

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Deputy Mayor Gerken at 4:30pm. Commissioner Garofalo was present; Mayor Oldham was attending a meeting at the EJ school regarding the school consolidation.

The Deputy 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, December 4, 2015, was made by Commissioner Garofalo, seconded by Commissioner Gerken.

The Deputy 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 #2015-111:

LAND USE BOARD APPOINTMENTS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-112:

ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-113:

RE-APPOINTMENT OF THE TAX COLLECTOR

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-114:

APPOINTMENT OF LOCAL EMERGENCY PLANNING COMMITTEE

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-115:

AUTHORIZING THE FILING OF APPEALS AND COMPLAINT FORMS WITH OCEAN COUNTY BOARD OF TAXATION

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-116:

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-117:

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-118:

DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND WATER/SEWER BILLS FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-119:

AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-120:

CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES OF LESS THAN TEN DOLLARS FOR THE YEAR 2016

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-121:

AUTHORIZE TRANSFER OF FUNDS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-122:

AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF OCEAN FOR A HOMELAND SECURITY GRANT PROGRAM

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-123:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF STAFFORD AND THE BOROUGH OF HARVEY CEDARS FOR PLUMBING, ELECTRICAL AND FIRE SUBCODE INSPECTION AND PLAN REVIEW SERVICES

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

RESOLUTION #2015-124: Bills

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerken

Public Property Usage: Wedding Ceremony – Sunset Park and 75th Street Bay Beach

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerken, to approve the request by the LBI School District for Bay Day on Thursday, June 9, 2016 – raindate Tuesday, June 14th.

Commissioner Garofalo read an email from Jarrod Shoemaker requesting to hold a 5k run in October. The Commissioners will discuss the request with the Mayor before a final decision is made.

Motion to adjourn: Commissioner Garofalo

Second: Commissioner Gerken

Meeting adjourned at 4:45pm.

RESOLUTION #2015-111

LAND USE BOARD APPOINTMENTS

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars adopted Ordinance No. 2011-01 on February 4, 2011 establishing the Land Use Board of the Borough of Harvey Cedars; and

WHEREAS said Ordinance requires the Mayor to appoint one Class II, six Class IV and four Alternative members and the majority of the Board of Commissioners shall appoint one Class III member; and

WHEREAS some members have resigned and some terms expire on December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the Borough of Harvey Cedars that the following appointments are made to the Harvey Cedars Land Use Board:

1. Daina Dale to serve as the Class II member for a one (1) year term ending 12/31/16.
2. Paul Rice to serve as a Class IV member for a four (4) year term ending 12/31/19.
3. Anthony Aukstikalnis to serve as Alternate member #1 for a four (2) year term ending 12/31/17.
4. Kathy Sheplin to serve as Alternate member #2 for a two (2) year term ending 12/31/17.

BE IT FURTHER RESOLVED by the majority of the Board of Commissioners of the Borough of Harvey Cedars that Michael Garofalo is hereby appointed to the Harvey Cedars Land Use Board to serve as a Class III member for a one (1) year term ending 12/31/16.

PASSED ON: December 15, 2015

RESOLUTION #2015-112

**ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS
FOR THE YEAR 2016**

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following appointments be and are hereby made for a one (1) year term commencing January 1, 2016 and ending December 31, 2016:

1. Julie Oldham as the Police Matron.
2. Michael Garofalo as the Joint Insurance Fund Commissioner.
3. Judith Gerkens as the Americans with Disabilities Act (ADA) Coordinator.
4. Daina Dale as the Registrar.
5. Laura Cohen as the Deputy Registrar and Deputy Municipal Clerk.
6. Mary Pat Brearley as Alternate Deputy Register.
7. Daina Dale as the Deputy Finance Officer and Deputy Tax Collector.
8. Diana Stott as the Community Rating System (CRS) Coordinator.
9. Diana Stott as the Recycling Coordinator.
10. Daina Dale as the Public Agency Compliance Officer (P.A.C.O.)

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the following:

1. Julie Oldham, 6502 Harvest Ave., Harvey Cedars, NJ 08008
2. Michael Garofalo, 1 East 79th Street, Harvey Cedars, NJ 08008
3. Judith Gerkens, 7 West Burlington Ave., Harvey Cedars, NJ 08008
4. Daina Dale, 7606 Long Beach Blvd., Harvey Cedars, NJ 08008
5. Laura Cohen, 7606 Long Beach Blvd., Harvey Cedars, NJ 08008
6. Mary Pat Brearley, 7606 Long Beach Blvd., Harvey Cedars, NJ 08008
7. Diana Stott, 7606 Long Beach Blvd., Harvey Cedars, NJ 08008

PASSED ON: December 15, 2015

RESOLUTION #2015-113

RE-APPOINTMENT OF THE TAX COLLECTOR

WHEREAS NJSA 40A:9-142 requires that every Municipal Tax Collector shall hold office for a term of four (4) years from the first day of January next following the appointment; and

WHEREAS on December 20, 2011 Resolution #2011-125 was passed appointing Laura Cohen as the Tax Collector of the Borough of Harvey Cedars commencing January 1, 2012 and ending December 31, 2015; and

WHEREAS it is the desire of the Board of Commissioners of the Borough of Harvey Cedars to re-appoint Laura Cohen as Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that Laura E. Cohen is hereby appointed Tax Collector for the Borough of Harvey Cedars for a four (4) year term commencing January 1, 2016 as per NJSA 40A:9-142.

PASSED ON: December 15, 2015

RESOLUTION #2015-114

APPOINTMENT OF LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS the Borough of Harvey Cedars Office of Emergency Management is required by the State of New Jersey to appoint a Local Emergency Planning Committee (LEPC); and

WHEREAS the Board of Commissioners desires the following individuals to serve as members of the LEPC:

Jonathan Oldham	Mayor / Emergency Management Coordinator
Judith Gerken	Commissioner / Public Information Officer
Michael Garofalo	Commissioner
Sean Marti	Fire Chief
Lloyd Vosseller	Borough of Harvey Cedars DPW
Thomas Preiser	Police Chief
Robert Burnaford	Deputy Emergency Management Coordinator
Keith Baum	Business Owner
Jim Loudon	Taxpayer's Representative

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the above-named individuals be and are hereby appointed as members of the 2016 Local Emergency Planning Committee from January 1, 2016 to December 31, 2016.

PASSED ON: December 15, 2015

RESOLUTION #2015-115

**AUTHORIZING THE FILING OF APPEALS AND COMPLAINT FORMS WITH
OCEAN COUNTY BOARD OF TAXATION**

WHEREAS from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

WHEREAS the governing body of the Taxing District of the Borough of Harvey Cedars is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS if the above discovered errors are not corrected or a roll-back assessment not applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Taxing District of the Borough of Harvey Cedars that the Tax Assessor or Municipal Attorney is hereby authorized to act as the agent for the Taxing District during the year of **2016** and file a Petition of Appeal of Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED that the Tax Assessor or Municipal Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the tax year **2016**; and

that a certified copy of this Resolution be forwarded to the Ocean County Board of Taxation with any such Petition of Appeal.

PASSED ON: December 15, 2015

RESOLUTION #2015-116

DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2016

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, that the below listed banking institutions are hereby designated as official depositories for the Borough of Harvey Cedars, wherein all public monies and other funds of the Borough shall be maintained and kept, as provided for by NJSA 40A:5-14.

BE IT FURTHER RESOLVED that said banking and savings institutions be and are hereby authorized to honor and pay checks, drafts, and warrants drawn on the several accounts in said banking institutions, when same are originally signed, or a combination of an original signature or stamped signature in the name of the Borough by the Mayor, the Commissioners, the Chief Financial Officer and the Municipal Clerk. In the case of payroll checks, electronic signatures are authorized.

BE IT FURTHER RESOLVED that investments are to be made by the Chief Financial Officer or his/her designee at any of the below designated depositories.

OceanFirst
Bank of America
Wachovia/Wells Fargo Bank
TD Bank
State of New Jersey Cash Management Fund
New Jersey ARM

PASSED ON: December 15, 2015

RESOLUTION #2015-117

DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2016

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean that the following publications, located and/or circulated in the County of Ocean, are hereby designated as the Borough of Harvey Cedars' legal advertising agencies:

Beach Haven Times
Atlantic City Press
Asbury Park Press
Ocean County Observer

PASSED ON: December 15, 2015

RESOLUTION #2015-118

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND
WATER/SEWER BILLS FOR THE YEAR 2016**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Harvey Cedars
that:

- 1) A charge of eight percent (8%) per annum on the first \$1,500.00 of delinquent amounts and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 of delinquencies of tax and water/sewer bills for the year 2016, and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31 of the tax year, an additional penalty of six percent (6%) shall be charged against the delinquency.
- 2) There shall be a ten (10) day grace period for quarterly tax payments and ten (10) day grace period for quarterly water/sewer bills.
- 3) The Tax Collector is hereby authorized to hold a Lien Sale as provided for in N.J.S.A. 54:5 and is hereby authorized to send notification in lieu of two of the normal lien advertisement publications as per N.J.S.A. 54:4-104.48 and to charge \$25.00 per notice sent to each property owner included in said Lien Sale.

PASSED ON: December 15, 2015

RESOLUTION #2015-119

**AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF
HARVEY CEDARS FOR THE YEAR 2016**

WHEREAS NJSA 40A:5-14 requires that a municipality adopt a cash management plan; and

WHEREAS the Chief Financial Officer has prepared and attached a cash management plan in order to comply with the aforementioned statute.

NOW, THEREFORE, BE IT RESOLVED by the Borough Commission of the Borough of Harvey Cedars, County of Ocean, in the State of New Jersey that the attached cash management plan is adopted and the Chief Finance Officer is hereby directed to send a copy of the plan to each approved depository.

PASSED ON: December 15, 2015

RESOLUTION #2015-120

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES
OF LESS THAN TEN DOLLARS FOR THE YEAR 2016**

WHEREAS NJSA 40A:5-17.1(b) authorizes a governing body to designate an authorized municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax, water and sewer refund or delinquency of less than ten dollars (\$10.00).

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 Certified Tax Collector and the Utility Collector of the Borough of Harvey Cedars are hereby authorized to process the cancellation of any property tax, water and sewer refund or delinquency of less than ten dollars (\$10.00) without further action on the part of the governing body.

PASSED ON: December 15, 2015

RESOLUTION #2015-121

TRANSFER OF FUNDS

WHEREAS the date of this resolution is within the last two months of the calendar year 2015, and the first three months of the calendar year 2016; and

WHEREAS N.J.S.A. 40A:4-58 provides for the making of transfers between budget appropriations during the five month period beginning November.

NOW, THEREFORE, BE IT RESOLVED (Not less than two-thirds of all members of the governing body affirmatively confirming) that the following transfers be and the same hereby are made between budget appropriations accounts in the 2015 budget.

<u>CURRENT</u>	<u>FROM:</u>	<u>TO:</u>
Road Repair & Maint OE 5-01-26-290-000-220	20,000.00	
Police S&W 5-01-25-240-000-110		20,000.00
Social Security 5-09-56-541-000-010		2,000.00
Admin Expenses 5-09-56-100-000-201	2,000.00	

PASSED ON: December 15, 2015

RESOLUTION #2015-122

**AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING
WITH THE COUNTY OF OCEAN FOR A HOMELAND SECURITY GRANT
PROGRAM**

WHEREAS the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General will provide funding to the County of Ocean through the FY 15 Homeland Security Grant and the County will act as a pass through funding agent for the State; and

WHEREAS the Borough of Harvey Cedars has been awarded \$15,000.00 through said grant for the upgrade of Long Beach Island's Emergency AM Radio Station.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Mayor and the Borough Clerk are hereby authorized to execute a Memorandum of Understanding between the Borough of Harvey Cedars (Subgrantee) and the Ocean County Sheriff's Department (Grantee) for the FY15 Homeland Security Grant Program, a copy of which is on file in the office of the Borough Clerk.

PASSED ON: December 15, 2015

RESOLUTION #2015-123

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF STAFFORD AND THE BOROUGH OF HARVEY CEDARS FOR PLUMBING, ELECTRICAL AND FIRE SUBCODE INSPECTION AND PLAN REVIEW SERVICES

WHEREAS the Shared Services and Consolidation Act, N.J.S.A. 40A: 65-1 et seq., authorizes the Borough of Harvey Cedars to enter into a contract for the provision of certain governmental services with the Township of Stafford; and

WHEREAS N.J.S.A. requires that such a contract be authorized by resolution; and

WHEREAS the Borough of Harvey Cedars and Stafford Township entered into an agreement effective January 1, 2012 to provide plumbing, electrical and fire subcode inspection and plan review services for a period of four (4) years ending December 31, 2015; and

WHEREAS it is the desire of the Borough of Harvey Cedars to renew said services with the Township of Stafford.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to enter into and execute a Shared Services Agreement with the Township of Stafford for the provision of plumbing, electrical and fire subcode inspection and plan review services, in accordance with the terms of said agreement attached hereto and made part hereof for a period of four (4) years commencing January 1, 2016 and ending December 31, 2019.
2. A copy of this agreement shall be kept on file and be available for public inspection in the office of the Municipal clerk.
3. A certified copy of this resolution shall be forwarded to the Township of Stafford and the Chief Financial Officer.

PASSED ON: December 15, 2015