

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 Gerken was present and Commissioner Garofalo was vacationing in San Diego.

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, March 8, 2016, was made by Commissioner Gerken.

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

ORDINANCE #2016-04 FIRST READING

AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "GENERAL LICENSING" AS IT PERTAINS TO VETERAN BEACH BADGES AND SPECIAL ACTIVITY FEES

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

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerken

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 #2016-029:

AUTHORIZING AMENDMENT TO THE TEMPORARY BUDGET

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerken

RESOLUTION #2016-030:

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

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

RESOLUTION #2016-031:

APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

RESOLUTION #2016-032:

RESOLUTION OPPOSING NEW JERSEY ASSEMBLY BILL 2589, WHICH REQUIRES THE CONSOLIDATION OF VARIOUS MUNICIPALITIES INTO THE NEW MUNICIPALITIES OF LONG BEACH ISLAND TOWNSHIP AND SEASIDE TOWNSHIP, OR ALTERNATIVELY REQUIRES A SINGLE SHARED SERVICES AGREEMENT FOR ALL MAJOR MUNICIPAL SERVICES AND FUNCTIONS

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

RESOLUTION #2016-033: Bills

Motion to adopt: Commissioner Gerken

Second: Mayor Oldham

Public Property Usage requests:

1. Community Yard Sale

A motion was made by Commissioner Gerkens, seconded by Mayor Oldham, to approve the Harvey Cedars Taxpayers' Association town wide yard sale on Saturday, May 28, 2016.

2. Sunset Park / Hudson Beach – Class Trips

A motion was made by Commissioner Gerkens, seconded by Mayor Oldham, to approve the use of the park and beach to the Hamilton Township School District on May 16, 17, & 19, 2016 from 9:45am to 1:45pm provided the use of lifeguards was addressed.

PRIVILEGE OF THE FLOOR –

Bob Danna asked for an update on the beach. Mayor Oldham stated that the January storm was recently declared an emergency which will enable the Borough to seek funding, but federal funds will not be available until the next Congress takes place in the fall; the Borough submitted comments to the State in support of using the Little Egg Inlet as a borrow area for the beach projects; when the project returns to Long Beach, Harvey Cedars will be getting a large amount of sand placed at each end of town; in the interim DPW will continue to work on the beach entrances making them accessible to the public; all public beach entrances will be open for Memorial Day.

Bob Danna stated the Taxpayers Association has approximately 600 email addresses if the Borough needed something to be sent by eblast, and a suggestion was made that the Borough sell beach badges for Christmas.

Mayor Oldham and Commissioner Gerkens briefly discussed the local school district consolidation. Ship Bottom has proposed to buy the LBI School; the additional funding to repair and upgrade the EJ School will come from the other district towns if approved by referendum. The opinion of the other towns is that Ship Bottom should contribute more than what they have proposed. Commissioner Gerkens will be meeting with the other Mayors regarding the school proposal later this week.

Motion to adjourn: Commissioner Gerkens

Second: Mayor Oldham

Meeting adjourned at 4:54pm.

ORDINANCE NO. 2016-04

AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “GENERAL LICENSING” AS IT PERTAINS TO VETERAN BEACH BADGES AND SPECIAL ACTIVITY FEES

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY, DOES ORDAIN:

Section 1. Section 4-3 of the Revised General Ordinances of the Borough of Harvey Cedars, 1975, Entitled “Beach Fees” is hereby amended by supplementing Section 4-3.5 as follows:

4-3.5 Badge Fees Waived for US Veterans. Free daily beach admission shall be provided to any person who has served in any of the Armed Forces of the United States and who was discharged or released therefrom under conditions other than dishonorable and who either has served at least 90 days in active duty or has been discharged or released from active duty by reason of a service-incurred injury or disability upon presentation of acceptable proof of discharge to any badge-checker or Borough personnel.

Section 2. Section 4-7 entitled “Activity Committee Fees” is hereby amended as follows:

Event Admission Ticket \$1.00 to \$50.00

Section 3. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 4. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 5. This Ordinance shall take effect after final adoption and publication in accordance with law.

EFFECTIVE DATE: MAY 9, 2016

RESOLUTION #2016-029

AUTHORIZING AMENDMENT TO THE TEMPORARY BUDGET

WHEREAS N.J.S. 40A:4-19.1 provides that in any fiscal year for which the budget dates have been extended, the Director of the Division of Local Government Services may permit appropriations to provide for the period between the date upon which the budget was scheduled temporary budget for adoption pursuant to N.J.S.A. 40A:4-5 and the actual date upon which the budget is adopted; and

WHEREAS the date of this resolution is after the scheduled adoption date of March 20, 2016; and

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

	Amendment	Amended Temp
CURRENT FUND		
PUBLIC AFFAIRS AND SAFETY:		
Director - Salaries & Wages	250.00	1,875.00
Administrator - Salaries & Wages	600.00	3,100.00
Municipal Clerk - Salaries & Wages	4,550.00	21,550.00
Police - Salaries & Wages	55,000.00	285,000.00
Land Use Board - Salaries & Wages	7,220.00	12,620.00
Construction Official - Salaries & Wages	200.00	2,200.00
REVENUE AND FINANCE:		
Director - Salaries & Wages	250.00	1,875.00
Other Financial Fees	5,767.50	20,767.50
Financial Administration - Salaries & Wages	3,900.00	13,900.00
Tax Collection - Salaries & Wages	5,600.00	18,600.00
Tax Assessor - Salaries & Wages	1,050.00	6,050.00
Group Health/Dental Insurance	16,000.00	116,000.00
PUBLIC WORKS:		
Director - Salaries & Wages	250.00	1,875.00
Engineering Expense	6,000.00	12,000.00
Streets & Roads - Salaries & Wages	25,000.00	105,000.00
Vehicle Maintenance - Salaries & Wages	2,400.00	12,400.00
STATUTORY EXPENDITURES:		
Social Security	8,000.00	38,000.00
Unemployment Insurance	2,000.00	5,250.00
PFRS Contribution	156,735.00	156,735.00
PERS Contribution	65,948.00	65,948.00
GENERAL APPROPRIATIONS INSIDE CAP	<u>366,720.50</u>	<u>900,745.50</u>
Recycling Tax	200.00	200.00
TOTAL GENERAL APPROPRIATIONS	<u><u>366,920.50</u></u>	<u><u>900,945.50</u></u>
WATER/SEWER UTILITY		
Operating - Salaries & Wages	60,000.00	150,000.00
Social Security	1,900.00	10,900.00
Unemployment Insurance	550.00	1,050.00
PERS Contribution	35,511.00	35,511.00
TOTAL WATER/SEWER OPERATING	<u><u>97,961.00</u></u>	<u><u>197,461.00</u></u>

PASSED ON: March 22, 2016

RESOLUTION #2016-030

**AUTHORIZING THE AMENDMENT 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 the Borough of Harvey Cedars to amend said agreement to include the professional services of a licensed water operator.

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 the amended Shared Service Agreement with the Township of Long Beach to include the services of Long Beach Township's Licensed Water Operator in accordance with the terms and conditions as described in the attached Agreement effective from January 1, 2016 through December 31, 2018.

PASSED ON: March 22, 2016

RESOLUTION #2016-031

APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS on July 1, 2014, Resolution #2014-071 authorized appointments to the Office of Emergency Management for a three (3) year term commencing July 1, 2014 and ending June 30, 2017; and

WHEREAS upon the retirement of Thomas Preiser, it is the Borough's desire to appoint a new Deputy Emergency Management Coordinator to fulfill the unexpired term.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that William Montag IV is hereby appointed as Deputy Emergency Management Coordinator to the Harvey Cedars Office of Emergency Management for the remainder of the unexpired three (3) year term effective March 22, 2016 and ending June 30, 2017.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Ocean County Office of Emergency Management.

MOTION: Commissioner Gerkens

SECOND: Mayor Oldham

PASSED ON: March 22, 2016

RESOLUTION #2016-032

**RESOLUTION OPPOSING NEW JERSEY ASSEMBLY BILL 2589, WHICH
REQUIRES THE CONSOLIDATION OF VARIOUS MUNICIPALITIES INTO THE
NEW MUNICIPALITIES OF LONG BEACH ISLAND TOWNSHIP AND SEASIDE
TOWNSHIP, OR ALTERNATIVELY REQUIRES A SINGLE SHARED SERVICES
AGREEMENT FOR ALL MAJOR MUNICIPAL SERVICES AND FUNCTIONS**

WHEREAS A-2589 was introduced by Assemblyman Reed Gusciora (District 15) on February 8, 2016 proposing consolidation of the Borough of Beach Haven, Long Beach Township, Borough of Barnegat Light, Borough of Harvey Cedars, Borough of Surf City, and the Borough of Ship Bottom into a single municipality to be known as Long Beach Island Township; and

WHEREAS A-2589 also proposes to consolidate the Borough of Mantoloking, Borough of Lavallette, Borough of Seaside Heights, Borough of Seaside Park, Brick Township Beaches, and Township of Toms River Beaches into a single municipality to be known as Seaside Township; and

WHEREAS A-2589 alternatively purports to require all of the above municipalities to enter into a single shared services agreement for every major municipal service and function; and

WHEREAS this legislation was introduced without any study, evaluation, or consultation with any of the potentially affected municipalities (and/or their constituents); and

WHEREAS it is the opinion of the Borough Commission that proposing this type of legislation without the necessary study or evaluation is irresponsible and diminishes the value of other more meaningful legislation, and the processing of said legislation is a significant waste of taxpayer funds and municipal resources; and

WHEREAS it is opinion of the Borough Commission that proposing this type of legislation is inappropriate when municipalities within the sponsoring politician's district are similarly situated yet unaffected by this bill; and

WHEREAS the Borough of Harvey Cedars, incorporated on December 11, 1894, is a small beach community fiscally responsible and financially sound. Harvey Cedars shares many services with the other Island Communities, and Stafford and Lacey Townships on the mainland. Our taxpayers are very pleased with the management of the Borough, evidenced by the longevity of our Governing Body. Harvey Cedars provides excellent police, public works, and clerical services, and has an outstanding lifeguard contingent. We provide an extensive and fun schedule of concerts and events enjoyed by tourists and residents alike. We are proud of our history and our separate identity.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Borough of Harvey Cedars oppose the adoption of Assembly Bill 2589 in its entirety on the basis that this legislation preempts the will of the Borough's constituents by mandating consolidation and/or the entrance into a single shared services agreement without any underlying study, evaluation, or survey.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to Governor Chris Christie, Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, State Senator Christopher Connors, Assemblyman Brian Rumpf, Assemblywoman DiAnne Gove, the Ocean County Freeholders, and all Ocean County Municipalities.

PASSED ON: March 22, 2016