

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 18, 2014.

Motion to approve the minutes of the previous meeting, April 10, 2015, was made by Commissioner Gerkens, seconded by Commissioner Garofalo.

RESOLUTION #2015-027:

AUTHORIZING THE BUDGET BEING READ BY TITLE ONLY

WHEREAS the Local Budget Law provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Borough Hall and copies have been made available by the Clerk to persons requiring them; and

WHEREAS these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the 2015 budget will be read by title only.

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

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

There were no public comments.

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

The Mayor read the following resolution:

RESOLUTION #2015-028:

BUDGET ADOPTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$3,099,079.46 for municipal purposes.

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

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 #2015-029:

CERTIFICATION OF RECYCLING TAXES SUBMITTED FOR THE YEAR 2014

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2015-030:

ENDORSING SUBMISSION OF THE 2014 RECYCLING TONNAGE GRANT APPLICATION TO THE STATE

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2015-031:

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 2015

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2015-032:

PROCLAIMING MAY 2015 AS MENTAL HEALTH MONTH

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2015-033:

AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2015-034:

ACCEPTING APPLICATION FOR THE SISTERS OF CHARITY OF ST. ELIZABETH TO HOLD A RAFFLE IN THE BOROUGH OF HARVEY CEDARS ON SEPTEMBER 6, 2015 AND WAIVING FEE PAYABLE TO BOROUGH FOR SAME

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2015-035: Bills

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

Public Property Usage requests:

1. Art Camp – Sunset Park

A motion was made by Commissioner Gerkens, seconded by Commissioner Garofalo, to approve the request by Susan Sopira and the Van Grow Art Instruction for children's art classes for 6 weeks, Mondays to Thursdays from 9am to 11:30am, beginning July 6, 2015.

2. Giglio Awning Event – Compass Ave. & 78th Street

David Voris of Giglio Awning requested to close off a section of Compass Ave. for an open house event on Saturday, June 13th from 11:00am to 3:00pm. The Commissioners requested more information regarding the event.

PRIVILEGE OF THE FLOOR –

Al Donahower asked how often the water tower is painted. The Mayor stated about 8 to 12 years, due to the environment. He stated this time a higher quality paint will be used and it is guaranteed for 15 years; in addition, more maintenance, such as power washing will be performed. Mr. Donahower suggested the water tower should be painted somehow glorious, so it would stand out and be an attraction for people to visit. The Mayor said it was an interesting idea, and if someone could come up with an extraordinary idea within the next two weeks, it would be considered.

Barbara Lehman asked where we are getting the water (during the painting); the pH in her hot tub was very high. The Mayor said it is Barnegat Light's water, and confirmed the pH levels are higher.

Linda Feaster, Branch Manager of the Long Beach Island Library (branch of the Ocean County Library) thanked the Board for the proclamation that was passed at the last meeting to support library week. She explained the new programs available through the library such as the Zinio Reader App and eBooks. She handed the Board flyers and FAQ's sheets. She invited the

Board to a tour of the library. The Board thanked her.

The Mayor stated that we lost Clyde Neil; he passed away on Friday. There will be a service in the park; arrangements are still being made.

Motion to adjourn: Commissioner Garofalo

Second: Commissioner Gerken

Meeting adjourned at 4:55pm.

RESOLUTION #2015-029

**CERTIFICATION OF RECYCLING TAXES
SUBMITTED FOR THE YEAR 2014**

WHEREAS the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities; and

WHEREAS there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 322, in 2014 in the amount of One Thousand Nine Hundred Sixty One Dollars and Eighty-Two Cents (\$1,961.82). Documentation supporting this submission is available at 7606 Long Beach Blvd. and shall be maintained for no less than five years from this date.

PASSED ON: April 21, 2015

RESOLUTION #2015-030

**ENDORISING SUBMISSION OF THE 2014 RECYCLING TONNAGE GRANT
APPLICATION TO THE STATE**

WHEREAS the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Commissioners of the Borough of Harvey Cedars to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby endorses the submission of the 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Diana Stott to ensure that the application is properly filed.

PASSED ON: April 21, 2015

RESOLUTION #2015-031

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 2015

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: April 21, 2015

RESOLUTION #2015-032

PROCLAIMING MAY 2015 AS MENTAL HEALTH MONTH

WHEREAS mental health is defined as emotional and psychological well-being, which allows individuals to work, enjoy satisfying relationships and participate fully in their communities; and

WHEREAS approximately 25 percent of people experience a diagnosable mental health condition in their lifetime; and

WHEREAS mental illness accounts for four of the top ten leading causes of disability; and

WHEREAS studies show that mental health is a significant component of physical health; and

WHEREAS studies have shown that every dollar invested in evidence-based treatment yields \$2 to \$10 in savings from lost productivity as well as health, criminal justice and other costs; and

WHEREAS when offered adequate services, wellness and recovery are possible for all who live with mental illness; and

WHEREAS mental health awareness, prevention and education encourage individuals to seek professional and/or social support; and

WHEREAS the New Jersey State Federation of Women's Clubs and the National Alliance on Mental Illness of NJ are working together to raise awareness about the importance of mental health and to advance treatment opportunities for individuals with mental illness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars does hereby proclaim May 2015 as Mental Health Month.

PASSED ON: April 21, 2015

RESOLUTION #2015-033

**AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR
PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

WHEREAS the Borough of Harvey Cedars determined to move forward with the EMEX Reverse Auction in order procure electricity for the Borough; and

WHEREAS the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS the Borough will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS the auction will be conducted pursuant to the Act.

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 use EMEX, LLC for reverse auction services to procure electricity at a competitive rate and is hereby authorized to execute on behalf of the Borough of Harvey Cedars any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

PASSED ON: April 21, 2015

RESOLUTION #2015-034

**ACCEPTING APPLICATION FOR
THE SISTERS OF CHARITY OF ST. ELIZABETH TO HOLD A RAFFLE IN
THE BOROUGH OF HARVEY CEDARS
ON SEPTEMBER 6, 2015
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: April 21, 2015