

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 Imperiale and Rice were present along with Borough Attorney, Michael McKenna.

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

The Mayor stated to the best of his knowledge all the requirements of the Sunshine Law have been met. 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 22, 2022 in the Asbury Park Press and on December 29, 2022 in the Beach Haven Times.

Motion to approve the minutes of the previous meeting held on February 1, 2023 was made by Commissioner Imperiale, seconded by Commissioner Rice.

The Mayor read the following ordinances by title and number and asked for a motion to introduce. Copies of the full ordinances as introduced are attached hereto and made a part hereof:

ORDINANCE #2023-03 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO VARIOUS ROADS LOCATED IN THE BOROUGH AND APPROPRIATING \$600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$300,000 IN BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE SAME

Mayor Oldham explained that funding along with grants will go towards the paving of West Bergen Ave & 75th Street.

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale
Vote: Ayes – Oldham, Imperiale, Rice

ORDINANCE #2023-04 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE SUM OF \$25,000 FROM THE CAPITAL IMPROVEMENT FUND FOR CERTAIN CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale
Vote: Ayes – Oldham, Imperiale, Rice

ORDINANCE #2023-05 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING CHAPTER 3 ENTITLED "POLICE REGULATIONS" AND CHAPTER 12 ENTITLED "BUILDING AND HOUSING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, AS IT PERTAINS TO CONSTRUCTION NOISE

Mayor Oldham stated that the ordinance addresses some of the issues pertaining to permitted hours of construction and noise. Issues still exist that need to be reviewed and changes may follow. Commissioner Imperiale stated he would like an 8am start time placed year-round but is glad that we are going in the right direction.

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale
Vote: Ayes – Oldham, Imperiale, Rice

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 #2023-02 SECOND READING

AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "GENERAL LICENSING" AS IT PERTAINS TO PICKLEBALL COURT FEES

Motion to open public discussion: Commissioner Imperiale
Second: Commissioner Rice

John Bacci, 75th Street asked for clarification on changes being adopted. An explanation was offered by all three Commissioners and the Deputy Clerk regarding limiting free-resident passes per household.

Joe Gieger, 77th Street, suggested that rules for pickleball should be posted on a nice sign at the courts. An explanation was given by the commissioners that the posted rules for pickleball in 2022 were flimsy due to the fact that rules were new. Several revisions needed to be made throughout the summer season. Mayor Oldham and Commissioner Imperiale both agreed that a nice permanent sign would be great once all of the rules and regulations are determined and revisions no longer have to be made.

Motion to close public discussion: Commissioner Rice
Second: Commissioner Imperiale

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale
Vote: Ayes – Oldham, Imperiale, Rice

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

The Mayor read the following resolutions by title and number and asked for a motion to adopt. A summary of each resolution was given by the commissioner responsible for the department it pertains to. Copies of the full resolutions are attached hereto and made a part hereof:

RESOLUTION: #2023-022

CALLING FOR AN IMMEDIATE MORATORIUM ON OFFSHORE WIND DEVELOPMENT PENDING A THOROUGH INVESTIGATION INTO THE UNPRECEDENTED DEATHS OF WHALES

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION: #2023-023

APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION: #2023-024

AUTHORIZING THE HARVEY CEDARS POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION: #2023-025

AUTHORIZING AMENDMENT TO THE RULES AND REGULATIONS FOR THE POLICE DEPARTMENT OF THE BOROUGH OF HARVEY CEDARS

Commissioner Imperiale explained changes were being made to uniform regulation for the Police Department with regards to guidelines concerning tattoos.

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION: #2023-026

AUTHORIZING THE AMENDMENT OF (LIT) LIFEGUARD IN TRAINING PROGRAM FEES

Commissioner Imperiale explained the need for raising the fees for the program include lifeguard salaries and rising costs. Mayor Oldham suggested that perhaps the Borough could consider offering a few needs based scholarship for families who would not be able to afford the program. Commissioner Imperiale will look into the possibilities for future years.

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION: #2023-027 BILLS

Motion to approve the bills for payment: Commissioner Rice
Second: Commissioner Imperiale

Public Property Usage Requests:

1. A motion was made by Commissioner Rice, seconded by Commissioner Imperiale to approve the request for Dana Mitchell of Liquid Bliss Yoga to use Sunset Park and 80th Street beach for paddle yoga and beach yoga in the mornings from July 1, 2023 to September 15, 2023. The approved request permits the use of the areas once per week, for a total of 11 weeks throughout the summer months for more than 10 people for Surf Paddle, and no more than 15 for the beach.
2. A motion was made by Commissioner Imperiale, seconded by Commissioner Rice to approve Southern Regional High School to have their annual Senior Service Day to clean up at a location in Harvey Cedars on Thursday, June 1, 2023, location to be determined by Public Works.
3. A motion was made by Commissioner Imperiale, seconded by Commissioner Rice to approve the request made by Harvey Cedars Activity Committee and Harvey Cedars Police Foundation to use Sunset Park for a Kids' Night Benefit on July 27, 2023 from 5pm-7pm, raindate August 3, 2023. 500+ people expected at the benefit. Activities to include petting zoo, touch-a-truck, drone demo, inflatables, K9 demo among other activities for kids.

PRIVILEGE OF THE FLOOR –

Joe Gieger, 77th Street proposed questions regarding the new curb ordinance. A discussion took place about different requirements for curbing such as curbs being installed for the paving project on the west side of Long Beach Blvd., and regarding regulations outlined in the newly passed zoning ordinance which requires a depressed curb at driveways when driveways are designated by homeowners by way of pavers or other materials. Mr. Gieger would like to see more standardization and requirements for curbs. A discussion continued about what the plan for the town should be regarding design and curbing requirements. Mayor Oldham stated that standardization is important and that we are working towards curbing designs with caution so not to over impose new requirements on homeowners that may not want curbing in Harvey Cedars.

Jim Fritz, 82nd Street continued the discussion about curbing, proposing stricter requirements be introduced when new homes are built for the purpose of controlling both parking, and the nuisance of stones which often wash into roads and cause a hazardous condition for bikers and so on.

Mayor Oldham stated that he will be meeting with the County to discuss road improvements and will discuss the need to clean up Long Beach Blvd. including stones within the right-of-way.

Motion to adjourn: Commissioner Imperiale
Second: Commissioner Rice

Meeting adjourned at 5:11pm.

Anna Grimste, Deputy Municipal Clerk

Jonathan S. Oldham, Mayor

John M. Imperiale, Commissioner

Paul G. Rice, Commissioner

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO VARIOUS ROADS LOCATED IN THE BOROUGH AND APPROPRIATING \$600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$300,000 IN BONDS OR NOTES OF THE BOROUGH OF HARVEY CEDARS TO FINANCE THE SAME

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **DOES ORDAIN, AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Harvey Cedars, in the County of Ocean, New Jersey (the "Borough"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$600,000 including \$418,540 in Transportation Trust Fund Grants expected to be received through the State of New Jersey Department of Transportation's Fiscal Year 2023 Municipal Aid. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance involves a project to be funded by a State grant.

Section 2. In order to finance the cost of the improvement or purpose not otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for the improvement of West Bergen Ave and West 75th Street located in the Borough, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes

issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$300,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the

obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 **February 17, 2023**. 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 **March 20, 2023** 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.

Anna Grimste, Deputy Municipal Clerk

ORDINANCE NO. 2023-04

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE
SUM OF \$25,000 FROM THE CAPITAL IMPROVEMENT FUND FOR CERTAIN
CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS**

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

Section 1. Pursuant to the applicable statutes of the State of New Jersey, there is hereby authorized the capital improvements within the Borough of Harvey Cedars as follows:

A. For the repair and maintenance of beaches, there is hereby appropriated the sum of \$25,000.

Section 2. This Capital Improvement Ordinance is to be financed from the capital funds that the Borough presently has on hand.

Section 3. The Capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services as on file with the municipal clerk and is available for public inspection.

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 **February 17, 2023**. 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 **March 20, 2023** 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.

Anna Grimste, Deputy Municipal Clerk

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING CHAPTER 3 ENTITLED “POLICE REGULATIONS” AND CHAPTER 12 ENTITLED “BUILDING AND HOUSING” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, AS IT PERTAINS TO CONSTRUCTION NOISE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS as follows:

Section 1. Section 3-2.7 of the Revised General Ordinances of the Borough of Harvey Cedars entitled “Noise Prohibited”, paragraphs a, b and c are hereby repealed and readopted as follows:

- a. Monday through Friday before the hours of 7:00 A.M. and after 6:00 P.M. between November and February, and before 8:00 A.M. and after 6:00 P.M. between March and October.
- b. Saturday before 9:00 A.M. and after 6:00 P.M, year-round
- c. Sundays

Section 2. Section 12-9.1 of the Revised General Ordinances of the Borough of Harvey Cedars entitled “Days and Hours”, paragraphs a, b and c are hereby repealed and readopted as follows:

- a. Monday through Friday:
 - 1. (November through February) beginning no earlier than 7:00 A.M. and ending no later than 6:00 P.M.
 - 2. (March through October) beginning no earlier than 8:00 A.M. and ending no later than 6:00 P.M.
- b. Saturdays, beginning no earlier than 9:00 A.M. and ending no later than 6:00 P.M, year-round.
- c. Sunday - No construction work shall be permitted.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. 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 5. 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 **February 17, 2023**. 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 **March 20, 2023** 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.

Anna Grimste, Deputy Municipal Clerk

ORDINANCE NO. 2023-02

AN ORDINANCE AMENDING CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “GENERAL LICENSING” AS IT PERTAINS TO PICKLEBALL COURT FEES

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY, DOES ORDAIN:

Section 1. Section 4-8.1 of the Revised General Ordinance of the Borough of Harvey Cedars, entitled “Fees Established”, paragraph m. is hereby repealed in its entirety and readopted as follows:

m. Pickleball

All persons playing pickleball shall purchase a Pickleball Pass at the following rates:

1. Harvey Cedars Property Owner/Resident shall present their Harvey Cedars non-senior beach badge to obtain a Pickleball Pass (Limit 6 per household)
2. Non-Owner/Resident – \$100 per season, \$20 per week, \$10 per day
3. Replacement Pickleball Pass fee: \$5 per pass

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.

ADOPTED ON: February 17, 2023

RESOLUTION #2023-22

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN,
STATE OF NEW JERSEY, CALLING FOR AN IMMEDIATE MORATORIUM ON
OFFSHORE WIND DEVELOPMENT PENDING A THOROUGH INVESTIGATION
INTO THE UNPRECEDENTED DEATHS OF WHALES**

WHEREAS, the Board of Commissioners of Harvey Cedars are calling for an immediate suspension of all offshore wind development activity ("Shore Wind Tower Development") until a comprehensive, thorough investigation is held by Federal and State agencies that confidently concludes these activities are not a contributing factor to recent whale deaths and does not negatively impact other marine life; and

WHEREAS, the marine mammal population has been affected by several tragic deaths of whales on the coasts stretching from New York to New Jersey in a brief period of time; and

WHEREAS, the Shore Wind Tower Development includes the surveying of the ocean floor for the suitability of foundations for the wind towers and turbines and for laying cables between the foundations and the shoreline, which involves multi-beam sound equipment, side-scan sonar, and so-called "cone penetration testing" in which a drill on top of a vessel presses a metal rod into the sea floor to test the friction and resistance of the soil; and

WHEREAS, many organizations and scientists believe that sonar and activity as aforesaid have a significant, negative impact upon marine life, including whales, and, in fact, a number of studies have concluded that sonar negatively impacts the behavior of whales, including causing confusion, causing them to swim ashore, and causing them to stop diving and feeding; and

WHEREAS, Clean Ocean Action has called for a temporary moratorium on ocean floor exploration, stating "any industrial activity, especially reckless industrial development that is massive in scope, scale, magnitude, and speed, should be required to prove it is protective of the marine ecosystem"; and

WHEREAS, United States Congressman Jeff Van Drew, Congressman Chris Smith and State Polistina along with other elected officials have expressed their opposition to moving forward with offshore wind projects pending further research of the disclosed impacts of such projects on the environment and fishing industry; and

WHEREAS, The Harvey Cedars community supports clean energy programs, but seeks to first fully understand the cause of these tragic deaths and what can be done to prevent future losses; and

WHEREAS, the Governing Body of Harvey Cedars are of the opinion that offshore activity should be suspended pending further research as to the potential impact such activity has on whales and other marine life; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, and in accordance with the foregoing Recitals, which are incorporated herein by reference, that an immediate moratorium on shore wind tower development should be imposed until further research and studies are conducted into the deaths of the whales and the impact of the ocean floor surveys on all marine life and the environment.

PASSED ON: February 17, 2023

CERTIFICATION

I, Anna Grimste, Deputy Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on February 17, 2023.

Anna Grimste, Deputy Municipal Clerk

RESOLUTION #2023-023

**APPOINTMENT OF OPEN SPACE COMMITTEE MEMBERS FOR THE
BOROUGH OF HARVEY CEDARS**

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars adopted Ordinance No. 2017-11 on June 2, 2017 with amendments made on June 20, 2017 establishing the Open Space Advisory Committee of the Borough of Harvey Cedars; and

WHEREAS said Ordinance states the Open Space Advisory Committee shall be appointed annually consisting of ten (10) members as follows:

1. One (1) member of the Harvey Cedars Board of Commissioners.
2. One (1) member of the Harvey Cedars Land Use Board.
3. Three (3) residents of the Borough of Harvey Cedars.
4. Four (4) property owners or residents of the Borough of Harvey Cedars.
5. One (1) representative of the Harvey Cedars Taxpayers Association designated by their Executive Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following are hereby appointed to the Harvey Cedars Open Space Advisory Committee for the year 2023:

1. John Imperiale to serve as a member from the Board of Commissioners.
2. Richard Warren to serve as a member from the Land Use Board.
3. MaryLu Danna to serve as a resident member.
4. Linda Pugliese to serve as a resident member.
5. Edward O'Connor to serve as a resident member.
6. Judith Gerkens to serve as a property owner member.
7. Susan Carril to serve as a property owner member.
8. Susan Lewis to serve as a property owner member.
9. Vacancy- for a property owner or resident member.
10. James Fritz and/or his designee to serve as a representative from the Harvey Cedars Taxpayers Association.

PASSED ON: February 17, 2023

RESOLUTION #2023-024

RESOLUTION AUTHORIZING THE HARVEY CEDARS POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality to approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Harvey Cedars Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2023 to December 31, 2023; and

BE IT FURTHER RESOLVED that the Harvey Cedars Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies and furniture, boats, boat motor, jet ski, plastic bags, cleaning equipment, range finders, scopes, gun parts, optical sighting, ranging equipment, compressor, rifle bag, flashlight, plastic bags, paper, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Harvey Cedars Police Department without restriction; and

BE IT FURTHER RESOLVED that the Harvey Cedars Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes, including but not limited to items such as utility trucks, ammunition cans, laser optics, armored vehicles, bulldozer, loader, backhoe, skid steer, portable light tower, transport vehicles, scopes, range finders, rescue equipment, tractor, ATV's, 4X4 vehicles, quad, computers, printer, air compressor, tractor, forklift, tools, traffic and transit signal systems etc.; and

BE IT FURTHER RESOLVED that the Harvey Cedars Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Harvey Cedars Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year 2023.

PASSED ON: February 17, 2023

RESOLUTION #2023-025

**AUTHORIZING AMENDMENT TO THE RULES AND REGULATIONS FOR
THE POLICE DEPARTMENT OF THE BOROUGH OF HARVEY CEDARS**

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars adopted the official Harvey Cedars Police Department Rules and Regulations on July 6, 2007, Resolution #2007-066, for the proper operation and management of the Police Department of the Borough of Harvey Cedars; and

WHEREAS said rules and regulations were last amended on August 17, 2020, Resolution #2020-086; and

WHEREAS said rules and regulations shall be reviewed and updated as deemed necessary; and

WHEREAS the Director of the Department of Public Affairs and Public Safety along with the Chief of Police deem it necessary and appropriate to amend the rules and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the official Harvey Cedars Police Department Rules and Regulations dated July 6, 2007 and all subsequent amendments to said rules and regulations are hereby repealed.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby adopts the official Harvey Cedars Police Department Rules and Regulations dated February 17, 2023, a copy of which is on file in the Borough Clerk's office, and shall be binding on all officers, members, and employees of the Police Department of the Borough of Harvey Cedars effect immediately.

PASSED ON: February 17, 2023

RESOLUTION #2023-026

**AUTHORIZING THE AMENDING OF (LIT) LIFEGUARD IN TRAINING
PROGRAM FEE**

WHEREAS Ordinance Number 2021-05 adopted on March 25, 2021 established the Lifeguard in Training Program's fee at \$250.00 to \$500.00 per session; and

WHEREAS the program fees collected to date have been \$375.00 per session; and

WHEREAS it is the desire of the governing body and the Lifeguard in Training instructors to increase the fee within the established range.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that effective immediately the Lifeguard in Training Program application fee shall be Four-Hundred Dollars (\$400.00) per session.

PASSED ON: February 17, 2023

RESOLUTION #2023-027

February 17, 2023
11:56 AM

BOROUGH OF HARVEY CEDARS
Bill List By P.O. Number

Page No: 1

P.O. Type: All
 Range: First to Last
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last
 Include Non-Budgeted: Y
 Open: N Paid: N Void: N
 Rcvd: Y Held: Y Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
22-00100	01/24/22	MOTOR040	MOTOROLA SOLUTIONS, INC	radios	Open	5,015.00	0.00
22-00441	04/21/22	MOTOR040	MOTOROLA SOLUTIONS, INC	Radio	Open	337.50	0.00
22-00463	04/28/22	ELITE005	ELITE VEHICLE SOLUTIONS	Emergency Equipment	Open	17,101.40	0.00
22-00544	05/20/22	SREG0020	S REGIONAL BOARD OF EDUCATION	2022-2023 Reg. School Taxes	Open	266,615.58	0.00 B
22-00926	09/07/22	NESTL005	NESTLE WATERS NORTH AMERICAN	monthly water	Open	64.05	0.00
22-01142	11/07/22	HOMES010	HOMESTEAD FENCE COMPANY	Fencing for 80th st	Open	4,491.00	0.00
22-01172	11/16/22	HOME0010	HOME DEPOT/GECF	buildings and grounds	Open	109.79	0.00
22-01173	11/16/22	ACTIO005	ACTION UNIFORM CO, LLC	Clothing	Open	93.00	0.00
22-01191	11/18/22	ACTIO005	ACTION UNIFORM CO, LLC	Clothing	Open	199.00	0.00
22-01243	12/09/22	HOME0010	HOME DEPOT/GECF	borough hall rehab	Open	387.84	0.00
22-01245	12/09/22	ACTIO005	ACTION UNIFORM CO, LLC	Class B shirt	Open	80.00	0.00
22-01257	12/14/22	OXYGE010	OXYGEN SUPPLY COMPANY	oxygen and acetylene rental	Open	49.00	0.00
22-01294	12/30/22	SHORE030	SHORE CONNECTION INC	Drainage Central & Buckingham	Open	24,435.00	0.00
22-01304	12/30/22	DALE0010	DALE, DATNA	Reimbursements Eyeglass & Zoom	Open	437.93	0.00
23-00030	01/10/23	ALLAM005	ALL AMERICAN FORD, SUBARU & IS	Ford F250	Open	37,988.00	0.00
23-00075	01/24/23	HOME0010	HOME DEPOT/GECF	boro hall rehabilitation	Open	325.02	0.00
23-00079	01/24/23	BURNA010	BURNAFORD, ROBERT	Pants	Open	200.00	0.00
23-00083	01/26/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Clothing Allowance	Open	375.86	0.00
23-00087	01/26/23	TONYS005	TONY'S GENERAL MECHANDISE INCO	E Bringas Apparel Allowance	Open	362.99	0.00
23-00114	01/31/23	MWC00010	M&W COMMUNICATIONS, INC	Shipping & Insurance	Open	91.96	0.00
23-00116	01/31/23	GRUND005	GRUNTISCH, DANIEL	Magazine Loader	Open	39.46	0.00
23-00119	02/01/23	HOMBE005	HOMBERG, MICHELLE	2023 Eyeglass Reimbursement	Open	258.30	0.00
23-00120	02/01/23	MORIL005	MORILLO, CECILIA	Mileage Reimbursement	Open	155.40	0.00
23-00121	02/02/23	INNOV010	POWER DMS, INC	2023 DMS Fee	Open	2,639.29	0.00
23-00123	02/02/23	GOLD0010	GOLD TYPE BUSINESS MACHINE INC	2023 Info-Cop License Renewal	Open	1,312.50	0.00
23-00124	02/02/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	19.03	0.00
23-00125	02/02/23	PAVIA005	PAVIA ENTERPRISES LLC	January Courier Service	Open	267.63	0.00
23-00126	02/02/23	NJDE0020	NJ DEPT OF HEALTH & SENIOR	2023 January dog license fees	Open	12.60	0.00
23-00127	02/03/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Computer Monitors	Open	594.00	0.00
23-00128	02/06/23	MAGEL010	LINE SYSTEMS	January Telesystem Bill	Open	1,513.87	0.00
23-00129	02/07/23	NESTL005	NESTLE WATERS NORTH AMERICAN	Water Delivery	Open	168.99	0.00
23-00130	02/07/23	AMAOC010	AMAOC	2023 DUES	Open	200.00	0.00
23-00131	02/07/23	NIXLE005	EVERBRIDGE, INC	Nixle 2023	Open	1,500.00	0.00
23-00132	02/07/23	TWPO0010	TWP OF STAFFORD	Fuel Co-op yearly dues	Open	500.00	0.00
23-00134	02/07/23	NJAS0010	NJ ASSOC OF POLICE CHIEFS	2023 Membership Dues	Open	275.00	0.00
23-00135	02/07/23	MROZI005	MROZINSKI, BENJAMIN	Boots & safariland QLS 22	Open	211.99	0.00
23-00136	02/07/23	ERSKI005	ERSKINE, LISA A.	Borough Hall Cleaning	Open	800.00	0.00
23-00137	02/07/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Police Supplies	Open	146.92	0.00
23-00139	02/08/23	BURNA010	BURNAFORD, ROBERT	996 Registration	Open	60.00	0.00
23-00140	02/08/23	MANAH010	MANAHAWKIN MAGIC WASH	Vehicle wash	Open	7.75	0.00
23-00141	02/08/23	AMAZO005	AMAZON CAPITAL SERVICES, INC	Adhesive Strips	Open	3.39	0.00
23-00144	02/10/23	HOME0010	HOME DEPOT/GECF	borough hall rehab	Open	1,163.80	0.00
23-00145	02/10/23	HOME0010	HOME DEPOT/GECF	buildings and grounds	Open	563.91	0.00
23-00147	02/10/23	AGRAE005	AGRA ENVIRONMENTAL, INC	monthly samples	Open	60.00	0.00
23-00148	02/10/23	AMERI070	AMERICAN WEAR, INC.	Monthly uniform rental	Open	401.00	0.00
23-00150	02/10/23	PCSL005	PCS, LLC	Monthly Invoice - February2023	Open	1,521.95	0.00
23-00151	02/10/23	MEADO020	MEADOWBROOK INDUSTRIES LLC	February Trash & Recycling	Open	27,567.45	0.00
23-00156	02/13/23	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.04	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
23-00157	02/13/23	HOLMA010	HOLMAN FRENIA ALLISON PC	2023 Audit Services	Open	1,000.00	0.00
23-00158	02/13/23	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	400.00	0.00
23-00159	02/13/23	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	2,060.32	0.00
23-00160	02/13/23	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	672.02	0.00
23-00163	02/13/23	TOWNS030	TOWNSHIP OF STAFFORD	Construction Permits	Open	13,290.30	0.00
23-00164	02/13/23	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthy Advertising - January	Open	173.09	0.00
23-00165	02/13/23	HIERI010	HIERING, GANNON & MC KENNA	January Legal Fees	Open	1,429.60	0.00
23-00166	02/13/23	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	183.09	0.00
23-00167	02/14/23	CASAD005	CASADONTE, DAVID M, ESQUIRE	Municipal Prosecutor Jan & Feb	Open	1,100.00	0.00
23-00169	02/14/23	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	284.02	0.00
23-00172	02/15/23	STOF0020	STATE TOXICOLOGY LABORATORY	Oct 2022 Urine Sample	Open	45.00	0.00
23-00173	02/16/23	ASCAP010	ASCAP	Annual Music License Fee 2023	Open	423.75	0.00
23-00175	02/16/23	MORIL005	MORILLO, CECILIA	Zoning Course Book	Open	179.00	0.00
23-00177	02/16/23	QUINL005	QUINLAN, ESQ., KEVIN	LUB - Atty Review & Att. Fees	Open	732.50	0.00
23-00178	02/16/23	QUINL005	QUINLAN, ESQ., KEVIN	Atty Fees - Merger Issue	Open	49.50	0.00
23-00179	02/16/23	QUINL005	QUINLAN, ESQ., KEVIN	Atty Fees - 2022:07 Review	Open	374.50	0.00
23-00182	02/17/23	GENER055	GENERAL CODE LLC	General Code Supplement	Open	1,696.69	0.00
23-00183	02/17/23	CREAT020	CREATIVE MANAGEMENT INC	Fuel Invoices	Open	1,438.58	0.00
23-00184	02/17/23	OCUT0010	OC UTILITIES AUTHORITY	2023 1st Quarter Installment	Open	2,011.42	0.00
23-00185	02/17/23	RIGGI005	RIGGINS, INC	Fuel	Open	2,939.65	0.00
23-00186	02/17/23	CENTR035	CENTRAL JERSEY HEALTH INS FUND	February Premium	Open	2,183.00	0.00
23-00187	02/17/23	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - w&s Charges	Open	2,117.76	0.00
23-00188	02/17/23	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	4,703.05	0.00

Total Purchase Orders: 71 Total P.O. Line Items: 0 Total List Amount: 440,363.03 Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	2-01	287,488.32	0.00	287,488.32	0.00	0.00	287,488.32
Utility Operating	2-09	<u>38,052.05</u>	<u>0.00</u>	<u>38,052.05</u>	<u>0.00</u>	<u>0.00</u>	<u>38,052.05</u>
Year Total:		325,540.37	0.00	325,540.37	0.00	0.00	325,540.37
Current Fund	3-01	57,373.68	0.00	57,373.68	0.00	0.00	57,373.68
Utility Operating	3-09	<u>8,527.77</u>	<u>0.00</u>	<u>8,527.77</u>	<u>0.00</u>	<u>0.00</u>	<u>8,527.77</u>
Year Total:		65,901.45	0.00	65,901.45	0.00	0.00	65,901.45
General Capital F	C-04	42,977.90	0.00	42,977.90	0.00	0.00	42,977.90
Dog trust Fund	T-15	12.60	0.00	12.60	0.00	0.00	12.60
Trust Fund	T-17	<u>5,930.71</u>	<u>0.00</u>	<u>5,930.71</u>	<u>0.00</u>	<u>0.00</u>	<u>5,930.71</u>
Year Total:		5,943.31	0.00	5,943.31	0.00	0.00	5,943.31
Total of All Funds:		<u>440,363.03</u>	<u>0.00</u>	<u>440,363.03</u>	<u>0.00</u>	<u>0.00</u>	<u>440,363.03</u>

BE IT RESOLVED by the Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the foregoing bill list dated February 17, 2023 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: February 17, 2023