAS** one of the duties of the Code Enforcement/Zoning Officer of the Borough of Harvey Cedars is to ensure compliance with Borough ordinances; and

**WHEREAS** pursuant to Borough Zoning Code 13-9.6 regarding Off-Street Parking Requirements, paragraph (c) requires a maximum width of a driveway to be 18 feet, and only one driveway shall be permitted for each 50 feet of lot width, however a lot exceeding 70 feet at the street line may have two nine-foot driveways; and

**WHEREAS** the Board of Commissioners are in the process of reviewing and amending said regulations to increase driveway widths for properties over 70 feet in street front width; and

**WHEREAS** the property at 6 Camden Avenue has a street front width of 100 feet, and the property owners requested to install two eighteen-foot-wide driveways; and

**WHEREAS** it is the desire of the Board of Commissioners that all Borough ordinances be complied with, however the Board acknowledges amendments to the current said ordinance are underway, and granting relief in certain situations is suitable.

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

1. The Board hereby permits two eighteen-foot driveways at 6 Camden Avenue, Block 33 Lot 15 with a distance of at least 20 feet between the two driveways.
2. The Zoning Officer is hereby authorized to issue a permit for said driveways as stated hereinbefore upon the submittal of proper paperwork and fees.
3. This resolution applies solely for the property at 6 Camden Avenue, Block 33 Lot 15 and this circumstance, and by no means authorizes the Zoning Officer or any other Borough Official to grant relief of or exception to any Borough Code to this or any other property.

PASSED ON: December 19, 2022

**RESOLUTION #2022-119**

**DESIGNATING REGULAR MEETING DATES FOR THE BOARD OF COMMISSIONERS FOR THE YEAR 2023**

**WHEREAS** the Open Public Meetings Act of 1976 requires public bodies to provide notice of all meetings in an effort to enhance the proper functioning of the democratic processes; and

**WHEREAS** it is the desire of this Board of Commissioners to adhere to the provision of said act.

**NOW, THEREFORE**, pursuant to the provisions of the Open Public Meetings Act, **BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars for the year 2023 as follows:

1. The Board of Commissioners hereby designates the first Friday of each month at 4:30pm and the third Monday of each month at 4:30pm for its regular meeting, with exceptions noted below, unless otherwise modified by this Board. Formal action will be taken.

<u>1<sup>st</sup> Friday of the Month</u>	<u>3<sup>rd</sup> Monday of the Month</u>
January 6, 2023	<b>January 20, 2023* (3<sup>rd</sup> Friday)</b>
February 3, 2023	<b>February 17, 2023* (3<sup>rd</sup> Friday)</b>
March 3, 2023	March 20, 2023
<b>April 3, 2023* (1<sup>st</sup> Monday)</b>	April 17, 2023
May 5, 2023	May 15, 2023
June 2, 2023	June 19, 2023
July 7, 2023	July 17, 2023
August 4, 2023	August 21, 2023
September 1, 2023	September 18, 2023
October 6, 2023	October 16, 2023
November 3, 2023	November 20, 2023
December 1, 2023	December 18, 2023

2. The Board of Commissioners hereby designates two (2) hours preceding and one (1) hour after each regular meeting for its policy meeting unless otherwise modified by resolution of the Board. No formal action will be taken.
3. The Board of Commissioners will hold daily work sessions, as well as Executive Sessions if necessary, on Mondays and Fridays. No formal action will be taken.
4. All aforementioned meetings shall be held at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ.

PASSED ON: December 19, 2022

**RESOLUTION #2022-120**

**DESIGNATING THE ZONING OFFICER  
FOR THE BOROUGH OF HARVEY CEDARS**

**WHEREAS** the Borough of Harvey Cedars has established the position of Zoning Officer / Code Enforcement Officer who, under the supervision of the Public Works Commissioner, examines the working plans of proposed buildings for their compliance with state, county and local zoning laws, ordinances, rules and regulations and conducts field work to ensure compliance of zoning regulations, and who performs varied types of field and office work involved in seeing that residences, business places and citizens comply with various borough ordinances and related work as required; and

**WHEREAS** Cecilia Morillo has held the position of Assistant Zoning/Code Enforcement Officer since employed on September 19, 2022 and satisfies the job requirements for position of Zoning/Code Enforcement Officer.

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

Cecilia Morillo

be and is hereby designated as the Zoning Officer and the Code Enforcement Officer of the Borough of Harvey Cedars effective December 19, 2022.

PASSED ON: December 19, 2022

**RESOLUTION #2022-121**

**APPOINTMENT OF MUNICIPAL COURT JUDGE FOR THE  
BOROUGH OF HARVEY CEDARS**

**WHEREAS** the Board of Commissioners of the Borough of Harvey Cedars, Ocean County, has determined that it is necessary to appoint a Municipal Court Judge; and

**WHEREAS** pursuant to N.J.S.A. 2B:12-4 a municipality may employ an attorney at law as the Municipal Court Judge for the term of three years from the date of appointment; and

**WHEREAS** Stacey Kerr, Esquire has served as Municipal Court Judge for the Borough of Harvey Cedars for the last three years and has the necessary experience and qualifications to perform the duties of Municipal Court Judge; and

**WHEREAS** it is the desire of the Borough Commissioners to reappoint Judge Kerr for a three-year term.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that Stacey Kerr is hereby appointed Municipal Court Judge for the Borough of Harvey Cedars for a three (3) year term commencing January 1, 2023 and ending December 31, 2025 as per the agreement on file in the Municipal Clerk's office.

**BE IT FURTHER RESOLVED** that certified copies of this resolution shall be forwarded to the Harvey Cedars Court Administrator.

PASSED ON: December 19, 2022

**RESOLUTION #2022-122**

**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

**WHEREAS** some terms expire on December 31, 2022.

**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. William Montag to serve as the Class II member for a one (1) year term ending 12/31/23.
2. Mindy Berman to serve as the Alternate #1 member for a two (2) term as the ending 12/31/24.

**BE IT FURTHER RESOLVED** by the majority of the Board of Commissioners of the Borough of Harvey Cedars that John Imperiale 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, 2023.

PASSED ON: December 19, 2022

**RESOLUTION #2022-123**

**AUTHORIZING TRANSFER OF FUNDS**

**WHEREAS** the date of this resolution is within the last two months of the calendar year 2022, and the first three months of the calendar year 2023; 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 2022 budget.

<b><u>CURRENT</u></b>		<b><u>FROM:</u></b>	<b><u>TO:</u></b>
Liability Insurance	2-01-23-210-000-000		\$250.00
Land Use Board S&W	2-01-21-180-000-100		\$1,000.00
Police S&W	2-01-25-240-000-100	\$8,250.00	
Road Repair& Maint S&W	2-01-26-290-000-100	\$7,000.00	
Vehicle Maint S&W	2-01-26-315-000-200		\$2,000.00
Street Lighting	2-01-31-440-000-000		\$5,000.00
Gasoline	2-01-31-460-000-000		\$7,000.00

PASSED ON: December 19, 2022

**RESOLUTION #2022-124**

**AUTHORIZING CHANGE IN CUSTODIAN FOR  
THE CLERK'S OFFICE PETTY CASH FUND**

**WHEREAS** N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Borough of Harvey Cedars; and

**WHEREAS** said Petty Cash Fund was established by resolution dated May 20, 2003 by the Commissioners of the Borough of Harvey Cedars; and

**WHEREAS** said Petty Cash Fund received approval of the Director of Local Government Services on July 23, 2003 in the amount of \$100.00; and

**WHEREAS** Daina Dale is custodian of the Clerk's Petty Cash Fund; and

**WHEREAS** in accordance with N.J.S.A. 40:5-21, the Borough of Harvey Cedars desires to change the custodian to Anna Grimste; and

**WHEREAS** Anna Grimste is bonded in the amount of \$1,000.00 by virtue of a blanket surety bond.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Harvey Cedars, County of Ocean, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

PASSED ON: December 19, 2022

**RESOLUTION #2022-125**

**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 **2023** 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 **2023**; and

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

PASSED ON: December 19, 2022



**RESOLUTION #2022-126**

**DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2023**

**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  
Wells Fargo Bank  
TD Bank  
State of New Jersey Cash Management Fund  
New Jersey ARM  
Fulton Bank of NJ

PASSED ON: December 19, 2022

**RESOLUTION #2022-127**

**DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2023**

**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  
The Star Ledger

PASSED ON: December 19, 2022

**RESOLUTION #2022-128**

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND  
WATER/SEWER BILLS FOR THE YEAR 2023**

**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 2023, 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.
- 4) All charges shall be processed in accordance with current State orders during the pandemic.

PASSED ON: December 19, 2022

**RESOLUTION #2022-129**

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES  
OF LESS THAN TEN DOLLARS FOR THE YEAR 2023**

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

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

PASSED ON: December 19, 2022

**RESOLUTION #2022-130**

December 19, 2022  
11:49 AM

BOROUGH OF HARVEY CEDARS  
Bill List By P.O. Number

Page No: 1

P.O. Type: All	Open: N	Paid: N	Void: N
Range: First       to Last	Rcvd: Y	Held: Y	Aprv: N
Format: Condensed	Bid: Y	State: Y	Other: Y   Exempt: Y
Vendors: All	Include Non-Budgeted: Y		
Rcvd Batch Id Range: First   to Last			

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
21-00777	08/10/21	RAYBE005 RAYBERN UTILITY SOLUTION LLC	Temetra software setup	Open	2,095.00	0.00	
21-00808	08/18/21	AMERI070 AMERICAN WEAR, INC.	dpw uniforms	Open	308.00	0.00	B
21-01224	12/27/21	UNIVE020 UNIVERSAL SUPPLY COMPANY, INC	borough hall rehab supplies	Open	312.68	0.00	
22-00034	01/11/22	USAB0010 USA BLUE BOOK	stenner peristaltic pump	Open	648.17	0.00	
22-00445	04/25/22	MAACO025 MAACO COLLISION REPAIR	Paint	Open	808.69	0.00	
22-00543	05/20/22	LBIB0020 LBI BOARD OF EDUCATION	Local School Taxes	Open	146,234.00	0.00	B
22-00544	05/20/22	SREG0020 S REGIONAL BOARD OF EDUCATION	2022-2023 Reg. School Taxes	Open	266,615.60	0.00	B
22-00588	06/03/22	RELIA010 RELIABLE COMMUNICATIONS	monthly fire alarm monitoring	Open	199.50	0.00	B
22-00765	07/21/22	ONEC0010 ONE CALL CONCEPTS INC	monthly markouts	Open	77.21	0.00	
22-00834	08/08/22	BEACH050 BEACH HAVEN AUTOMOTIVE, INC	buildings and grounds	Open	107.46	0.00	
22-00844	08/09/22	BEACH050 BEACH HAVEN AUTOMOTIVE, INC	shop supplies	Open	382.12	0.00	
22-00846	08/10/22	POLIC025 POLICE RECORDS & INFORMATION	Redact.Records Training Tilton	Open	159.00	0.00	
22-00884	08/24/22	UNIVE020 UNIVERSAL SUPPLY COMPANY, INC	Windows Borough Hall	Open	987.00	0.00	
22-00922	09/06/22	GENER055 GENERAL CODE LLC	Conversion to E-Code	Open	2,179.00	0.00	
22-00924	09/06/22	CAUSE010 CAUSEWAY FORD	992	Open	1,282.81	0.00	
22-00926	09/07/22	NESTL005 NESTLE WATERS NORTH AMERICAN	monthly water	Open	85.94	0.00	
22-00939	09/09/22	HOME0010 HOME DEPOT/GEFC	shop supplies	Open	267.64	0.00	
22-00944	09/09/22	AMERI075 AMERICAN RECYCLED PLASTIC, INC	Park Bench Project - 8 benches	Open	4,232.00	0.00	
22-00989	09/20/22	DALE0020 DALE, DAINA	Petty Cash Reimbursements	Open	94.61	0.00	
22-01014	09/30/22	WITME005 WITMER PUBLIC SAFETY GROUP INC	Glocks/Holsters	Open	3,857.71	0.00	
22-01025	10/05/22	VERIZ030 VERIZON WIRELESS - CELL	monthly cell phone bills	Open	130.82	0.00	
22-01056	10/12/22	JOHNN010 UNITED SITE SERVICES	monthly rental	Open	155.00	0.00	
22-01083	10/20/22	HARVE010 HARVEY CEDARS AUTO	New Tires	Open	1,300.32	0.00	
22-01119	11/01/22	ACEO0010 ACE OUTDOOR POWER EQUIPMENT	lawnmower repair	Open	784.38	0.00	
22-01124	11/02/22	TUCKE010 TUCKERTON LUMBER COMPANY	Range/ 5 Ton	Open	649.64	0.00	
22-01140	11/07/22	TUCKE010 TUCKERTON LUMBER COMPANY	boro hall rehab supplies	Open	752.53	0.00	
22-01143	11/07/22	DECHA005 DESCHAMPS MATS SYSTEMS, INC	Marina mats sunset park	Open	4,770.49	0.00	
22-01146	11/07/22	BEACH050 BEACH HAVEN AUTOMOTIVE, INC	Vehicle Maintenance	Open	172.65	0.00	
22-01151	11/07/22	MRCIN005 MRC, INC.	GameTime-Schooner	Open	27,968.46	0.00	
22-01172	11/16/22	HOME0010 HOME DEPOT/GEFC	buildings and grounds	Open	61.14	0.00	
22-01183	11/17/22	HOME0010 HOME DEPOT/GEFC	borough hall rehab	Open	1,200.16	0.00	
22-01184	11/17/22	TUCKE010 TUCKERTON LUMBER COMPANY	Borough hall rehab	Open	232.43	0.00	
22-01196	11/21/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	7.64	0.00	
22-01197	11/21/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	13.99	0.00	
22-01204	11/23/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	48.99	0.00	
22-01210	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	28.12	0.00	
22-01211	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	20.59	0.00	
22-01215	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	54.53	0.00	
22-01216	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	101.31	0.00	
22-01217	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	46.97	0.00	
22-01218	11/29/22	AMAZO005 AMAZON CAPITAL SERVICES, INC	Shovels	Open	71.60	0.00	
22-01225	12/05/22	BURNA010 BURNAFORD, ROBERT	2023 IACP, toll , uniforms	Open	334.60	0.00	
22-01227	12/05/22	BUTLE010 BUTLER, TIMOTHY	Striker Boots/ Socks	Open	326.00	0.00	
22-01228	12/05/22	UNIVE020 UNIVERSAL SUPPLY COMPANY, INC	Cedar siding for borough hall	Open	1,819.50	0.00	
22-01230	12/05/22	WESSL005 WESSLER, REBECCA	License Renewal CMFO	Open	50.00	0.00	
22-01231	12/05/22	LANGU010 LANGUAGE LINE SERVICES, INC	Phone Interpretation	Open	57.96	0.00	
22-01232	12/05/22	NESTL005 NESTLE WATERS NORTH AMERICAN	Water Delivery	Open	104.38	0.00	
22-01233	12/05/22	PAVIA005 PAVIA ENTERPRISES LLC	November Courier Service	Open	267.63	0.00	

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
22-01235	12/05/22	AMAZ0005	AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	103.56	0.00
22-01236	12/06/22	MAGEL010	LINE SYSTEMS	December Monthly Invoice	Open	1,531.71	0.00
22-01239	12/08/22	LINCO010	LINCOLN FINANCIAL GROUP	2021 LOSAP contribution BLFAS	Open	3,410.00	0.00
22-01243	12/09/22	HOME0010	HOME DEPOT/GECF	borough hall rehab	Open	401.35	0.00
22-01244	12/09/22	BRUNO005	BRUNO'S MEAT MARKET	Christmas Party	Open	523.25	0.00
22-01246	12/09/22	AMAZ0005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	76.91	0.00
22-01247	12/12/22	APRUZ005	APRUZZESE, MCDERMOT, MASTRO &	November Legal Services	Open	370.25	0.00
22-01248	12/12/22	PETER020	PETERSON, BONNIE R	Prosecutor November 2022	Open	550.00	0.00
22-01249	12/12/22	NJDI0020	NJ DIV OF A B C	2022-2023 Liquor License Renew	Open	6.00	0.00
22-01250	12/12/22	TWPO0010	TWP OF STAFFORD	November Animal Control	Open	269.00	0.00
22-01251	12/12/22	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthly Advertising - November	Open	48.02	0.00
22-01252	12/12/22	MEADO020	MEADOWBROOK INDUSTRIES LLC	November Trash & Recycling	Open	26,874.49	0.00
22-01256	12/14/22	HIERI010	HIERING, GANNON & MC KENNA	November Legal Fees	Open	1,606.50	0.00
22-01257	12/14/22	OXYGE010	OXYGEN SUPPLY COMPANY	oxygen and acetylene rental	Open	49.00	0.00
22-01258	12/14/22	LINCO010	LINCOLN FINANCIAL GROUP	2021 LOSAP contribution HPVFC	Open	1,860.00	0.00
22-01259	12/14/22	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.04	0.00
22-01260	12/15/22	DECOT010	DECOTIIS, FITZPATRICK & COLE	Legal Services	Open	75.00	0.00
22-01261	12/15/22	DECOT010	DECOTIIS, FITZPATRICK & COLE	Legal Services: 2022 BANS	Open	2,730.02	0.00
22-01262	12/15/22	PCSL005	PCS, LLC	Monthly Invoice - November	Open	1,447.96	0.00
22-01263	12/15/22	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	165.34	0.00
22-01264	12/15/22	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	768.05	0.00
22-01265	12/15/22	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	1,866.61	0.00
22-01266	12/15/22	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	400.00	0.00
22-01267	12/15/22	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	243.81	0.00
22-01268	12/16/22	WESSL005	WESSLER, REBECCA	Eyeglasses Reimbursement	Open	325.00	0.00
22-01269	12/16/22	DALE0010	DALE, DAINA	Reimbursements Eyeglass	Open	73.06	0.00
22-01271	12/16/22	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	140.57	0.00
22-01272	12/16/22	TIMES010	BEACH HAVEN TIMES #1171	Beach Haven Times Subscription	Open	30.34	0.00
22-01273	12/16/22	TREC0010	TREC ADVANCED COMPUTER	Tax Assessment Notices	Open	625.50	0.00
22-01276	12/19/22	GRIMS005	GRIMSTE, ANNA	Eyeglass reimbursement	Open	274.98	0.00
22-01277	12/19/22	DALE0010	DALE, DAINA	Zoom	Open	14.99	0.00
22-01278	12/19/22	PETER020	PETERSON, BONNIE R	Prosecutor December 2022	Open	550.00	0.00
22-01279	12/19/22	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	6,096.82	0.00
22-01280	12/19/22	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - W&S Charges	Open	3,224.43	0.00
22-01281	12/19/22	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	4,763.31	0.00
22-01282	12/19/22	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	1,548.34	0.00
22-01283	12/19/22	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	1,200.00	0.00
22-01284	12/19/22	VERIZ030	VERIZON WIRELESS - CELL	Cell Phones	Open	210.90	0.00

Total Purchase Orders: 86 Total P.O. Line Items: 0 Total List Amount: 537,073.08 Total Void Amount: 0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
Current Fund	1-01	35,942.17	0.00	35,942.17	0.00	0.00	35,942.17
Current Fund	2-01	477,081.23	0.00	477,081.23	0.00	0.00	477,081.23
Utility Operating	2-09	6,605.89	0.00	6,605.89	0.00	0.00	6,605.89
Year Total:		483,687.12	0.00	483,687.12	0.00	0.00	483,687.12
General Capital F	C-04	7,999.96	0.00	7,999.96	0.00	0.00	7,999.96
Utility Capital F	C-08	3,080.00	0.00	3,080.00	0.00	0.00	3,080.00
Year Total:		11,079.96	0.00	11,079.96	0.00	0.00	11,079.96
Trust Fund	T-17	6,363.83	0.00	6,363.83	0.00	0.00	6,363.83
Total of All Funds:		537,073.08	0.00	537,073.08	0.00	0.00	537,073.08

BE IT RESOLVED by the Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the foregoing bill list dated December 19, 2022 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: December 19, 2022