The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:35pm. Commissioner Gerkens was present; Commissioner Garofalo was on vacation.

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 15, 2016 and the Asbury Park Press on December 10, 2016.

Motion to approve the minutes of the previous meeting, February 3, 2017, was made by Commissioner Gerkens, seconded by Mayor Oldham.

The Mayor read the following ordinance by title and number and asked for a motion to introduce.

**ORDINANCE #2017-06 FIRST READING**

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ADMINISTRATION” AS IT PERTAINS TO OFF-DUTY POLICE FEES

A copy of the full ordinance as introduced is attached hereto and made a part hereof.

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham
Vote: Ayes – Oldham, Gerkens

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 #2017-02 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 Gerkens
Second: Mayor Oldham

There were no public questions or comments.

Motion to close public discussion: Commissioner Gerkens
Second: Mayor Oldham

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham
Vote: Ayes – Oldham, Gerkens
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 #2017-03 SECOND READING**

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS ENTITLED “STORMWATER REGULATIONS AND STORMWATER CONTROL” AS IT PERTAINS TO MINOR DEVELOPMENT DRAINAGE

Motion to open public discussion: Commissioner Gerkens
Second: Mayor Oldham

There were no public questions or comments.

Motion to close public discussion: Commissioner Gerkens
Second: Mayor Oldham

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham
Vote: Ayes – Oldham, Gerkens
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 #2017-04 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 ZONING PERMIT FEES

Motion to open public discussion: Commissioner Gerkens  
Second: Mayor Oldham

There were no public questions or comments.

Motion to close public discussion: Commissioner Gerkens  
Second: Mayor Oldham

Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

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 #2017-05 SECOND READING**

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR THE INSTALLATION OF A WELL AND RELATED IMPROVEMENTS, AND APPROPRIATING $1,125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,125,000 BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE COST THEREOF

Motion to open public discussion: Commissioner Gerkens  
Second: Mayor Oldham

There were no public questions or comments.

Motion to close public discussion: Commissioner Gerkens  
Second: Mayor Oldham

Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

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 #2017-025:**  
AUTHORIZING LEASE AGREEMENT WITH CAUSEWAY FORD  
Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham

**RESOLUTION #2017-026:**  
AUTHORIZING AMENDMENT TO THE WATER TOWER LEASE AGREEMENT WITH VERIZON WIRELESS  
Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham

**RESOLUTION #2017-027:**  
ACCEPTING APPLICATION FOR THE SISTERS OF CHARITY OF ST. ELIZABETH TO HOLD A RAFFLE IN THE BOROUGH OF HARVEY CEDARS ON SEPTEMBER 3, 2017 AND WAIVING FEE PAYABLE TO BOROUGH FOR SAME  
Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham
RESOLUTION #2017-028: Bills
Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

Public Property Usage requests:
A discussion was held regarding the request by the Association of Surf Angling Clubs (ASAC) for surf fishing tournaments to be held on May 6 and October 21, 2017 on the beaches of Harvey Cedars (and Ship Bottom, Surf City & LBT) from 5:30am to 2:30pm. Expected attendance: forty (40) 6-person teams, average (3) 4x4 trucks on beach per team. The Board is supportive of the event, however, the beaches are vulnerable now and the high impact of the trucks are of concern. In addition, the Army Corps’ beach replenishment project will take place in October. The Clerk was instructed to notify the Club.

PRIVILEGE OF THE FLOOR –
No members of the public were in attendance.

Motion to adjourn: Commissioner Gerkens
Second: Mayor Oldham

Meeting adjourned at 4:45pm.
AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975,
ENTITLED “ADMINISTRATION” AS IT PERTAINS TO OFF-DUTY POLICE FEES

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE
BOROUGH OF HARVEY CEDARS, as follows:

Section 1. Subsection 2-5.2(J) entitled “Employment of Off-Duty Police Officers”,
paragraph 3, is hereby amended to read as follows:

3. All persons or entities shall pay to the chief financial officer of the
Borough of Harvey Cedars such hourly sum of eighty ($80.00) dollars an
hour for such service. The borough shall remit to the member of the police
department performing such duties sixty-five ($65.00) dollars an hour and
the remaining fifteen ($15.00) dollars shall be retained by the borough for
administrative expenses and vehicle expenses.

Section 2. If any provision, section, subsection, or paragraph of this ordinance shall be
declared to be unconstitutional, invalid or inoperative, in whole or in part,
by a Court of competent jurisdiction, such provision, section, subsection, or
paragraph shall, to the extent that it is not unconstitutional, invalid or
inoperative, remain in full force and effect, and no such determination shall
be deemed to invalidate the remaining provisions, subsections, or
paragraphs of this ordinance.

Section 3. This Ordinance shall take effect upon final adoption after publication in
accordance with law.

ADOPTED ON: March 3, 2017
RESOLUTION #2017-025

AUTHORIZING LEASE AGREEMENT WITH CAUSEWAY FORD

WHEREAS pursuant to the Local Public Contract Law, NJSA 40A:11-15.7, contracts may be awarded for a period not to exceed five (5) years for leasing automobiles; and

WHEREAS the Borough desires to lease a 2017 Ford Escape to be utilized by the Zoning and Code Enforcement Officer for official business.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, that the Borough Chief Finance Officer is hereby authorized to sign a lease agreement with Causeway Ford, Route 72, Manahawkin NJ 08050 for a three (3) year period (36 months) in the amount of $248.00 per month, a copy of the agreement on file in the Borough office.

PASSED ON: February 21, 2017
RESOLUTION #2017-026

AUTHORIZING AMENDMENT TO THE WATER TOWER LEASE AGREEMENT WITH VERIZON WIRELESS

WHEREAS on March 27, 2001 the Borough of Harvey Cedars entered into an agreement with Cellco Partnership, a Delaware General Partnership, d/b/a Verizon Wireless for the leasing of space on and at the Borough’s water tower located at Salem Avenue; and

WHEREAS the Parties previously amended the Agreement, known as the First Amendment to Water Tower Lease Agreement dated April 28, 2008, a copy of which is on file in the Borough Clerk’s office; and

WHEREAS Verizon Wireless has relocated its antennas on the water tower, ground equipment remaining in same location, and desires to amend the Agreement to reflect the changes; and

WHEREAS the Borough Engineer, Public Works Superintendent and Commissioner have reviewed the plans and have agreed to the relocation as submitted which are on file with the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Mayor is hereby authorized to execute the Second Amendment to the March 27, 2001 agreement with Cellco Partnership, a Delaware General Partnership, d/b/a Verizon Wireless for the purposes of antenna relocation.

PASSED ON: February 21, 2017
RESOLUTION #2017-027

ACCEPTING APPLICATION FOR
THE SISTERS OF CHARITY OF ST. ELIZABETH TO HOLD A RAFFLE IN
THE BOROUGH OF HARVEY CEDARS
ON SEPTEMBER 3, 2017
AND WAIVING FEE PAYABLE TO BOROUGH FOR SAME

WHEREAS Sisters of Charity of St. Elizabeth in Harvey Cedars has made
application to conduct a raffle in accordance with the Act and Rules and Regulations of the
Legalized Games of Chance Control Commission; and

WHEREAS there is satisfactory proof that the prizes are of the nature and amount
allowed by law; and

WHEREAS in accordance with NJAC 13:47-4.3, fees are payable by law, upon
findings and determination of the governing body of the Borough of Harvey Cedars; and

WHEREAS the governing body has heretofore waived the payment of any fee
payable to the Borough for a license to conduct raffles on behalf of the Sisters of Charity
of St. Elizabeth.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the
Borough of Harvey Cedars that upon acceptance of said application to the Legalized Games
of Chance Control Commission, the application fee for license payable to the Borough of
Harvey Cedars be and is hereby waived.

PASSED ON: February 21, 2017