

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. Commissioner Gerkens was present, Commissioner Garofalo was on holiday.

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 13, 2018 in the Beach Haven Times and on December 29, 2018 in the Asbury Park Press.

Motion to approve the minutes of the previous meeting, December 18, 2019 was made by Commissioner Gerkens, seconded by Mayor Oldham.

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 #2019-001:

TEMPORARY BUDGET

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-002:

DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2019

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-003:

ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS FOR THE YEAR 2019

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-004:

ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-005:

PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-006:

AUTHORIZING THE CLERK'S OFFICE TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-007:

AUTHORIZING THE POLICE CHIEF TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-008:

AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT FOR THE SUPPLY OF POTABLE WATER TO THE TOWNSHIP OF LONG BEACH

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

(Clerk's Note: The contents of Resolution #2019-009 was included in the annual appointment Resolution #2019-003 at the time of adoption and separated afterwards for independence.)

RESOLUTION #2019-009:

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

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-010: Bills

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

TOPICS OF INTEREST –

Mayor Oldham stated there will be work done before the summer to fix some handicap access issues at Mercer and 80th Street.

PRIVILEGE OF THE FLOOR –

Mike Songer asked if the Board had any news to be included in the Taxpayer's Association mailing. The Mayor suggested to remind residents to have their address numbers displayed properly for first responders, as well as maintaining clearance on easements for fire trucks.

Motion to adjourn: Commissioner Gerkens

Second: Mayor Oldham

Meeting adjourned at 4:45pm.

RESOLUTION #2019-001

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 2019 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, 2019; and

WHEREAS the total appropriations in the 2018 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund is the sum of \$3,886,915.57; and

WHEREAS twenty-six and one quarter percent of the total appropriations in the 2018 budget, exclusive of any appropriations made for interest and debt redemption charges and the capital improvement fund is the sum of \$1,020,315.34.

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

	<u>Account Number</u>	<u>2019 Temporary</u>
<u>Current Fund</u>		
Administrator S&W	9-01-20-100-000-110	2,500.00
Director - Public Affairs S&W	9-01-20-110-000-110	1,875.00
Director - Public Affairs OE	9-01-20-110-000-210	1,000.00
Director - Rev & Finance S&W	9-01-20-111-000-110	1,875.00
Director - Rev & Finance OE	9-01-20-111-000-210	1,000.00
Director - Pub Works S&W	9-01-20-112-000-110	1,875.00
Director - Pub Works OE	9-01-20-112-000-210	1,000.00
Municipal Clerk S&W	9-01-20-120-000-110	19,000.00
Municipal Clerk OE	9-01-20-120-000-205	4,000.00
Finance Administration S&W	9-01-20-130-000-110	12,000.00
Finance Administration OE	9-01-20-130-000-210	2,000.00
Audit Services	9-01-20-135-000-200	5,000.00
Tax Collection S&W	9-01-20-145-000-110	17,000.00
Tax Collection OE	9-01-20-145-000-220	2,000.00
Tax Assessor S&W	9-01-20-150-000-110	5,200.00
Tax Assessor OE	9-01-20-150-000-220	500.00
Legal Services	9-01-20-155-000-270	5,000.00
Engineering	9-01-20-165-000-220	5,000.00
Land Use Board S&W	9-01-21-180-000-110	7,000.00
Land Use Board OE	9-01-21-180-000-220	1,000.00
Zoning OE	9-01-21-180-000-221	1,000.00
Construction S&W	9-01-22-195-000-110	1,750.00
Construction OE	9-01-22-195-000-220	500.00
Liability Insurance	9-01-23-210-000-000	11,600.00
Workers Comp Insurance	9-01-23-215-000-000	21,000.00
Employees Group Dental	9-01-23-220-001-000	10,000.00
Employees Group Health	9-01-23-220-002-000	70,000.00
Unemployment Insurance	9-01-23-225-000-000	2,700.00
Police S&W	9-01-25-240-000-110	230,000.00
Police OE	9-01-25-240-000-220	35,000.00

Office of Emerg Mgmt S&W	9-01-25-252-000-110	1,500.00
Office of Emerg Mgmt OE	9-01-25-252-000-220	1,000.00
Borough Prosecutor OE	9-01-25-275-000-200	2,200.00
Road Repair & Maint S&W	9-01-26-290-000-110	80,000.00
Recycling S&W	9-01-26-290-000-110	14,000.00
Road Repair & Maint OE	9-01-26-290-000-220	25,000.00
Garbage & Trash Collection	9-01-26-305-000-220	37,000.00
Buildings & Grounds OE	9-01-26-310-000-200	21,000.00
Vehicle Maintenance S&W	9-01-26-315-000-110	10,000.00
Vehicle Maintenance OE	9-01-26-315-000-250	15,000.00
Recreation S&W	9-01-28-370-000-110	100.00
Recreation OE	9-01-28-370-000-201	100.00
Maintenance of Parks OE	9-01-28-375-000-220	5,000.00
Lifeguards S&W	9-01-28-381-000-110	12,000.00
Lifeguards OE	9-01-28-381-000-220	500.00
Beachfront Maintenance OE	9-01-28-383-000-023	20,000.00
Electricity	9-01-31-430-000-000	4,200.00
Street Lighting	9-01-31-435-000-000	10,000.00
Telephone	9-01-31-440-000-000	5,500.00
Natural Gas	9-01-31-447-000-000	5,500.00
Gasoline	9-01-31-460-000-000	20,000.00
Landfill Dsposal Costs	9-01-31-465-000-781	20,000.00
Recycling Tax	9-01-31-466-000-782	1,000.00
Social Security	9-01-36-472-000-000	30,000.00
Code Enforcement Shared Svc	9-01-42-195-021-000	13,000.00
Health Svcs Shared Svc	9-01-42-330-020-000	11,000.00
Animal Control Shared Svc	9-01-42-340-020-000	2,500.00
Municipal Court Shared Svc	9-01-42-350-020-000	5,000.00
IT Shared Svc	9-01-42-360-020-000	500.00
Municipal Court S&W	9-01-43-490-000-110	2,100.00
Municipal Court OE	9-01-43-490-000-201	500.00
Public Defender	9-01-43-495-000-000	750.00

Total Current Fund temporary appropriations 855,325.00

Water/Sewer Fund

Water/Sewer S&W	9-09-56-100-000-110	90,000.00
Water/Sewer OE	9-09-56-100-000-210	100,000.00
Social Security	9-09-56-541-000-010	8,000.00
Unemployment Insurance	9-09-56-542-000-010	800.00
Principal NJEIT	9-09-56-524-000-024	6,160.00
Interest NJEIT	9-09-56-525-000-025	9,705.00

Total Water/Sewer Utility temporary appropriations 214,665.00

PASSED ON: January 4, 2019

RESOLUTION #2019-002

DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2019

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey has determined that it should hire a borough attorney, bond counsel, prosecutors, auditor, engineer, public defender, labor attorney, 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, 2019 and ending December 31, 2019 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
\$155.00 per hour/ \$250.00 per Borough meeting
2. Armando V. Riccio, LLC as Alternate Labor Attorney
7 North Main Street, Suite A, Medford, NJ 08055
\$90.00 - \$165.00 per hour / service dependent
3. William Mayer, Esq of the firm DeCotiis, FitzPatrick, Cole & Giblin, LLP as Bond Counsel
500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ 07666
\$120.00 - \$250.00 per hour / service dependent
4. Robert Allison, CPA of the firm Holman, Frenia & Allison as Municipal Auditor
912 Highway 33, Suite 2, Freehold, NJ 07728
\$38,700 per audit
\$80.00 - \$200.00 per hour / service dependent
5. Frank J. Little, P.E. of the firm Owen, Little & Associates as Municipal Engineer
442 Atlantic City Blvd., Beachwood, NJ 08722
\$140.00 per hour
\$40.00 - \$190.00 per hour / service dependent
6. Debra H. Rumpf, Esq. as Public Defender
11 Leifried Lane, Tuckerton, NJ 08087
\$250.00 per court attendance
7. Stuart Snyder, Esq. as Alternate Public Defender
2100 Long Beach Blvd., Surf City, NJ 08008
\$250.00 per court attendance
8. Bonnie R. Peterson, Esq. as Municipal Prosecutor
1201 S.W. Central Avenue, PO Box J, Seaside Park, NJ 08752
\$550.00 per month
9. Laura M. Benson, Esq. as Alternate Municipal Prosecutor
212 Hooper Ave., Toms River, NJ 08754
\$550.00 per month
10. Henry J. Mancini & Associates, Inc. as Appraiser for the Green Acres Project
691 Mill Creek Road, Unit 11, Manahawkin, NJ 08050
\$5,250.00 per property report
11. Edmunds & Associates, Inc. as Finance & Tax and Water Billing Software Support Professional
301A Tilton Road, Northfield, NJ 08225
\$11,354.00 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 4, 2019

RESOLUTION #2019-003

**ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS
FOR THE YEAR 2019**

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, 2019 and ending December 31, 2019 and the duties of each employee are governed by State statutes and/or the Ocean County Joint Insurance Fund:

1. Judith Gerken as the Americans with Disabilities Act (ADA) Coordinator.
2. Daina Dale as the Registrar.
3. Anna Grimste as the Deputy Registrar.
4. Rebecca Wessler as Alternate Deputy Registrar.
5. Daina Dale as the Public Agency Compliance Officer (P.A.C.O.)
6. Michael Garofalo as the Joint Insurance Fund Commissioner.

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, 2019 and ending December 31, 2019 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. Julie Oldham as the Police Matron.
2. Anna Grimste as the Deputy Municipal Clerk.
3. Rebecca Wessler as Deputy Tax Collector.
4. Diana Stott as the Community Rating System (CRS) Coordinator.
5. Diana Stott as the Recycling Coordinator.

PASSED ON: January 4, 2019

RESOLUTION #2019-004

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, 2018.

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. Daina Dale to serve as the Class II member for a one (1) year term ending 12/31/19.
2. Sandra Marti to serve as Alternate #2 member for a two (2) year term ending 12/31/20.

BE IT FURTHER RESOLVED by the majority of the Board of Commissioners of the Borough of Harvey Cedars that Michael Garofalo is hereby appointed to the Harvey Cedars Land Use Board to serve as a Class III member for a one (1) year term ending 12/31/19.

PASSED ON: January 4, 2019

RESOLUTION #2019-005

PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

WHEREAS the Borough of Harvey Cedars has budgeted funds for 2019 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 2019:

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 4, 2019

RESOLUTION #2019-006

**AUTHORIZING THE CLERK'S OFFICE TO
MAINTAIN A PETTY CASH FUND IN THE
AMOUNT OF \$100.00**

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; and

WHEREAS it is the desire of the Commissioners that said fund be continued under the direction of the Clerk.

NOW, THEREFORE, BE IT RESOLVED ON THIS 4th day of January, 2019 by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that:

1. During the year 2019, Daina Dale, Municipal Clerk, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

2. Daina Dale, Municipal Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said fund in accordance with the laws and regulations governing its operation.

PASSED ON: January 4, 2019

RESOLUTION #2019-007

**AUTHORIZING THE POLICE CHIEF TO
MAINTAIN A PETTY CASH FUND IN THE
AMOUNT OF \$100.00**

WHEREAS N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Harvey Cedars Police Department; and

WHEREAS said Petty Cash Fund was established by resolution dated March 24, 2015 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 December 2, 2015; and

WHEREAS it is the desire of the Commissioners that said fund be continued under the direction of the Police Chief.

NOW, THEREFORE, BE IT RESOLVED ON THIS 4th day of January, 2019 by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that:

1. Police Chief Robert Burnaford be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

2. Robert Burnaford, Police Chief, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said fund in accordance with the laws and regulations governing its operation.

PASSED ON: January 4, 2019

RESOLUTION #2019-008

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
FOR THE SUPPLY OF POTABLE WATER TO THE
TOWNSHIP OF LONG BEACH**

WHEREAS the Township of Long Beach and the Borough of Harvey Cedars executed a contract for the supply of potable water to a portion of the Loveladies section of Long Beach Township effective January 1, 2016 through December 31, 2018; and

WHEREAS it the desire of both municipalities to continue said water service.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Mayor and Municipal Clerk are hereby authorized to execute a Shared Service Agreement with the Township of Long Beach to furnish and supply potable water to properties in the southern section of Loveladies, Long Beach Township, in accordance with the terms and conditions as described in the attached Agreement effective from January 1, 2019 through December 31, 2020 with 2 automatic one (1) year renewals.

PASSED ON: January 4, 2019

RESOLUTION #2019-009

**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 make appointments annually which consist 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 2019:

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

PASSED ON: January 4, 2019