

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 Gerkens and Garofalo were present.

The Mayor asked all to rise for the Pledge of Allegiance.

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 on December 10, 2015 and the Asbury Park Press on December 15, 2015.

Motion to approve the minutes of the previous meeting, January 19, 2016, was made by Commissioner Gerkens, seconded by Commissioner Garofalo.

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 #2016-01 SECOND READING

AN ORDINANCE FIXING AND DETERMINING THE ANNUAL BASE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2016

Motion to open public discussion: Commissioner Garofalo
Second: Commissioner Gerkens

There were no public questions or comments.

Motion to close public discussion: Commissioner Gerkens
Second: Commissioner Garofalo

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens
Vote: Ayes – Oldham, Gerkens, Garofalo
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 #2016-010:

AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR PURCHASE OF MATERIALS AND SUPPLIES FOR THE 2016 ROAD & TRAFFIC LIGHT MAINTENANCE (SCHEDULE "C")

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2016-011:

AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO ENTER INTO AN AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2016-012:

DESIGNATING THE SUPERINTENDENT FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2016-013:

APPOINTMENT OF POLICE OFFICER FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2016-014:

DESIGNATING PROFESSIONAL SERVICES FOR RANDOM DRUG AND AUDIOMETRIC TESTING FOR THE YEAR 2016

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-015:

DESIGNATING ALTERNATE PROSECUTOR AND ALTERNATE PUBLIC DEFENDER FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-016:

APPOINT REPRESENTATIVE AND ALTERNATE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE FOR THE YEAR 2016

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-017: Bills

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

The Mayor asked for a **motion** to open public discussion regarding applications to be submitted for funding consideration through the 2016 Ocean County Community Development Block Grant and stated that citizens and non-profit agencies are invited to comment on the proposed CDBG application listed below.

Motion to open public discussion: Commissioner Gerkens

Second: Commissioner Garofalo

The Mayor announced the 2 projects up for consideration:

PROJECT #1:	Purchase of ATV for beach access
AMOUNT:	\$20,000.00
PROJECT #2:	Purchase of 3 beach wheelchairs
AMOUNT:	\$5,000.00

Commissioner Gerkens stated that in lieu of the ATV for beach access, the Public Works Superintendent suggested placing beach access mats on the handicap ramps. She also said the cost of the beach chairs was less than reported and there was a need for replacement wheels for the existing chairs. After a brief discussion of the Board members, a decision was made to apply for 5 beach wheelchairs, 8 spare tires, and 400' of the beach access mats.

There were no public comments.

Motion to close public discussion: Commissioner Garofalo

Second: Commissioner Gerkens

The Mayor read the following resolution by title only and asked for a motion to adopt. A copy of the full resolution is attached hereto and made a part hereof:

RESOLUTION #2016-018:

AUTHORIZING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

PRIVILEGE OF THE FLOOR –

Barry Putt stated Governor Christie recently signed a law permitting municipalities to give veterans free beach access and asked the Board to consider this for Harvey Cedars. The Board agreed that this would be a good way to give back to our veterans and will consider adopting an ordinance.

OATH OF ALLEGIANCE –

The Municipal Clerk administered the Oath of Allegiance to Officer Mathew Chester as his mother stood beside him holding the bible. After the oath, his mother pinned the police badge on his uniform and the Board congratulated him.

POLICE PRESENTATIONS –

Chief Thomas Preiser welcomed everyone to the annual Police Awards which recognizes the officers for their achievements in 2015. He presented the following awards:

- Academy Graduate Citation Award was given to Officer Mathew Chester
- Certificate of Merit – Officer Mather Chester for helping a person find his wallet and unlocking his car twice
- Certificates of Merit – Officers Chris Oldham, Kevin Snow and Mathew Chester for participating in the Surf City “Trunk or Treat” event
- Certificates of Merit – Sgt. Frazee, Officer Tim Butler and Special Officer Amanda White for responding and assisting a 13-month old child with hot tea burns

The Chief continued with presenting the Officer of the Year Award which was started in 2006 by Chief Jerry Falkowski.

“This award goes to the officer who is an all-around outstanding officer. Not only has he received letters of appreciation from the public but also does an outstanding job in every aspect of his work.

The officer this year has demonstrated this by being an enthusiastic police officer in all aspects of the job.

The officer this year has demonstrated outstanding qualities and excellent performance in his work. He has a great attitude towards his work, his fellow officers, and the community. This officer is able to balance his law enforcement role and still cares for members of the community with great compassion and concern. This officer takes on any task or assignment with enthusiasm and thoroughly completes them without hesitation.

This officer is an example for all others to follow. He lives up to the department’s motto “Commitment to Excellence”. I would like to thank him for his professionalism and his commitment to our town and department.

This year’s officer of the year is Officer Mat Chester.”

Officer Chester accepted the award and pictures were taken.

The Chief presented a Special Volunteer Award 2016:

“This year the police department would like to recognize a person who has volunteered her time over the last three years. The police department has made a great effort to develop good community relations every year. During the summer events, the police department can be seen at concerts, Hooked on Fishing, and kid’s day at the firehouse. During these events the police officers have connected with residents and visitors and created great relationships with all. The police department has been assisted by a volunteer throughout all of these events. She has been at just about all of these events and has represented the police department and the Borough in an extraordinary manner. On behalf of the members of the police department, I would like to thank Mary Pat for all her efforts and volunteering for the last few years.”

Mary Pat Brearley thanked the Chief and the Department and accepted her award.

Motion to adjourn: Commissioner Garofalo
Second: Commissioner Gerkens

Meeting adjourned at 4:50pm.

RESOLUTION #2016-010

**AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT
WITH THE COUNTY OF OCEAN
FOR PURCHASE OF MATERIALS AND SUPPLIES
FOR THE 2016 ROAD & TRAFFIC LIGHT MAINTENANCE
(SCHEDULE "C")**

WHEREAS the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith; and

WHEREAS the governing body of the Borough of Harvey Cedars has requested the County to provide certain materials and supplies for the maintenance of roads, property and traffic signals within the municipality for the year 2016 at a cost not to exceed **\$11,000.00**; and

WHEREAS the Borough of Harvey Cedars wishes to enter into an agreement with the County for the provision of these services.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF HARVEY CEDARS, STATE OF NEW JERSEY as follows:

1. The Mayor and Clerk of the Borough of Harvey Cedars are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the County of Ocean for the provision of materials, supplies and services in an amount not to exceed \$11,000.00 as more specifically set forth in that Agreement and to be allocated as follows:
 - a. Ocean County Road Department **\$ 10,000.00**
 - b. Ocean County Engineering Department **\$ 1,000.00**
2. A copy of the Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2016. Sufficient funds have been appropriated and are available for this purpose in the 2016 municipal budget.

PASSED ON: February 5, 2016

RESOLUTION #2016-011

AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO ENTER INTO AN AGREEMENT WITH THE OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES FOR THE YEAR 2016

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 it is the desire of the Board of Commissioners of the Borough of Harvey Cedars to authorize the execution of an agreement with the Ocean County Board of Health for animal facility services in accordance with the terms set forth in said Agreement.

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 Mayor and Municipal Clerk are hereby authorized to execute a shared services agreement with the Ocean County Board of Health for animal facility services, a copy of which is on file in the office of the Borough Clerk.

PASSED ON: February 5, 2016

RESOLUTION #2016-012

**DESIGNATING THE SUPERINTENDENT
FOR THE BOROUGH OF HARVEY CEDARS**

WHEREAS the Borough of Harvey Cedars has established the position of Superintendent of Public Works who, under the supervision of the Public Works Commissioner, directs the work of the public works department including the operation of the municipal water and sewer department; and

WHEREAS the office of the Superintendent of the Borough of Harvey Cedars became vacant on February 1, 2016 by the retirement of John Lloyd Vosseller, Jr., who held this position for 24 years without appointment ☺; and

WHEREAS William L. Montag IV has held the position of Assistant Superintendent since employed on March 16, 2015 and satisfies the job requirements for position of Superintendent.

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

William L. Montag IV

be and is hereby appointed Superintendent of Public Works and Water/Sewer effective February 1, 2016.

MOTION TO ADOPT: Commissioner Gerkens

SECONDED: Commissioner Garofalo

VOTE: AYES – Unanimous

PASSED ON: February 5, 2016

RESOLUTION #2016-013

**APPOINTMENT OF POLICE OFFICER FOR
THE BOROUGH OF HARVEY CEDARS**

WHEREAS it is the desire of the Borough of Harvey Cedars to fill the position of a full-time police officer; and

WHEREAS Officer Mathew Chester has served as a Special Law Enforcement Officer Class II for the Borough of Harvey Cedars Police Department since December 15, 2014; and

WHEREAS Police Chief Thomas Preiser deems that Officer Mathew Chester possesses the skills and experience to best fill said position.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby appoints Mathew Chester as a full-time Police Officer for the Borough of Harvey Cedars for a probationary period effective February 1, 2016 through January 31, 2017 and shall receive absolute appointment upon satisfactory completion of said probationary period.

PASSED ON: February 5, 2016

RESOLUTION #2016-014

**DESIGNATING PROFESSIONAL SERVICES FOR RANDOM DRUG AND
AUDIOMETRIC TESTING FOR THE YEAR 2016**

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey wishes to retain the services of professionals for random drug testing and for post-accident and reasonable suspicion testing when needed, and for audiometric and respiratory testing; and

WHEREAS the Ocean County Municipal Joint Insurance Fund (OCMJIF), acting as a lead agency, issued a Request for Proposal (RFP) in order to obtain competitive pricing for random drug/alcohol testing services and for audiometric and respiratory testing services, and has recommended Dynamic Testing Services and Interstate Mobile Care, respectively, for said services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following professional services be retained by the Borough of Harvey Cedars for a period commencing January 1, 2016 and ending December 31, 2016 and the following fees are set for said professional services per the RFP's received by the OCMJIF:

1. Dynamic Testing Service to administer drug and alcohol testing
230 Main Street, Suite C, Toms River, NJ 08753
\$35.00 - \$45.00 per test / \$200.00 after hours fee
2. Interstate Mobile Care to administer audiometric and respiratory testing
PO Box 64, Sewell, NJ 08080
\$28.00 - \$48.00 per test / \$375.00 shared on-site fee

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: February 5, 2016

RESOLUTION #2016-015

**DESIGNATING ALTERNATE PROSECUTOR AND ALTERNATE PUBLIC DEFENDER
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 designate alternates for the Prosecutor and Public Defender; and

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

WHEREAS the Borough of Harvey Cedars deems it necessary to employ this service of an alternate prosecutor and alternate public defender commencing January 1, 2016 and ending December 31, 2016 or until a successor is named.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following appointments are hereby made commencing January 1, 2016 and ending December 31, 2016:

1. Joseph Grisanti, Esq. as Alternate Prosecutor
19 North County Line Road
Jackson, NJ 08527
\$500 per session

2. Brian J. Di Stefano, Esq. as Alternate Public Defender
222 Route 9
Bayville, NJ 08721
\$250 per session

PASSED ON: February 5, 2016

RESOLUTION #2016-016

**APPOINT REPRESENTATIVE AND ALTERNATE TO THE COMMUNITY
DEVELOPMENT BLOCK GRANT COMMITTEE FOR THE YEAR 2016**

WHEREAS the Ocean County Department of Economic Development has requested pursuant to the 1993-1996 Cooperative Agreement between the County of Ocean and the Borough of Harvey Cedars, that a representative and/or alternate be appointed to serve on the Community Development Committee.

NOW, THEREFORE, BE IT RESOLVED that the following are appointed to the Community Development Committee for the year 2016:

REPRESENTATIVE:

Judith E. Gerkens
Borough of Harvey Cedars
PO Box 3185
Harvey Cedars, NJ 08008

ALTERNATE:

Michael Garofalo
Borough of Harvey Cedars
PO Box 3185
Harvey Cedars, NJ 08008

PASSED ON: February 5, 2016

RESOLUTION #2016-018

**AUTHORIZING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK
GRANT FOR THE BOROUGH OF HARVEY CEDARS**

WHEREAS the Borough of Harvey Cedars has entered into an agreement with the County of Ocean, entitled “Agreement between the Municipalities located therein for the establishment of Cooperative Means of Conducting Certain Community Development Activities”; and

WHEREAS certain federal funds are potentially available to the Borough under Title 1 of the Housing and Community Development Block Grant Program; and

WHEREAS the Borough of Harvey Cedars desires to obtain funding for five (5) handicap beach wheelchairs, eight (8) spare beach wheelchair tires, and 400’ of ADA beach access mats.

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

1. This Governing Body does hereby authorize the 2016 project application for Ocean County Community Development Block Grant in the total amount of \$25,000.00 for handicap beach wheelchairs, wheelchair tires, and ADA beach access mats for the Borough of Harvey Cedars.
2. The Mayor or Deputy Mayor is hereby authorized to sign and execute the application for the above purpose.

PASSED ON: February 5, 2016