

**ORGANIZATION MEETING**

The Organization meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by the Municipal Clerk at 4:30pm who stated pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting had been given. Notice of the time and place of this meeting were published in the Beach Haven Times on December 10, 2015 and Asbury Park Press on December 15, 2015 and posted in the office of the Municipal Clerk as well on the Borough’s website. Commissioners-elect Oldham and Gerkens were present. Commissioner-elect Michael Garofalo was on vacation in Florida.

The Municipal Clerk asked all to rise for the Pledge of Allegiance.

The Municipal Clerk presented the results of the election:

I, Daina Dale, Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, do hereby certify that the results of the Municipal Election held in the Borough of Harvey Cedars on the 3<sup>rd</sup> day of November 2015 have been determined as provided by Statute and that such results are as follows:

|   |     |
|---|-----|
| The total number of active registered voters: | 405 |
| The number of machine ballots cast:           | 97  |
| The number of civilian absentee ballots cast: | 28  |
| The number of provisional ballots cast:       | 1   |
| The total number of ballots cast:             | 126 |

The number of votes cast for each candidate for the office of Commissioner were:

|                     |     |
|---------------------|-----|
| JONATHAN S. OLDHAM  | 102 |
| MICHAEL A. GAROFALO | 101 |
| JUDITH E. GERKENS   | 103 |

The number of write-in votes cast for the office of Commissioner were:

|                      |   |
|----------------------|---|
| Robert V. Burnaford  | 1 |
| Craig A. Coddington  | 1 |
| Jason S. Marti       | 1 |
| Ellen C. Raimo       | 1 |
| Paul G. Rice         | 1 |
| James Zimmerman, Jr. | 1 |

Accordingly, Jonathan S. Oldham, Michael A. Garofalo and Judith E. Gerkens were duly elected to the Office of Commissioner. On Saturday, January 2, 2016 the Municipal Clerk administered the Oath of Office to the Commissioners Elect.

A **motion** was made by Commissioner Gerkens to appoint Jonathan S. Oldham as Mayor.

A **motion** was made by Mayor Oldham to appoint Judith E. Gerkens as Deputy Mayor.

From this point on, Mayor Oldham presided over the meeting.

The Mayor read the following resolution by title only and asked for a motion to adopt.

**RESOLUTION #2016-001:**

**ASSIGN AND DESIGNATE THE COMMISSIONERS/DIRECTORS TO THEIR RESPECTIVE DEPARTMENTS**

- Jonathan S. Oldham – Department of Public Works, Parks & Public Property
- Judith E. Gerkens – Department of Revenue and Finance
- Michael A. Garofalo – Department of Public Affairs and Public Safety

A copy of the full resolution is attached hereto and made a part hereof.

Motion: Commissioner Gerkens

Second: Mayor Oldham

**Motion** to approve the minutes of the previous meeting, December 15, 2016, was made by Commissioner Gerkens, seconded by Mayor Oldham.

**Motion** to approve the worksession and executive minutes for the year 2015 was made by Commissioner Gerkens, seconded by Mayor Oldham.

The Mayor read each of the following resolutions by title only and asked for motions to adopt after reading each title. Copies of the full resolutions are attached hereto and made a part hereof:

**RESOLUTION #2016-002:**

**TEMPORARY BUDGET**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**RESOLUTION #2016-003:**

**DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2016**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**RESOLUTION #2016-004:**

**PERMITTING PRE-PAYMENT OF CERTAIN ITEMS**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**RESOLUTION #2016-005:**

**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 #2016-006: Bills**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**PRIVILEGE OF THE FLOOR –**

Bob Danna asked about the purpose of the ordinance regarding the 2 foot clearance requirement for properties fronting the Boulevard. The Mayor explained that this is necessary to create space on the Boulevard; some properties may have a hardship and the Borough is willing to work with them.

Pam Giottini spoke about planning a summertime blues festival in July as a fundraiser for the Fire Company; she plans on having 2 bands, food trucks and a beer garden. Commissioner Gerkens stated she is very apprehensive to add a new large event in the summer; the Activity Committee is already busy in July with the craft shows and concerts and will not be able to help; a lot of money needs to be put out and who will be providing it? Sean Marti and Chris Oldham were in attendance representing the Fire Company and explained to Pam that the Fire Company members have to vote on a new event, which will be at the next meeting. They advised her to have more details on the event and possibly talk to an event coordinator such as the one from the Makersfest.

Mayor Oldham gave condolences to the Ballinger Family.

**Motion** to adjourn: Commissioner Gerkens

Second: Mayor Oldham

Meeting adjourned at 5:15pm.

**RESOLUTION #2016-001**

**ASSIGN AND DESIGNATE THE COMMISSIONERS/DIRECTORS TO THEIR  
RESPECTIVE DEPARTMENTS**

**WHEREAS** pursuant to NJSA 40:72-6, the Board of Commissioners shall designate one commissioner to be director of public affairs and public safety, one commissioner to be director of revenue and finance, and one commissioner to be director of public works.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, at the Organizational Meeting of said Board this 8<sup>th</sup> day of January 2016 that:

- Jonathan S. Oldham is hereby assigned the Department of Public Works, Parks and Public Property and is hereby designated as the Director of said Department.
- Judith E. Gerkens is hereby assigned the Department of Revenue and Finance and is hereby designated as the Director of said Department.
- Michael A. Garofalo is hereby assigned the Department of Public Affairs and Public Safety and is hereby designated as the Director of said Department.

PASSED ON: January 8, 2016

**RESOLUTION #2016-002**

**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 2016 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, 2016; and

**WHEREAS** the total appropriations in the 2015 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund is the sum of \$3,657,141.03; and

**WHEREAS** twenty-six and one quarter percent of the total appropriations in the 2015 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund is the sum of \$959,999.52.

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made:

| <b>CURRENT FUND</b>                         | <b>2016 Temporary</b> |
|---|-----------------------|
| <b>PUBLIC AFFAIRS &amp; SAFETY</b>          |                       |
| DIRECTOR - SALARIES & WAGES                 | 1,625.00              |
| - OTHER EXPENSES                            | 1,000.00              |
| ADMINISTRATOR                               | 2,500.00              |
| MUNICIPAL CLERK - SALARIES & WAGES          | 17,000.00             |
| - OTHER EXPENSES                            | 7,140.00              |
| POLICE - SALARIES & WAGES                   | 230,000.00            |
| - OTHER EXPENSES                            | 35,000.00             |
| MUNICIPAL PROSECUTOR                        | 1,000.00              |
| LEGAL SERVICES                              | 5,000.00              |
| EMERGENCY MGMNT - SALARIES & WAGES          | 1,500.00              |
| - OTHER EXPENSES                            | 1,000.00              |
| LIFEGUARD -SALARIES & WAGES                 | 500.00                |
| - OTHER EXPENSES                            | 500.00                |
| LAND USE BOARD - SALARIES & WAGES           | 5,400.00              |
| - OTHER EXPENSES                            | 1,000.00              |
| ZONING ENFORCEMENT-OTHER EXPENSES           | 1,000.00              |
| BEACH OPERATIONS - OTHER EXPENSES           | 5,100.00              |
| <b>REVENUE &amp; FINANCE</b>                |                       |
| DIRECTOR - SALARIES & WAGES                 | 1,625.00              |
| - OTHER EXPENSES                            | 1,000.00              |
| OTHER FINANCIAL FEES                        | 15,000.00             |
| FINANCIAL ADMINISTRATION - SALARIES & WAGES | 10,000.00             |
| - OTHER EXPENSES                            | 4,000.00              |
| TAX ASSESSOR - SALARIES & WAGES             | 5,000.00              |
| - OTHER EXPENSES                            | 500.00                |
| TAX COLLECTOR - SALARIES & WAGES            | 13,000.00             |
| - OTHER EXPENSES                            | 3,500.00              |
| WORKMEN'S COMPENSATION INSURANCE            | 20,788.43             |
| GROUP INSURANCE PLAN                        | 100,000.00            |
| OTHER INSURANCE PREMIUMS                    | 14,508.13             |
| <b>PUBLIC WORKS</b>                         |                       |
| DIRECTOR - SALARIES & WAGES                 | 1,625.00              |
| - OTHER EXPENSES                            | 1,000.00              |
| ENGINEERING EXPENSES                        | 6,000.00              |
| STREETS & ROADS - SALARIES & WAGES          | 80,000.00             |
| - OTHER EXPENSES                            | 25,000.00             |
| VEHICLE MAINTENANCE - SALARIES & WAGES      | 10,000.00             |
| - OTHER EXPENSES                            | 15,000.00             |
| BUILDINGS & GROUNDS                         | 20,400.00             |

| <b>CURRENT FUND CONTINUED</b>            | <b>2016 Temporary</b> |
|--|-----------------------|
| BEACH FRONT MAINTENANCE - OTHER EXPENSES | 30,000.00             |
| PARK MAINTENANCE - OTHER EXPENSES        | 4,080.00              |
| RECREATION - SALARIES & WAGES            | 100.00                |
| RECREATION - OTHER EXPENSES              | 100.00                |
| TRASH REMOVAL - OTHER EXPENSES           | 60,000.00             |
| SANITARY LANDFILL - OTHER EXPENSES       | 20,000.00             |
| CONSTRUCTION CODE - SALARIES & WAGES     | 2,000.00              |
| - OTHER EXPENSES                         | 1,530.00              |

UTILITIES:

|                    |           |
|--------------------|-----------|
| ELECTRICITY        | 8,200.00  |
| TELECOMMUNICATIONS | 5,500.00  |
| GASOLINE           | 20,000.00 |
| NATURAL GAS        | 5,700.00  |
| STREET LIGHTING    | 10,500.00 |

**STATUTORY EXPENDITURES:**

|  |           |
|--|-----------|
| SOCIAL SECURITY                                      | 30,000.00 |
| UCC & DISABILITY INSURANCE                           | 2,750.00  |
| PFRS CONTRIBUTION                                    |           |
| PERS CONTRIBUTION                                    |           |
| GENERAL APPROPRIATIONS - EXCLUDED FROM CAPS:         |           |
| MUNICIPAL COURT - SALARIES & WAGES (OUT CAP)         | 3,000.00  |
| - OTHER EXPENSES (OUT CAP)                           | 1,000.00  |
| PUBLIC DEFENDER (OUT CAP)                            | 600.00    |
| INTERLOCAL MUNICIPAL SERVICE AGREEMENTS:             |           |
| PUBLIC HEALTH SERVICES - OTHER EXPENSES              | 11,000.00 |
| ANIMAL CONTROL SERVICES - OTHER EXPENSES             | 3,000.00  |
| IT SERVICES –OTHER EXPENSES                          | 1000.00   |
| CODE ENFORCEMENT AND ADMINISTRATION - OTHER EXPENSES | 15,000.00 |
| MUNICIPAL COURT CLERK –OTHER EXPENSES                | 7,000.00  |
| CAPITAL IMPROVEMENTS - EXCLUDED FROM CAPS:           | 0.00      |
| MUNICIPAL DEBT SERVICE EXCLUDED FROM CAPS:           | 0.00      |

**TOTAL GENERAL APPROPRIATIONS** **\$906,271.56**

**WATER/SEWER UTILITY:**

**2016 Temporary**

|  |                   |
|--|-------------------|
| OPERATING - SALARIES & WAGES               | 90,000.00         |
| - OTHER EXPENSES                           | 190,000.00        |
| SOCIAL SECURITY                            | 9,000.00          |
| UNEMPLOYMENT INSURANCE                     | 500.00            |
| PERS CONTRIBUTION                          | 0.00              |
| NJEIT Loan Payment                         | 18,298.20         |
| <b>TOTAL WATER/SEWER UTILITY OPERATING</b> | <b>307,798.20</b> |

PASSED ON: January 8, 2016

**RESOLUTION #2016-003**

**DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2016**

**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, 2016 and ending December 31, 2016 and the following fees are set for said professional services per quotes and contracts received by the Borough:

1. The firm Hierung, Gannon & McKenna as Borough Attorney and Labor Attorney  
29 Hadley Avenue, Toms River, NJ 08753  
**\$145.00 per hour/ \$250.00 per Borough meeting**
2. William Mayer, Esq of the firm DeCotiis, FitzPatrick, Cole & Wisler, LLP as Bond Counsel  
500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ 07666  
**\$120.00 - \$250.00 per hour / service dependent**
3. Robert Allison, CPA of the firm Holman, Frenia & Allison as Municipal Auditor  
912 Highway 33, Suite 2, Freehold, NJ 07728  
**\$36,950 per audit**  
**\$80.00 - \$200.00 per hour / service dependent**
4. 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 - \$185.00 per hour / service dependent**
5. Christopher Koutsouris, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as Public Defender  
620 West Lacey Road, Forked River, NJ 08731  
**\$250.00 per court attendance**
6. Bonnie R. Peterson, Esq. as Municipal Prosecutor  
1201 S.W. Central Avenue, PO Box J, Seaside Park, NJ 08752  
**\$550.00 per month**
7. Edmunds & Associates, Inc. as Finance & Tax and Water Billing Software Support Professional  
301A Tilton Road, Northfield, NJ 08225  
**\$11,354.00 annually**
8. The firm Ansell, Zaro, Grimm & Aaron as Special Counsel  
1500 Lawrence Avenue, Ocean, NJ 07712  
**\$120.00 per hour**

**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 8, 2016

**RESOLUTION #2016-004**

**PERMITTING PRE-PAYMENT OF CERTAIN ITEMS**

**WHEREAS** the Borough of Harvey Cedars has budgeted funds for 2016 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 2016:

1. Utilities (electric, gas and telephone).
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 8, 2016

**RESOLUTION #2016-005**

**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 8<sup>th</sup>** day of January, 2016 by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that:

1. During the year 2016, 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 8, 2016