

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, June 3, 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 #2016-08 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO THE 77th STREET WATER WELL APPROPRIATING \$12,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$12,000 IN BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE SAME

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

There were no public questions or comments on this ordinance.

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

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 #2016-062:

AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN WATER/SEWER CHARGES

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2016-063:

RENEWAL OF MEMBERSHIP IN THE OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND

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

RESOLUTION #2016-064:

AUTHORIZING THE DONATION OF A SURPLUS VEHICLE TO THE BOROUGH OF SURF CITY IN THE AMOUNT OF ONE DOLLAR

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

RESOLUTION #2016-065:

CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$2,400.00 – COPS IN SHOPS

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2016-066:

RECOGNIZING THE BOROUGH OF HARVEY CEDARS' PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM AND THE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PIP)

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Vote: Ayes – Oldham, Garofalo, Gerkens

RESOLUTION #2016-067: Bills

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Public Property Usage requests:

1. Picnic – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Robert Burnaford and the Harvey Cedars employees for an employee picnic on Saturday, September 24, 2016 from 4pm to 8pm.

2. Block Party – James Street

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use James Street to Susan Carril for the 17th Annual neighborhood block party on Saturday, July 2, 2016 from 6:30pm to sunset.

3. Lunch – Sunset Park

A motion was made by Commissioner Gerkens, seconded by Commissioner Garofalo, to approve the request to use Sunset Park to the DCF Regional School for lunch in the park on Friday, July 22, 2016 at 11:30pm.

4. Lacrosse Camp – Sunset Park Ballfield

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park ballfield to Brothers Lacrosse Camp on August 7-10, 2017 and August 14-17, 2017.

5. Birthday Party – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Nicole Spisak for a birthday party on Saturday, September 10, 2016 from 12noon to 8pm.

PRIVILEGE OF THE FLOOR –

On behalf of a resident who uses the beach wheelchairs and who requested the Taxpayers Association to donate a beach wheelchair, Jim Loudon presented a check to the Board for \$1,500.00 from the Harvey Cedars Taxpayers Association as a donation to purchase a new child's beach wheelchair. The Board thanked Jim.

Jim Loudon requested the other side of the tennis court to be painted for pickleball. Pickleball clinics are being held and there are 2 levels of play; another court could accommodate both levels. The Mayor asked the Clerk to get quotes and the Mayor will also talk to Recreation Supervisor regarding any court issues.

James Ragone, 5413 Long Beach Blvd., stated that there are certain violations on properties that are being developed on the beachfront; it has caused a significant congestion; a certain builder keeps "trimming the edges"; 2 issues on the 5411 easement, one regarding the 20' easement clearance and the other concerning a pool built too close to the structure. Mayor Oldham stated the previous Zoning Officer may have had different interpretations of the ordinances and a mistake may have been made in this case; the new Officer has been made aware of the circumstances and will be more thorough on interpreting the ordinance.

Ellie Reddington, 11 W. 77th Street, is also concerned about the density and asked if there is a policy of buying open space. The Mayor and the Board stated and discussed the proposal of an Open Space Tax; it was presented last year but concerns were raised by residents. The Board will consider putting on a referendum at this year's general election. Sue Ellen Rifkin, 5 W. 77th Street, stated that Utah collects an impact fee for new development.

Scott Van Bramer from Surf City and a cyclist stated he would like to help to make it better to cycle through Harvey Cedars; the public should be aware that bicyclists are allowed, by law, to ride in the center of the lane. Ms. Rifkin stated that in Utah they have “sharrows”, a traffic lane that is shared with bicyclists. The Mayor stated he can ask the County.

Motion to adjourn: Commissioner Garofalo
Second: Commissioner Gerkens

Meeting adjourned at 5:13pm.

RESOLUTION #2016-062

**AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN
WATER/SEWER CHARGES**

WHEREAS the Utility Collector of the Borough of Harvey Cedars processes quarterly utility bills based on the prior three months of water usage, and the Borough Superintendent reads and maintains monthly meter readings; and

WHEREAS the following property owner had high water usage for the 2nd quarter of 2016 due to unforeseen circumstances, and the Borough Superintendent along with the Utility Collector investigated this usage and have recommended credits be issued for this one occasion:

- Account # 336 – Anthony & Janine Akey

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Utility Collector is authorized to adjust and issue a one time credit to the following utility account(s) based on average water usage from prior readings:

ACCOUNT#	WATER CREDIT	SEWER CREDIT
336-0	\$417.97	\$109.28

PASSED ON: June 21, 2016

RESOLUTION #2016-063

**RENEWAL OF MEMBERSHIP IN THE
OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS the Borough of Harvey Cedars is a member of the Ocean Municipal Joint Insurance Fund; and

WHEREAS said renewed membership terminates as of December 31, 2016 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS the Municipality desires to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Harvey Cedars agrees to renew its membership in the Ocean Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Ocean Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

MOTION TO ADOPT: Commissioner Garofalo

SECOND: Commissioner Gerkens

ROLL CALL:

AYES: Oldham, Gerkens, Garofalo

NAYS: none

PASSED ON: June 21, 2016

**AGREEMENT TO RENEW MEMBERSHIP IN THE
OCEAN COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS the Ocean County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq.; and

WHEREAS the Borough of Harvey Cedars is currently a member of said Fund; and

WHEREAS effective December 31, 2016, said membership will expire unless earlier renewed; and

WHEREAS the Mayor and Commissioners of the Borough of Harvey Cedars have resolved to renew said membership.

NOW, THEREFORE, it is agreed as follows:

1. Borough of Harvey Cedars hereby renews its membership in the Ocean County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2017 and ending December 31, 2019, 12:01 a.m.
2. The Borough of Harvey Cedars hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Ocean County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. Borough of Harvey Cedars agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Borough of Harvey Cedars in the Ocean County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Harvey Cedars.
5. Executed the 21st day of June 2016 as the lawful and binding act and deed of the Municipality, which execution has been duly authorized by public vote of the governing body.

RESOLUTION #2016-064

**AUTHORIZING THE DONATION OF A SURPLUS VEHICLE TO THE
BOROUGH OF SURF CITY IN THE AMOUNT OF ONE DOLLAR**

WHEREAS pursuant to N.J.S.A. 40A:12-13(b)(1), the sale or transfer of public property for nominal consideration may be made to another municipality or political subdivision of New Jersey as long as it is authorized by resolution; and

WHEREAS the Borough of Harvey Cedars presently owns the following surplus vehicle no longer suitable for Borough use:

1996 Ford F450 Dump Truck
VIN – 1FDLF 7FTEA 65184; and

WHEREAS the Borough of Surf City has inspected said vehicle and desires to purchase said surplus vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby authorizes the donation of the 1996 Ford F450 Dump Truck bearing V.I.N. 1FDLF7FTEA65184 for a nominal consideration of One Dollar and No Cents (\$1.00) to the Borough of Surf City.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to execute any documents and agreements to transfer said surplus vehicle from the Borough of Harvey Cedars to the Borough of Surf City.

PASSED ON: June 21, 2016

RESOLUTION #2016-065

**CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$2,400.00 –
COPS IN SHOPS**

WHEREAS NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Commission of the Borough of Harvey Cedars, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$2,400.00, which is now available from the State of New Jersey, Department of Law and Public Safety for “Cops in Shops – Summer Shore Initiative 2016”.

BE IT FURTHER RESOLVED that the sum of \$2,400.00 is hereby appropriated under the caption: 8. General Appropriations (A) Operations excluded from “CAPS” Public and Private Programs offset by Revenues: Cops in Shops – Summer Shore Initiative.

BE IT FURTHER RESOLVED that the above is a result of Federal funds obtained through the Division of Highway Traffic Safety as a State grant.

PASSED ON: June 21, 2016

RESOLUTION #2016-066

RECOGNIZING THE BOROUGH OF HARVEY CEDARS' PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM AND THE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI)

WHEREAS the Borough of Harvey Cedars is enrolled in the National Flood Insurance Program (NFIP) to provide flood insurance for the residents of Harvey Cedars; and

WHEREAS the Borough of Harvey Cedars takes part in the Community Rating System (CRS) program that is a voluntary component of the NFIP; and

WHEREAS Harvey Cedars' Class 8 Rating currently provides for \$119,279 in flood insurance discounts for its residents and businesses; and

WHEREAS the Borough of Harvey Cedars disseminates flood hazard information that not only is beneficial to the residents through mitigation of the hazardous effects of flooding, but is also beneficial in maximizing credit in the CRS program.

NOW, THEREFORE, BE IT RESOLVED, by completing a flood insurance assessment (FIA), a copy of which is attached hereto, marked Exhibit A, in accordance with the 2013 CRS Coordinator's Manual, it has been determined that 87% of the properties in Harvey Cedars, located on a barrier island, are insured through the National Flood Insurance Program, and that by completing the Island-wide program for Public Information and executing that program, this level of coverage will remain high due to the fact that insurance is mandatory for properties that have federally backed mortgages in the special flood hazard area, and furthermore, post "Sandy", that flood insurance is a wise investment for all property owners including year round renters.

PASSED ON: June 21, 2016