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 on December 13, 2018 in the Beach Haven Times and on December 29, 2018 in the Asbury Park Press.

Motion to approve the minutes of the previous meeting, June 7, 2019, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

RESOLUTION #2019-064:
RECOGNIZING THE LBI SCHOOL DISTRICT STUDENT FOR THE 2019 SEASONAL BEACH BADGE DESIGN AND AUTHORIZING A BADGE DONATION

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

The Mayor read the Certificate of Recognition to Emily Krauser, thanked her for her design contribution, and presented her the certificate and a seasonal beach badge. Members of the Board congratulated her and the public applauded.

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

ORDINANCE #2019-09 FIRST READING
AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPAIR AND MAINTENANCE OF BEACHES AND DUNES LOCATED IN THE BOROUGH AND APPROPRIATING $450,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $427,500 IN BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE SAME

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

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

Vote: Ayes – Oldham, Gerkens, 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 #2019-06 SECOND READING
AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 10 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “WATERFRONT REGULATIONS” AS IT PERTAINS TO MOTORIZED VEHICLES ON THE BEACH

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, Garofalo, 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 #2019-07 SECOND 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 WAIVING CERTAIN BEACH VEHICLE REGISTRATION FEES

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

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 ordinance by title and number and stated that proof of publication is on hand and the ordinance has been posted.

**ORDINANCE #2019-08 SECOND READING**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF HARVEY CEDARS TO ADD TO CHAPTER 2, ENTITLED “ADMINISTRATION” AS IT PERTAINS TO A PUBLIC SAFETY ADMINISTRATOR

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

There were no public questions or comments.

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

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

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 #2019-065:**

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE TO OUTRIGGER RESTAURANT, LLC FOR THE YEAR 2019-2020

The Mayor asked the public if there were any objections to the granting of this license.

There were no objections made by the public.

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

Vote: Ayes – Oldham, Gerkens, Garofalo

**RESOLUTION #2019-066:**

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE TO HILLCO CORP., INC. FOR THE YEAR 2019-2020

The Mayor asked the public if there were any objections to the granting of this license.

There were no objections made by the public.

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

Vote: Ayes – Oldham, Garofalo, Gerkens
RESOLUTION #2019-067:
AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE
Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2019-068:
RESOLUTION OF LOCAL COMMITMENT FOR THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN FOR THE RESILIENT NJ GRANT PROGRAM
Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2019-069:
APPOINTMENTS OF SEASONAL CLASS II SPECIAL POLICE OFFICERS FOR THE BOROUGH OF HARVEY CEDARS
Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2019-070: Bills
Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

PRIVILEGE OF THE FLOOR –

Jim Loudon stated the beach mats placed on 83rd Street are a great help.

David Bair reported the 86th Street beach mat has a foot-long gash ¾ of the way down the walkway. Mr. Bair stated there are about six dead pine trees in the County right-of-way at 86th Street and stated he has informed the Borough twice. The Mayor stated a site plan is needed to determine the County right-of-way, but will follow up with the County.

Motion to adjourn: Commissioner Garofalo
Second: Commissioner Gerkens

Meeting adjourned at 4:46pm.
RESOLUTION #2019-064

RECOGNIZING THE LBI SCHOOL DISTRICT STUDENT FOR THE 2019 SEASONAL BEACH BADGE DESIGN AND AUTHORIZING A BADGE DONATION

WHEREAS the Long Beach Island School District was asked to provide a design for the 2019 seasonal beach badge through their students and Art Department; and

WHEREAS the Borough of Harvey Cedars fees for beach badges are set pursuant to Section 4-3 of the General Ordinances of the Borough of Harvey Cedars; and

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars desires to congratulate the designer of the badge and provide the student a token of appreciation.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Borough of Harvey Cedars hereby congratulates the 6th Grade Student Emily Krauser for the 2019 Seasonal Beach Badge design and authorizes the Finance Office to donate one (1) seasonal beach badge to Emily as a token of appreciation.

PASSED ON: June 18, 2019
ORDINANCE NO. 2019-09

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPAIR AND MAINTENANCE OF BEACHES AND DUNES LOCATED IN THE BOROUGH AND APPROPRIATING $450,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $427,500 IN BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE SAME

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), DOES ORDAIN, AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Harvey Cedars, in the County of Ocean, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of $450,000 including the sum of $22,500 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of $427,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the Borough’s share of the Federal Beach Replenishment Project for the repair and maintenance of public beaches and dunes, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's
signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance is 7 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $427,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
(d) An amount not exceeding $90,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on June 18, 2019. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on July 16, 2019 at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Daina Dale, Municipal Clerk
WHEREAS Outrigger Restaurant, LLC, trading as Plantation Restaurant, has applied for the renewal of a Plenary Retail Consumption License for the year 2019/2020 for the premises known and designated as 7908 Long Beach Blvd.; and

WHEREAS said application, through the POSSE online system, shows evidence of application for a Federal Tax Stamp and payment to the Borough in the amount of $2,500.00 has been received.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Harvey Cedars, in the County of Ocean, NJ that a Retail Consumption License be issued to Outrigger Restaurant, LLC.

BE IT FURTHER RESOLVED that Daina Dale, Municipal Clerk of the Borough of Harvey Cedars, NJ is hereby authorized and directed to execute and deliver said license on behalf of the Governing Body to said Plantation Restaurant.

Before the Resolution was voted upon, the Mayor asked if there were any objections on the part of the public to the granting of this license.

MOTION: Commissioner Gerkens
SECOND: Commissioner Garofalo
ROLL CALL VOTE: Ayes – Oldham, Gerkens, Garofalo
ABSENT: none

PASSED ON: June 18, 2019
RESOLUTION #2019-066

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE TO HILLCO CORP., INC. FOR THE YEAR 2019-2020

WHEREAS Hillco Corporation, Inc., trading as Neptune Liquors, has applied for the renewal of a Plenary Retail Distribution License for the year 2019/2020 for the premises known and designated as N.W. corner Long Beach Blvd. and 80th Street; and

WHEREAS said application, through the POSSE online system, shows evidence of application for a Federal Tax Stamp and payment to the Borough in the amount of $2,150.00 for the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Harvey Cedars, in the County of Ocean, NJ that a Retail Plenary Distribution License be issued to Hillco Corp. Inc.

BE IT FURTHER RESOLVED that Daina Dale, Municipal Clerk of the Borough of Harvey Cedars, NJ is hereby authorized and directed to execute and deliver said license on behalf of the Governing Body to said Neptune Liquors.

Before the Resolution was voted upon, the Mayor asked if there were any objections on the part of the public to the granting of this license.

MOTION: Commissioner Garofalo
SECOND: Commissioner Gerkens
ROLL CALL VOTE: Ayes – Oldham, Garofalo, Gerkens

PASSED ON: June 18, 2019
RESOLUTION #2019-067

AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE

WHEREAS pursuant to NJSA 40A:11-36 the governing body may by resolution authorize the sale of personal property no longer needed for public use by sealed bid or public auction; and

WHEREAS pursuant to Local Finance Notice No. 2008-09 a public auction is authorized to be held with an online vendor; and

WHEREAS the Borough of Harvey Cedars is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS the Board of Commissioners is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to and in accordance with the terms and conditions of the Sourcewell Contract (previously known as NJPA) member #83071. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Municipal Clerk.

(2) The sale will be conducted online and the address of the auction site is www.govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:
   a. Miscellaneous computer peripherals
   b. Old network telephones
   c. Gold chain necklace
   d. Wet suit
   e. Cannondale bicycle

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Harvey Cedars reserves the right to accept or reject any bid submitted.

PASSED ON: June 18, 2019
WHEREAS the Borough of Harvey Cedars has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience, and protect environmental resources; and

WHEREAS the Borough of Harvey Cedars is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program funds; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars will attend and participate at project meetings and events as a member of the Regional Team; and

BE IT FURTHER RESOLVED that the Borough of Harvey Cedars:
1. Will support the efforts of the Township of Long Beach in its role of coordinating activities of the Regional Team;
2. Will provide timesheets, receipts for expenses, and required documentation to the Prime, when requested, in order to be reimbursed for staff time and expenses for participation at project meetings and events;
3. Will engage in outreach efforts;
4. Will assist in the identification of socially vulnerable populations and will work towards addressing their unique needs within the planning process;
5. Will provide data and information as requested;
6. Will work with the Prime in identifying potential resilience projects and initiatives;
7. Will support the Prime in providing meeting space, and resources;
8. Will review and provide feedback on interim and final deliverables;
9. Will work with the Consultant Team provided by NJDEP in its efforts to complete the project;
10. Authorizes the execution of the grant agreement in the amount offered and approved by NJDEP and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by [insert name of municipality, county] and NJDEP;
11. Will continue participation until the completion of this program;
12. Agrees to comply with all CDBG-DR regulations, and accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies;
13. Agrees to adopt, in full, the State of New Jersey Department of Community Affairs “Citizen Participation Plan, CDBG-Disaster Recovery” March 12, 2013 (CDBG-DR Citizen Participation Plan) in order to provide citizen participation opportunities required by CDBG-DR Regulations as applicable for this project.

BE IT FINALLY RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Mayor and Municipal Clerk (or any successor or assigns) are authorized to sign the grant agreement or any other document in connection therewith.

PASSED ON: June 18, 2019
RESOLUTION #2019-069

APPOINTMENTS OF SEASONAL CLASS II SPECIAL POLICE OFFICERS
FOR THE BOROUGH OF HARVEY CEDARS

WHEREAS positions of Police Officers for the Borough of Harvey Cedars have become available; and

WHEREAS the Director of Public Safety and the Chief of Police for the Borough of Harvey Cedars have recommended the Board of Commissioners appoint four (4) seasonal Class II Special Officers to the Harvey Cedars Police Department; and

WHEREAS interviews have been held and the best qualified candidates have been selected.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following are hereby appointed as seasonal Class II Special Law Enforcement Officers for the Borough of Harvey Cedars effective July 1, 2019:

1. Stephen Adams
2. Charles Ferrara
3. Sean Frank
4. Amanda White

PASSED ON: June 18, 2019
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<tr>
<th>PO #</th>
<th>PO Date</th>
<th>Vendor</th>
<th>PO Description</th>
<th>Status</th>
<th>Amount</th>
<th>Void Amount</th>
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<td>07/03/18</td>
<td>BEACH050 BEACH HAVEN AUTOMOTIVE, INC</td>
<td>Tools &amp; Supplies</td>
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<td>07/18/18</td>
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<td>Major PM service for generator</td>
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<td>AMERICAN WEAR, INC.</td>
<td>DPM uniforms</td>
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<td>02/15/19</td>
<td>ONE CALL CONCEPTS INC</td>
<td>Mark Outs</td>
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<td>19-00160</td>
<td>03/06/19</td>
<td>BEACH HAVEN AUTOMOTIVE, INC</td>
<td>Police vehicle repairs</td>
<td>Open</td>
<td>55.99</td>
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<td>04/04/19</td>
<td>ATLANTIC TACTICAL</td>
<td>Safari land ALS Mid-Rise Level</td>
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<td>SANDPAPER</td>
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<td>05/22/19</td>
<td>ALAN'S ELECTRIC, LLC</td>
<td>Labor to install gazebo lights</td>
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<td>2,113.94</td>
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<td>SHORE60000</td>
<td>Crabby Tees for Kids &amp; Adults</td>
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<td>AMAZON CAPITAL SERVICES, INC</td>
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<td>05/31/19</td>
<td>CHESTER, MATHEW</td>
<td>Educational Reimbursement</td>
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<td>TUCKERSON LUMBER COMPANY</td>
<td>Bldgs &amp; Grnds supplies</td>
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<td>19-00432</td>
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<td>GRAINGER, INC</td>
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<td>19-00436</td>
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<td>MANA0010 MANAHA WASH</td>
<td>Vehicle wash</td>
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<td>CERTI030 CERTIFIED SPEEDOMETER SERVICES</td>
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<td>06/07/19</td>
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<td>06/07/19</td>
<td>GARCIA005 GARCIA, KAREN</td>
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<td>75.00</td>
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**BE IT RESOLVED** by the Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the foregoing bill list dated June 18, 2019 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: June 18, 2019