

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 9:00AM. Commissioner Gerkens was present, Commissioner Garofalo was on vacation.

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. The time change from 4:30PM to 9:00AM was noticed to the Beach Haven Times and Asbury Park Press on Tuesday, January 2, 2018, posted on the website, Borough Hall and the Post Office, and emailed to the Harvey Cedars Taxpayers Association.

Motion to approve the minutes of the previous meeting, December 19, 2017, was made by Commissioner Gerkens, seconded by Mayor Oldham.

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

ORDINANCE #2018-01 FIRST READING

AN ORDINANCE FIXING AND DETERMINING THE ANNUAL BASE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2018

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

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

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

ORDINANCE #2018-02 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING A NEW CHAPTER 22 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, TO BE ENTITLED "PLASTIC BAG REGULATIONS"

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

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

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 #2018-001:

TEMPORARY BUDGET

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

RESOLUTION #2018-002:

DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2018

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2018-003:

ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS FOR THE YEAR 2018

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2018-004:

ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2018-005:

**ENABLING RESOLUTION FOR THE STATE OF NEW JERSEY,
DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES
PROGRAM**

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-006:

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF LONG BEACH FOR DISPATCHING SERVICES
FOR A PERIOD OF THREE YEARS**

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-007:

AUTHORIZING TRANSFER OF FUNDS

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-008:

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING
THE OMISSION FROM TAX SALE BLOCK 78, LOT 4**

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-009:

PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-010:

**AUTHORIZING THE CLERK'S OFFICE TO MAINTAIN A PETTY CASH
FUND IN THE AMOUNT OF \$100.00**

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-011:

**AUTHORIZING THE POLICE CHIEF TO MAINTAIN A PETTY CASH FUND
IN THE AMOUNT OF \$100.00**

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-012:

ESTABLISHING PERMIT FEES FOR MUNICIPAL PROPERTY USAGE

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

RESOLUTION #2018-013: Bills

Motion to adopt: Commissioner Gerkens
Second: Mayor Oldham

TOPICS OF INTEREST –

The Board noted there was a winter storm/blizzard yesterday (Winter Storm Grayson) leaving over a foot of snow and higher snowdrifts.

PRIVILEGE OF THE FLOOR – no public was in attendance.

Motion to adjourn: Commissioner Gerkens
Second: Mayor Oldham

Meeting adjourned at 9:10AM.

ORDINANCE NO. 2018-01

AN ORDINANCE FIXING AND DETERMINING THE ANNUAL BASE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2018

The Board of Commissioners of the Borough of Harvey Cedars, County of Ocean does ordain the annual base salaries of the officers and employees of the Borough of Harvey Cedars listed below are hereby fixed as follows:

Mayor	\$ 2,400.00	to	\$ 7,500.00
Commissioners	\$ 2,400.00	to	\$ 7,500.00
Borough Clerk	\$17,000.00	to	\$ 70,000.00
Deputy Clerk	\$ 0.00	to	\$ 17,500.00
Administrator	\$ 0.00	to	\$ 10,000.00
Clerical Help	\$ 7,000.00	to	\$ 25,000.00
Clerical Help (per hr.)	\$ 8.60	to	\$ 18.50
Tax Collector	\$15,000.00	to	\$ 32,000.00
Deputy Tax Collector (per hr.)	\$ 10.00	to	\$ 26.00
Chief Financial Officer	\$15,000.00	to	\$ 54,000.00
Deputy Chief Finance Officer (per hr.)	\$ 0.00	to	\$ 26.00
Assessor	\$ 6,000.00	to	\$ 21,000.00
Municipal Court Judge	\$ 2,500.00	to	\$ 8,300.00
Chief of Police	\$45,000.00	to	\$140,000.00
Sergeant of Police	\$35,000.00	to	\$128,000.00
Patrolmen	\$26,000.00	to	\$112,000.00
Extra Patrolmen (per hr.)	\$ 0.00	to	\$ 15.75
Police Matron (per hr. per call)	\$ 0.00	to	\$ 25.00
Police Matron (per hr. other)	\$ 0.00	to	\$ 10.00
Zoning Officer	\$ 0.00	to	\$ 22,000.00
Code Enforcement Officer (per hr.)	\$ 8.60	to	\$ 20.00
Superintendent of Public Works	\$15,000.00	to	\$ 60,000.00
General Maintenance Public Works	\$ 6,000.00	to	\$ 39,000.00
Superintendent of Water / Sewer	\$15,000.00	to	\$ 60,000.00
General Maintenance Water / Sewer	\$ 6,000.00	to	\$ 39,000.00
Maintenance (per hr.)	\$ 0.00	to	\$ 15.00
Skilled Operator (per hr.)	\$ 0.00	to	\$ 35.00
Clerical Help Water / Sewer	\$ 7,000.00	to	\$ 23,000.00
Collector of Utility Rents	\$ 7,000.00	to	\$ 38,000.00
Deputy Registrar	\$ 0.00	to	\$ 500.00
Captain of Lifeguards (per hour)	\$ 8.60	to	\$ 30.96
Lieutenant of Lifeguards (per hour)	\$ 8.60	to	\$ 19.75
Lifeguards (per hour)	\$ 8.60	to	\$ 15.50
Beach Personnel			
EMT Certification (per week)			\$ 25.00
Beach Badge Seller/checker (per hr.)	\$ 8.60	to	\$ 12.00
Beach Badge/Tennis Coordinator (per hr.)	\$ 8.60	to	\$ 15.75
Badge Seller/checker bonuses:			
Highest Badge Sales (per week)			\$ 30.00
2 nd Highest Badge Sales (per week)			\$ 15.00
Emergency Management Director	\$ 0.00	to	\$ 3,000.00
Deputy Emergency Management Director	\$ 0.00	to	\$ 5,000.00
Recycling Coordinator	\$ 0.00	to	\$ 3,000.00
Land Use Board Secretary (per hour)	\$ 0.00	to	\$ 20.00

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 **January 5, 2018**. 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 **February 2, 2018** 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

ORDINANCE NO. 2018-02

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN,
STATE OF NEW JERSEY, CREATING A NEW CHAPTER 22 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, TO BE
ENTITLED “PLASTIC BAG REGULATIONS”**

BE IT ORDAINED by the Board of Commissioners of the Borough of Harvey Cedars as follows:

Section 1. The Revised General Ordinances of the Borough of Harvey Cedars is hereby amended to create a new Chapter 22 entitled “Plastic Bag Regulations” which shall read as follows:

**CHAPTER XXII
PLASTIC BAG REGULATIONS**

22-1 INTENT. The intent of this Ordinance is to adopt regulations relating to and limiting the use of plastic bags by businesses in the Borough of Harvey Cedars. The regulations are intended as necessary and proper steps by the Borough to address a significant global problem relating to the sale and use of plastic bags, to further incentivize the use of reusable bags at businesses, and, ultimately, to protect the environment, wildlife, and the public health, welfare, and safety.

22-2 DEFINITIONS. The following words, phrases and terms as used in this chapter are hereby defined for the purpose thereof as follows.

Bait. Any live or previously live and now frozen substance used to attract and catch fish or crabs on the end of a fishing hook or inside a bait trap.

Business or Store. For the purposes of this Chapter, any retail establishment that engages in the retail sale of goods and products. The definition includes, but is not limited to, pharmacies, supermarkets, grocery stores, convenience stores, clothing stores, surf shops, food marts, and food service establishments.

Food Service Establishment. Any establishment which serves made-to-order food for dine-in, takeout, or delivery.

Garment Bag. A large, zippered bag incorporating a hanger on which garments may be hung to prevent wrinkling during travel or storage and used to protect and transport clothing or other textiles.

Goods and Products. Things and items that are prepared and made to be sold, including, but not limited to, clothing, groceries, prepared food, foodstuffs, meat, dairy, merchandise, books, jewelry, alcohol, tobacco products, toys, and any and all other things and items sold at retail by businesses and stores.

Produce Bag or Product Bag. Any bag without handles that is used exclusively to segregate produce, meats, other food items, and merchandise to the point of sale inside a store or to prevent such items from coming into direct contact with other purchased items, where such contact could damage or contaminate other food or merchandise when placed together in a reusable or recycled bag.

Retail. The sale of goods and products for use and/or consumption.

Reusable Bag. A bag that is designed and manufactured to withstand repeated uses over a period of time, is machine washable or made from a material that can be cleaned and disinfected regularly, is at least 2.25 mil thick if made from plastic, has a minimum lifetime of 75 uses, and is capable of carrying a minimum of 18 pounds.

Single-Use, Plastic Carryout Bag. A bag, sheet, or receptacle produced or manufactured from material commonly known as "plastic" or "polyethylene" provided at the check-out stand, cash register, point of sale, or other point of departure for the purpose of transporting goods or products out of the establishment. The term single-use, plastic carryout bag does not include reusable bags, produce bags, product bags, or garment bags.

22-3 REGULATION OF SINGLE-USE, PLASTIC CARRYOUT BAGS. No business or store shall provide any single-use, plastic carryout bags to a customer at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting products or goods out of the business or store, except as otherwise provided in this Chapter.

22-4 EXCEPTIONS.
Single-use, plastic carryout bags may be used by businesses or stores to sell bait.

22-5 VIOLATIONS AND PENALTIES.
Each person violating any of the provisions of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter III, section 3-9.

Section 2. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall take effect after final adoption and publication in accordance with law. Enforcement of this Ordinance shall begin June 1, 2018.

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 **January 5, 2018**. 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 **February 2, 2018** 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 #2018-001

TEMPORARY BUDGET

WHEREAS N.J.S. 40A:4-19 provides that where any contract, commitment, or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS the date of this resolution is within the first thirty days of January, 2018; and

WHEREAS the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund is the sum of \$3,866,000.20; and

WHEREAS twenty-six and one quarter percent of the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges and the capital improvement fund is the sum of \$1,014,825.05.

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made as follows:

	<u>Account Number</u>	<u>2018 Temporary</u>
<u>Current Fund</u>		
Administrator S&W	8-01-20-100-000-110	2,500.00
Director - Public Affairs S&W	8-01-20-110-000-110	1,875.00
Director - Public Affairs OE	8-01-20-110-000-210	1,000.00
Director - Rev & Finance S&W	8-01-20-111-000-110	1,875.00
Director - Rev & Finance OE	8-01-20-111-000-210	1,000.00
Director - Pub Works S&W	8-01-20-112-000-110	1,875.00
Director - Pub Works OE	8-01-20-112-000-210	1,000.00
Municipal Clerk S&W	8-01-20-120-000-110	19,000.00
Municipal Clerk OE	8-01-20-120-000-205	4,000.00
Finance Administration S&W	8-01-20-130-000-110	12,000.00
Finance Administration OE	8-01-20-130-000-210	2,000.00
Audit Services	8-01-20-135-000-200	5,000.00
Tax Collection S&W	8-01-20-145-000-110	14,000.00
Tax Collection OE	8-01-20-145-000-220	2,000.00
Tax Assessor S&W	8-01-20-150-000-110	5,200.00
Tax Assessor OE	8-01-20-150-000-220	500.00
Legal Services	8-01-20-155-000-270	5,000.00
Engineering	8-01-20-165-000-220	2,000.00
Land Use Board S&W	8-01-21-180-000-110	6,000.00
Land Use Board OE	8-01-21-180-000-220	1,000.00
Zoning OE	8-01-21-180-000-221	1,000.00
Construction S&W	8-01-22-195-000-110	1,750.00
Construction OE	8-01-22-195-000-220	500.00
Liability Insurance	8-01-23-210-000-000	11,600.00
Workers Comp Insurance	8-01-23-215-000-000	21,000.00
Employees Group Dental	8-01-23-220-001-000	10,000.00
Employees Group Health	8-01-23-220-002-000	70,000.00
Unemployment Insurance	8-01-23-225-000-000	2,700.00
Police S&W	8-01-25-240-000-110	230,000.00
Police OE	8-01-25-240-000-220	35,000.00
Office of Emerg Mgmt S&W	8-01-25-252-000-110	1,500.00

Office of Emerg Mgmt OE	8-01-25-252-000-220	1,000.00
Borough Prosecutor OE	8-01-25-275-000-200	2,200.00
Road Repair & Maint S&W	8-01-26-290-000-110	80,000.00
Recycling S&W	8-01-26-290-000-110	14,000.00
Road Repair & Maint OE	8-01-26-290-000-220	25,000.00
Garbage & Trash Collection	8-01-26-305-000-220	60,000.00
Buildings & Grounds OE	8-01-26-310-000-200	21,000.00
Vehicle Maintenance S&W	8-01-26-315-000-110	10,000.00
Vehicle Maintenance OE	8-01-26-315-000-250	15,000.00
Recreation S&W	8-01-28-370-000-110	100.00
Recreation OE	8-01-28-370-000-201	100.00
Maintenance of Parks OE	8-01-28-375-000-220	5,000.00
Lifeguards S&W	8-01-28-381-000-110	12,000.00
Lifeguards OE	8-01-28-381-000-220	500.00
Beachfront Maintenance OE	8-01-28-383-000-023	30,000.00
Electricity	8-01-31-430-000-000	4,200.00
Street Lighting	8-01-31-435-000-000	10,000.00
Telephone	8-01-31-440-000-000	5,500.00
Natural Gas	8-01-31-447-000-000	5,500.00
Gasoline	8-01-31-460-000-000	20,000.00
Landfill Dsposal Costs	8-01-31-465-000-781	20,000.00
Recycling Tax	8-01-31-466-000-782	1,000.00
Social Security	8-01-36-472-000-000	30,000.00
Code Enforcement Shared Svc	8-01-42-195-021-000	13,000.00
Health Svcs Shared Svc	8-01-42-330-020-000	11,000.00
Animal Control Shared Svc	8-01-42-340-020-000	2,500.00
Municipal Court Shared Svc	8-01-42-350-020-000	5,000.00
IT Shared Svc	8-01-42-360-020-000	500.00
Municipal Court S&W	8-01-43-490-000-110	2,100.00
Municipal Court OE	8-01-43-490-000-201	500.00
Public Defender	8-01-43-495-000-000	750.00

Total Current Fund temporary appropriations 881,325.00

Water/Sewer Fund

Water/Sewer S&W	8-09-56-100-000-110	90,000.00
Water/Sewer OE	8-09-56-100-000-210	100,000.00
Social Security	8-09-56-541-000-010	8,000.00
Unemployment Insurance	8-09-56-542-000-010	800.00
Principal NJEIT	8-09-56-524-000-024	6,160.00
Interest NJEIT	8-09-56-525-000-025	9,705.00

Total Water/Sewer Utility temporary appropriations 214,665.00

PASSED ON: January 5, 2018

RESOLUTION #2018-002

DESIGNATING PROFESSIONAL SERVICES FOR THE YEAR 2018

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey has determined that it should hire a borough attorney, bond counsel, prosecutors, auditor, engineer, public defender, labor attorney, and computer software specialists; and

WHEREAS said contracts for professional services need not be bid under the Local Public Contract Law of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following professionals be retained by the Borough of Harvey Cedars, *upon receipt of properly executed State mandated forms*, for a period commencing January 1, 2018 and ending December 31, 2018 and the following fees are set for said professional services per quotes and contracts received by the Borough:

1. The firm Hering, Gannon & McKenna as Borough Attorney and Labor Attorney
29 Hadley Avenue, Toms River, NJ 08753
\$150.00 per hour/ \$250.00 per Borough meeting
2. Armando V. Riccio, LLC as Alternate Labor Attorney
7 North Main Street, Suite A, Medford, NJ 08055
\$90.00 - \$165.00 per hour / service dependent
3. William Mayer, Esq of the firm DeCotiis, FitzPatrick, Cole & Giblin, LLP as Bond Counsel
500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ 07666
\$120.00 - \$250.00 per hour / service dependent
4. Robert Allison, CPA of the firm Holman, Frenia & Allison as Municipal Auditor
912 Highway 33, Suite 2, Freehold, NJ 07728
\$37,950 per audit
\$80.00 - \$200.00 per hour / service dependent
5. Frank J. Little, P.E. of the firm Owen, Little & Associates as Municipal Engineer
442 Atlantic City Blvd., Beachwood, NJ 08722
\$140.00 per hour
\$40.00 - \$190.00 per hour / service dependent
6. Christopher Koutsouris, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as Public Defender and Robert Ulaky as Alternate Public Defender
620 West Lacey Road, Forked River, NJ 08731
\$250.00 per court attendance
7. Bonnie R. Peterson, Esq. as Municipal Prosecutor
1201 S.W. Central Avenue, PO Box J, Seaside Park, NJ 08752
\$550.00 per month
8. Edmunds & Associates, Inc. as Finance & Tax and Water Billing Software Support Professional
301A Tilton Road, Northfield, NJ 08225
\$11,354.00 annually

BE IT FURTHER RESOLVED that the Mayor, the Commissioner of Revenue and Finance and the Municipal Clerk are hereby authorized to execute the professional service contracts.

PASSED ON: January 5, 2018

RESOLUTION #2018-003

**ANNUAL APPOINTMENTS MADE BY THE BOARD OF COMMISSIONERS
FOR THE YEAR 2018**

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, 2018 and ending December 31, 2018 and the duties of each employee are governed by State statutes and/or the Ocean County Joint Insurance Fund:

1. Judith Gerkens as the Americans with Disabilities Act (ADA) Coordinator.
2. Daina Dale as the Registrar.
3. Laura Cohen as the Deputy Registrar.
4. Anna Grimste as Alternate Deputy Registrar.
5. Daina Dale as the Public Agency Compliance Officer (P.A.C.O.)
6. Michael Garofalo as the Joint Insurance Fund Commissioner.

BE IT FURTHER 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, 2018 and ending December 31, 2018 and the duties of each appointee shall be governed and defined in the General Ordinances and/or the Personnel Policy Job Description Manual of the Borough of Harvey Cedars:

1. Julie Oldham as the Police Matron.
2. Anna Grimste as the Deputy Municipal Clerk.
3. Rebecca Wessler as the Deputy Finance Officer and Deputy Tax Collector.
4. Diana Stott as the Community Rating System (CRS) Coordinator.
5. Diana Stott as the Recycling Coordinator.

PASSED ON: January 5, 2018

RESOLUTION #2018-004

ANNUAL APPOINTMENTS FOR LAND USE BOARD MEMBERS

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 terms expire on December 31, 2017.

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 12/31/18.
2. Robert Romano to serve as a Class IV member for a four (4) year term ending 12/31/21.
3. Terry Kulinski to serve as a Class IV member for a four (4) year term ending 12/31/21.
4. Kathy Sheplin to serve as Alternate #1 member for a two (2) year term ending 12/31/19.

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 12/31/18.

PASSED ON: January 5, 2018

RESOLUTION #2018-005

**ENABLING RESOLUTION FOR THE
STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION,
GREEN ACRES PROGRAM**

WHEREAS the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS the Borough of Harvey Cedars desires to further the public interests by obtaining a grant of \$50,000.00 from the State to fund the following project:

1510-17-004 James Street Wetlands Project

NOW, THEREFORE, the governing body resolves that Jonathan Oldham or the successor to the office of Mayor is hereby authorized to:

- (a) Make application for such a loan and/or such a grant,
- (b) Provide additional application information and furnish such documents as may be required,
- (c) Act as the authorized correspondent of the above named applicant; and

WHEREAS the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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

1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the James Street Wetlands Project, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$50,000.00.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

PASSED ON: January 5, 2018

RESOLUTION #2017-006

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF LONG BEACH FOR DISPATCHING SERVICES
FOR A PERIOD OF THREE YEARS**

WHEREAS the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et. seq., authorizes municipalities to agree to provide shared services when approved by resolution under NJSA 40A:65-5; and

WHEREAS the Borough of Harvey Cedars and the Township of Long Beach have entered into a Shared Services Agreement for dispatching services, NCIC Look Up Service, name and address property look up services and it is the desire of the Board of Commissioners of the Borough of Harvey Cedars to authorize the renewal and execution of an agreement with the Township of Long Beach for said services.

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 Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Township of Long Beach for police dispatching services, NCIC Look Up Service, name and address property look up service, and 911 emergency dispatching service, a copy of which is attached hereto, in accordance with the provisions of law for a period of three (3) years commencing January 1, 2018 and ending December 31, 2020.

PASSED ON: January 5, 2018

RESOLUTION #2018-007

AUTHORIZING TRANSFER OF FUNDS

WHEREAS the date of this resolution is within the last two months of the calendar year 2017, and the first three months of the calendar year 2018; 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 2017 budget.

<u>CURRENT</u>		<u>FROM:</u>	<u>TO:</u>
Lifeguards S&W	7-01-28-381-000-110	\$17,895.36	
Lifeguards OE	7-01-28-381-000-220		\$17,895.36

PASSED ON: January 5, 2018

RESOLUTION #2018-008

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS
AUTHORIZING THE OMISSION FROM TAX SALE BLOCK 78, LOT 4**

WHEREAS N.J.S.A.54:5-19 provides for the governing body to omit from Tax Sale those properties delinquent for taxes or other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made, in pursuance to such agreement as may be authorized by resolution between the collector and owner of said property.

NOW, THEREFORE, BE IT RESOLVED, that Pamela Giottini, owner of the property at 8601 Jamaica Lane, Block 78, Lot 4, will be making equal monthly installments to pay for back charges on said property. Payments of \$1,000.00 are for 12 months due and payable on the first of each month. It shall be further conditioned that all installments of taxes for the current years in which such agreement is made, and all subsequent taxes, assessments and other municipal charges imposed or becoming a lien thereafter shall be promptly paid when due.

When payment of the aforementioned exceeds 30 days after due date, then said agreement shall be void and tax collector shall proceed to enforce such lien by selling in the manner set forth in N.J.S.A.54:5-19.

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, hereby authorizes the tax collector to accept said installments for Block 78, Lot 4, also known as 8601 Jamaica Lane, Borough of Harvey Cedars and assessed to Pamela Giottini.

PASSED ON: January 5, 2018

RESOLUTION #2018-009

PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

WHEREAS the Borough of Harvey Cedars has budgeted funds for 2018 for payment of utilities, payroll, debt service, governmental fees, insurances, and mailing costs of the Borough; and

WHEREAS the payment of these items frequently arrives out of time for placement on the next available bill list and thereby inadvertently placing these bills in arrears.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Chief Financial Officer is hereby authorized to make pre-payments of the following fixed items prior to the same appearing on the meeting bill lists; such funds to be taken from the pre-budgeted amount for each such expenses for 2018:

1. Utilities (electric, gas, telephone and cable).
2. Payroll.
3. Debt services as evidenced by pre-existing notes.
4. Health, dental, flood and other insurance premiums.
5. Federal, state, county, school fees and taxes.
6. Postage for tax bills, newsletters and other Borough mailings.

PASSED ON: January 5, 2018

RESOLUTION #2018-010

**AUTHORIZING THE CLERK'S OFFICE TO
MAINTAIN A PETTY CASH FUND IN THE
AMOUNT OF \$100.00**

WHEREAS N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Borough of Harvey Cedars; and

WHEREAS said Petty Cash Fund was established by resolution dated May 20, 2003 by the Commissioners of the Borough of Harvey Cedars; and

WHEREAS said Petty Cash Fund received approval of the Director of Local Government Services on July 23, 2003; and

WHEREAS it is the desire of the Commissioners that said fund be continued under the direction of the Clerk.

NOW, THEREFORE, BE IT RESOLVED ON THIS 5th day of January, 2018 by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that:

1. During the year 2018, Daina Dale, Municipal Clerk, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

2. Daina Dale, Municipal Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said fund in accordance with the laws and regulations governing its operation.

PASSED ON: January 5, 2018

RESOLUTION #2018-011

**AUTHORIZING THE POLICE CHIEF TO
MAINTAIN A PETTY CASH FUND IN THE
AMOUNT OF \$100.00**

WHEREAS N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash Fund for the Harvey Cedars Police Department; and

WHEREAS said Petty Cash Fund was established by resolution dated March 24, 2015 by the Commissioners of the Borough of Harvey Cedars; and

WHEREAS said Petty Cash Fund received approval of the Director of Local Government Services on December 2, 2015; and

WHEREAS it is the desire of the Commissioners that said fund be continued under the direction of the Police Chief.

NOW, THEREFORE, BE IT RESOLVED ON THIS 5th day of January, 2018 by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey that:

1. Police Chief Robert Burnaford be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

2. Robert Burnaford, Police Chief, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said fund in accordance with the laws and regulations governing its operation.

PASSED ON: January 5, 2018

RESOLUTION #2018-012

ESTABLISHING PERMIT FEES FOR MUNICIPAL PROPERTY USAGE

WHEREAS the governing body of the Borough of Harvey Cedars adopted Ordinance No. 2013-04 on March 19, 2013 establishing permitting rules and regulations for municipal property usage as well as a fee range for such use; and

WHEREAS said ordinance authorizes the governing body to annually adopt by resolution specific fees for said usage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the 2018 municipal property use fee schedule is hereby adopted as follows:

MUNICIPAL PROPERTY USAGE FEES

1. **SPORT RELATED CAMPS IN PARK** \$500 per week
 - a. A week shall mean any portion of a week greater than 2 days.
 - b. Full payment required prior to May 1st.
 - c. No refunds for any reason.

2. **OTHER PROGRAMS** \$25 – \$100 per week
 - a. Multiple dates/weeks shall be paid for in whole unless other arrangements are approved by the Governing Body.
 - b. No refunds for any reason.

3. **WEDDING RECEPTIONS OR LARGE PRIVATE EVENTS IN SUNSET PARK**

Within the Fenced Ballfield	\$5,000
Outside of Fenced Ballfield	\$1,500 - \$5,000

 - a. Plans and diagrams of the event shall be submitted for approval with application.
 - b. Insurance certificate required naming the Borough as an additional insured.
 - c. If alcohol is served at any event, Off-Duty Police shall be hired by applicant.
 - d. A refundable deposit may be required established by the Governing Body at the time of approval.
 - e. Fees include grass cutting, mark-outs for sprinkler system, and public bathrooms cleaned prior to event.

4. **PRIVATE EVENTS - SMALL** \$25 - \$500

Private events shall mean any organized social gathering, such as small wedding ceremonies and small birthday parties, requiring a reservation of the facility requested. A refundable deposit may be required established by the Governing Body at the time of approval. Fees are dependent on size of gathering.

5. **COMMERCIAL EVENTS** \$500 per day

Commercial events shall include races, competitions and shows. Tented events shall be assessed at the time of application for an additional fee.

6. **NON-PROFIT EVENTS** \$0

Non-profit events shall mean any affair organized by a bona fide non-profit organization.

7. **SCHOOL EVENTS** \$0

School events shall mean any affair or gathering organized by a bona fide school.

8. **MUNICIPAL BOAT RAMP**

Commercial usage	
1 – 10 boats	\$50 season
11+ boats	\$100 season
Non-commercial usage	
Beach Badge required	

9. **VESSELS BEACHED – registered**

Under 15 feet in length	\$100 per season
Over 15 feet in length	\$200 per season

BE IT FURTHER RESOLVED that said fees shall remain in effect until such time an amending resolution or ordinance is adopted.

PASSED ON: January 5, 2018