

This special meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:37pm. Commissioners Gerkens and Garofalo were present.

This Special Meeting was called pursuant to the provisions of the Open Public Meetings Law. The regular meeting scheduled for September 1, 2017 was postponed due to a lack of quorum. Notices were emailed to the Asbury Park Press and the Atlantic City Press on August 28, 2017, posted on the website on August 28, 2017, and published in the Beach Haven Times on August 31, 2017. Notices posted on the bulletin board in the Municipal Building and the Post Office remained continuously posted. Additionally, the Harvey Cedars Taxpayers Association was notified via email on August 29, 2017.

The Mayor asked all to rise for the Pledge of Allegiance.

Motion to approve the minutes of the previous meeting, August 15, 2017, was made by Commissioner Gerkens, seconded by Commissioner Garofalo.

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

ORDINANCE #2017-26 FIRST 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 AUTHORIZED VEHICLES ON THE BEACH

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

Commissioner Gerkens mentioned that this is changing from 1 horsepower to 2 horsepower.

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 #2017-25 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XIII ENTITLED “ZONING” TO CREATE A NEW BOAT SLIP ZONE AND TO ESTABLISH THE APPROPRIATE BOUNDARIES FOR SAME

Motion to open public discussion: Commissioner Garofalo

Second: Commissioner Gerkens

The Mayor stated there are narrow strips of land on a lagoon near Thomas, Barnegat, Lange and Cox Avenues, that have always been an area for boat slips belonging to nearby residents. There have been conversations of building mini-houses on the lots; this ordinance ensures the use of that area to remain as residential boat slips.

Thomas Pfeil, Lange Avenue boat slip owner, was concerned that one could not sleep on the boat. He stated his uncle visits by boat and he should be able to spend the night on the boat if there is inclement weather. The Commissioners agreed for safety reasons the ordinance should be amended to allow guests to stay a maximum of 48 hours on a docked boat.

Motion to close public discussion: Commissioner Garofalo

Second: Commissioner Gerkens

A motion was made by Commissioner Gerkens to adopt the ordinance with the change to allow a person to stay on the docked boat for a maximum of 48 hours.

Second: Commissioner Garofalo

Vote: Ayes – Oldham, Gerkens, Garofalo

A copy of the full ordinance as adopted with amendments 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 #2017-089:

AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR CONSTRUCTION CODE ENFORCEMENT SERVICES

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-090:

AUTHORIZING THE CONTINUATION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF HARVEY CEDARS AND THE TOWNSHIP OF LONG BEACH FOR THE SHARING OF TRASH AND RECYCLING SERVICES ON WILLIAM STREET IN HARVEY CEDARS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-091: Bills

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Public Property Usage requests:

Soccer Camp – Sunset Park ballfield

A motion was made by Commissioner Gerkens, seconded by Commissioner Garofalo, to approve the request to use Sunset Park to Martyn Rushmore for soccer camps for 5 weeks in July & August of 2018 from 9am to 1pm. Commissioner Gerkens stated the rates will be adjusted for next year.

PRIVILEGE OF THE FLOOR –

Craig Coddington, representing the Fire Company, thanked the Commissioners and the town for their assistance in the Dog Day Road Race. He commended Police Chief Burnaford and the Police Department for the extra security of the bomb squad prior to the race, it was well done. The Mayor thanked Craig and stated the race went very well.

Al Donahower, 76th Street, stated he heard another town approved surfing beaches and it was successful. He asked if the Board knew what town. Commissioner Garofalo stated Surf City most recently approved it this spring and was the only town that did not include a buffer zone; Harvey Cedars is currently the only town that does not allow surfing outside the swimming beaches, however, the Borough will be mailing a survey to obtain the residents' opinion. He said there are pros and cons. The survey will be written in conjunction with a representative of the surfing community. Surfers will be at the October 6th meeting for a presentation, but a decision will not be made until survey results are received.

Jim Loudon asked about new pickleball courts and their location, it was discussed at the annual Taxpayers Association meeting. The Mayor said the courts may be placed near the horseshoe pit area, but they have not been budgeted yet.

TOPICS OF INTEREST –

Chief Burnaford thanked Craig Coddington for his kind words regarding the Dog Day. The Chief stated arrangements have been made to continue the Polaris program through September. He also announced the arrival of Officer Kevin Snow's second child.

The Mayor mentioned the recent storms, and is sympathizing with Houston and Florida.

Motion to adjourn: Commissioner Garofalo
Second: Commissioner Gerkens

Meeting adjourned at 5:03pm.

ORDINANCE NO. 2017-26

**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
AUTHORIZED VEHICLES ON THE BEACH**

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

Section 1. Section 10-1.2 entitled “Definitions” is hereby amended by amending the definition of “Authorized vehicle”, item #4, as follows:

4. Electric motorized beach wheelchairs not exceeding 2 HP. No wheelchair shall be operated on the beach at a speed in excess of five miles per hour.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 4. This Ordinance shall take effect upon final adoption after publication in accordance with 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 **September 8, 2017**. 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 **October 6, 2017** 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

RESOLUTION #2017-089

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT
FOR CONSTRUCTION CODE ENFORCEMENT SERVICES**

WHEREAS the Borough of Harvey Cedars entered into a Shared Services agreement with the Boroughs of Beach Haven, Surf City and Barnegat Light for the provision of Construction Code Enforcement Services effective April 12, 2016 for a period of four (4) years expiring April 11, 2020; and

WHEREAS certain amendments to the Schedules need to be made to said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the attached Schedules A, B and C are hereby approved effective August 14, 2017 and copies of this Resolution shall be sent to the Boroughs of Beach Haven, Surf City and Barnegat Light.

PASSED ON: September 8, 2017

RESOLUTION #2017-090

AUTHORIZING AND REAFFIRMING THE CONTINUATION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF HARVEY CEDARS AND THE TOWNSHIP OF LONG BEACH FOR THE SHARING OF TRASH AND RECYCLING SERVICES ON WILLIAM STREET IN HARVEY CEDARS

WHEREAS William Street in the Borough of Harvey Cedars borders the North Beach section of Long Beach Township and houses residents from both Harvey Cedars (north side) and Long Beach Township (south side); and

WHEREAS on December 7, 2007, Harvey Cedars authorized a Shared Services Agreement with the Township of Long Beach to split trash and recycling services for William Street to alleviate the heavy traffic caused by trash trucks; and

WHEREAS the Borough of Harvey Cedars is in the process of soliciting trash/recycling bids and desires to reaffirm and continue said Shared Service agreement.

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

1. The Borough of Harvey Cedars hereby authorizes the continuation of trash collection by the Township of Long Beach to the Harvey Cedars' properties on William Street as set forth in the Township's trash schedule.
2. The Borough of Harvey Cedars shall continue to be responsible to collect all recyclable materials from the Township of Long Beach's properties on William Street as set forth in the Borough's recycling schedule.
3. This agreement has been in effect since January 1, 2008 and shall remain effective until either the Township of Long Beach or the Borough of Harvey Cedars terminates this agreement in writing.
4. Each municipality shall inform its residents on William Street of this agreement.
5. Copies of this resolution shall be forwarded the Municipal Clerks of both municipalities to be forwarded to their trash/recycling collection agencies and to their Public Works departments.

PASSED ON: September 8, 2017