

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 14, 2017 in the Beach Haven Times and the Asbury Park Press.

**Motion** to approve the minutes of the previous meeting, December 7, 2018 was made by Commissioner Gerkens, seconded by Commissioner Garofalo.

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 #2018-130:**

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

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-131:**

**DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2019**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-132:**

**DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2019**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-133:**

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND WATER/SEWER BILLS FOR THE YEAR 2019**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-134:**

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES OF LESS THAN TEN DOLLARS FOR THE YEAR 2019**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-135:**

**AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF OCEAN FOR PURCHASE OF MATERIALS AND SUPPLIES FOR THE 2019 ROAD & TRAFFIC LIGHT MAINTENANCE (SCHEDULE "C")**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-136:**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT AND ADJUSTMENTS TO BE MADE FOR ERRONEOUS PAYROLL OVERPAYMENTS**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-137:**

**AUTHORIZING AN ADDENDUM TO THE HARVEY CEDARS POLICE DEPARTMENT/P.B.A. LOCAL #175 AGREEMENT AS IT PERTAINS TO THE SALARY GUIDE**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-138:**

**APPOINTMENT OF POLICE OFFICER FOR THE BOROUGH OF HARVEY CEDARS**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-139:**

**THE BOROUGH OF HARVEY CEDARS RECOGNIZING BRENDAN SKOWRONEK FOR HIS COMMUNITY SERVICE**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-140:**

**RECOGNITION OF SERVICE TO THE BOROUGH OF HARVEY CEDARS - HONORABLE FRANK SALZER**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerkens

**RESOLUTION #2018-141:**

**AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2019**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-142:**

**AUTHORIZING TRANSFER OF FUNDS**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

**RESOLUTION #2018-143: Bills**

Motion to adopt: Commissioner Gerkens  
Second: Commissioner Garofalo

TOPICS OF INTEREST – The Mayor wished all a Merry Christmas and a Happy New Year.

PRIVILEGE OF THE FLOOR – Jim Loudon wished the Board a Merry Christmas and a Happy New Year.

**Motion** to adjourn: Commissioner Gerkens  
Second: Commissioner Garofalo

Meeting adjourned at 4:39pm.

**RESOLUTION #2018-130**

**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 **2019** 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 **2019**; 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 18, 2018

**RESOLUTION #2018-131**

**DESIGNATING DEPOSITORIES OF BOROUGH FUNDS FOR THE YEAR 2019**

**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  
Fulton Bank of NJ

PASSED ON: December 18, 2018

**RESOLUTION #2018-132**

**DESIGNATING LEGAL ADVERTISING AGENCIES FOR THE YEAR 2019**

**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  
The Sandpaper

PASSED ON: December 18, 2018

**RESOLUTION #2018-133**

**DESIGNATING INTEREST CHARGES ON DELINQUENT TAXES AND  
WATER/SEWER BILLS FOR THE YEAR 2019**

**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 2019, 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 18, 2018

**RESOLUTION #2018-134**

**CANCELLATION OF TAX/WATER/SEWER REFUNDS OR DELINQUENCIES  
OF LESS THAN TEN DOLLARS FOR THE YEAR 2019**

**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 18, 2018

**RESOLUTION #2018-135**

**AUTHORIZING EXECUTION OF INTERGOVERNMENTAL AGREEMENT  
WITH THE COUNTY OF OCEAN  
FOR PURCHASE OF MATERIALS AND SUPPLIES  
FOR THE 2019 ROAD & TRAFFIC LIGHT MAINTENANCE  
(SCHEDULE "C")**

**WHEREAS** the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal streets and property in addition to providing certain materials and supplies in connection therewith; and

**WHEREAS** the governing body of the Borough of Harvey Cedars has requested the County to provide certain materials and supplies for the maintenance of roads, property and traffic signals within the municipality for the year 2019 at a cost not to exceed **\$11,000.00**; and

**WHEREAS** the Borough of Harvey Cedars wishes to enter into an agreement with the County for the provision of these services.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF HARVEY CEDARS, STATE OF NEW JERSEY** as follows:

1. The Mayor and Clerk of the Borough of Harvey Cedars are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the County of Ocean for the provision of materials, supplies and services in an amount not to exceed \$11,000.00 as more specifically set forth in that Agreement and to be allocated as follows:
  - a. Ocean County Road Department           **\$ 10,000.00**
  - b. Ocean County Engineering Department   **\$ 1,000.00**
2. A copy of the Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall take effect upon full execution by the parties and shall remain in full force and effect through December 31, 2018. Sufficient funds have been appropriated and are available for this purpose in the 2018 municipal budget.

PASSED ON: December 18, 2018

**RESOLUTION #2018-136**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT AND ADJUSTMENTS TO  
BE MADE FOR ERRONEOUS PAYROLL OVERPAYMENTS**

**WHEREAS** it has come to the attention of the Borough that two employees were improperly paid over the 2018 payroll year; and

**WHEREAS** this overpayment occurred as the result of a new payroll processing employee's data entry misinterpretation at the beginning of 2018 when new salaries are put into the system; and

**WHEREAS** the Borough and the Borough's auditor are aware of this mistake and have determined that a Resolution and written Agreement should be put into the Borough's records in order to properly address the corrective action being taken.

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

1. The Board hereby authorizes the execution of an agreement between the Borough and the two employees to rectify the payroll overpayments of said employees.
2. Copies of the agreement shall remain on file in the office of the Borough Clerk and shall be forwarded to the Borough Finance Officer and Payroll Department.
3. The Board hereby authorizes the Payroll Department to make said adjustments as per the agreement.
4. The Finance Department shall institute new checks and balances for payroll processing.

PASSED ON: December 18, 2018

**RESOLUTION #2018-137**

**AUTHORIZING AN ADDENDUM TO THE HARVEY CEDARS POLICE  
DEPARTMENT/P.B.A. LOCAL #175 AGREEMENT AS IT PERTAINS TO THE  
SALARY GUIDE**

**WHEREAS** the current labor agreement between the Borough of Harvey Cedars and the Policemen's Benevolent Association Local 175 was negotiated and ratified on December 20, 2016 for a four (4) year period from January 1, 2017 through December 31, 2020; and

**WHEREAS** the Board of Commissioners desires to amend said agreement as it pertains to the salary guide.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that:

1. Addendum #1 for the 2017-2020 Harvey Cedars Collective Bargaining Agreement, a copy of which is attached hereto, and is made a part thereof, is hereby approved by the Borough of Harvey Cedars.
2. The Commissioner of Public Affairs and Safety is hereby authorized to execute same.
3. A certified copy of the resolution and the Agreement shall be forwarded to the Public Employment Relations Commission as per NJSA 34:13A-8.2.

PASSED ON: December 18, 2018

**ADDENDUM #1**  
To the  
**2017 – 2020**  
**COLLECTIVE BARGAINING AGREEMENT**  
Between  
**BOROUGH OF HARVEY CEDARS**  
And  
**PBA LOCAL #175**

Article VIII “Salary” is hereby amended by supplementing the following effective immediately:

“Any employee hired after December 15, 2018 shall be hired on a separate base salary of \$33,895 (\$37,414 with holiday). As the employee hits the anniversary date, the employee’s base salary shall increase to \$38,152 (\$42,113 with holiday). Upon completion of this current collective bargaining agreement on December 31<sup>st</sup>, 2020 or the retirement, transfer or resignation of a current borough employee, this addendum shall be null and void and the employee shall be entered upon the current salary guide starting at Patrolman 1<sup>st</sup> year.”

IN WITNESS WHEREOF the parties have hereunto affixed their hands and seal this

\_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
BOROUGH CLERK

\_\_\_\_\_  
COMMISSIONER, PUBLIC SAFETY

\_\_\_\_\_  
POLICEMEN'S BENEVOLENT ASSOC.,  
INC., LOCAL NO. 175

**RESOLUTION #2018-138**

**APPOINTMENT OF POLICE OFFICER FOR  
THE BOROUGH OF HARVEY CEDARS**

**WHEREAS** it is the desire of the Borough of Harvey Cedars to fill the position of a full-time police officer; and

**WHEREAS** Officer Benjamin Mrozinski has served as a Special Law Enforcement Officer Class II for the Borough of Harvey Cedars Police Department since June 20, 2017; and

**WHEREAS** Police Chief Robert Burnaford deems that Officer Mrozinski possesses the skills and experience to best fill said position.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars hereby appoints Benjamin Mrozinski as a full-time Police Officer for the Borough of Harvey Cedars for a probationary period effective December 19, 2018 through December 18, 2019 and shall receive absolute appointment upon satisfactory completion of said probationary period.

PASSED ON: December 18, 2018

**RESOLUTION #2018-139**

**THE BOROUGH OF HARVEY CEDARS RECOGNIZING  
BRENDAN SKOWRONEK FOR HIS COMMUNITY SERVICE**

**WHEREAS** on May 5, 2017, Brendan Skowronek from the Boy Scouts of America, Troop #24, approached the Board of Commissioners at a regular public meeting requesting to fulfill an Eagle Scout project in the Borough of Harvey Cedars; and

**WHEREAS** Brendan's ties to this community and knowledge of the importance of a stable beach dune system guided him to the idea of coordinating a dune grass planting project; and

**WHEREAS** the Board unanimously approved the project, and Brendan worked with the Borough's Police Chief and Public Works Secretary to coordinate and complete the dune grass planting with other scouts on October 7, 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, hereby appreciates and commends Brendan Skowronek for his organizational and leadership skills in planning and executing the dune grass planting project for Harvey Cedars.

DATED: December 18, 2018

**RESOLUTION #2018-140**

**RECOGNITION OF SERVICE  
TO THE BOROUGH OF HARVEY CEDARS**

**HONORABLE FRANK SALZER**

**WHEREAS** on July 17, 1992 the Borough of Harvey Cedars was lucky enough to obtain the services of Frank Salzer as Harvey Cedars Municipal Court Judge; and

**WHEREAS** as Judge, Mr. Salzar brought not only vast experience to the court, but also an easy going temperament, a fair but firm approach, and an even handed application of justice; and

**WHEREAS** Frank Salzer was admired by his staff, the Prosecutors, and the Police he worked with as well as the various miscreants brought before him; and

**WHEREAS** on May 31, 2018 Judge Salzer finally gave up the court gavel in Harvey Cedars and entered a well-deserved retirement phase of his life after 26 years of service to us.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars hereby recognizes the outstanding and long service Honorable Frank Salzer has given to our town as Municipal Court Judge and we wish him every success in his future endeavors.

DATED: December 18, 2018

**RESOLUTION #2018-141**

**AUTHORIZING A CASH MANAGEMENT PLAN FOR THE BOROUGH OF  
HARVEY CEDARS FOR THE YEAR 2019**

**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 2019 cash management plan, a copy of which is on file in the Borough Clerk's office, is adopted and the Chief Finance Officer is hereby directed to send a copy of the plan to each approved depository.

PASSED ON: December 18, 2018

**RESOLUTION #2018-142**

**AUTHORIZING TRANSFER OF FUNDS**

**WHEREAS** the date of this resolution is within the last two months of the calendar year 2018, and the first three months of the calendar year 2019; 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 2018 budget.

<b><u>CURRENT</u></b>		<b><u>FROM:</u></b>	<b><u>TO:</u></b>
Clerk S&W	8-01-20-120-000-110		\$2,671.00
Land Use Board OE	8-01-21-180-000-220	\$20.00	
Land Use Board S&W	8-01-21-180-000-110		\$20.00
Tax Assessor OE	8-01-20-150-000-220	\$2,671.00	

PASSED ON: December 18, 2018