

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:35pm. Commissioner Gerkens was present, Commissioner Garofalo was out of town.

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 13, 2018 in the Beach Haven Times and on December 29, 2018 in the Asbury Park Press.

**Motion** to approve the minutes of the previous meeting, February 8, 2019, was made by Commissioner Gerkens, seconded by Mayor Oldham.

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 #2019-01 SECOND READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING A NEW CHAPTER OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, TO BE ENTITLED "CHAPTER 23 WIRELESS COMMUNICATIONS FACILITIES"**

Motion to open public discussion: Commissioner Gerkens

Second: Mayor Oldham

The Mayor explained the Borough had previously approved installation of wireless nodes on existing poles, but 2 new poles were found in residential areas, one on Warwick and one on West Essex. This ordinance will legislate all wireless communications installations.

Motion to close public discussion: Commissioner Gerkens

Second: Mayor Oldham

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

A copy of the full ordinance as adopted is filed in the ordinance book.

The Mayor read the following resolutions by title only and asked for motions to adopt after reading each title. Copies of the full resolutions are attached hereto and made a part hereof:

**RESOLUTION #2019-020:**

**AUTHORIZATION OF CONTRACT FOR DRUG & ALCOHOL TESTING**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**RESOLUTION #2019-021:**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE BOROUGH OF HARVEY CEDARS AND THE TOWNSHIP OF LONG BEACH FOR THE PROVISION OF A MUNICIPAL TRANSPORTATION SYSTEM**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

**RESOLUTION #2019-022: Bills**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

PRIVILEGE OF THE FLOOR –

Mr. Alan Donahower asked the status of the 3-lanes for the Boulevard. Mayor Oldham stated a letter was recently written to the County advising them the Borough will be installing a State-mandated water well requiring excavating a portion of the road; paving of the Boulevard in Harvey Cedars should be delayed until the well project is complete. A reminder was included in the letter of the Borough's request for a 3-lane design.

**Motion** to adjourn: Commissioner Gerkens  
Second: Mayor Oldham

Meeting adjourned at 4:43pm.

**RESOLUTION #2019-020**

**AUTHORIZATION OF CONTRACT FOR DRUG & ALCOHOL TESTING**

**WHEREAS** the Board of Commissioners of the Borough of Harvey Cedars in the County of Ocean, State of New Jersey wishes to retain the services of Dynamic Testing Service, 230 Main Street, Suite C, Toms River, NJ 08753, to conduct the CDL Random Drug and Alcohol Program, for random drug testing and for post accident and reasonable suspicion testing when needed; and

**WHEREAS** the said contract is for professional services and need not be bid under the local contract law of the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Clerk of the Borough of Harvey Cedars is authorized to enter into a contract with Dynamic Testing Service for the foregoing services effective April 1, 2019 through March 31, 2022.

PASSED ON: February 19, 2019

**RESOLUTION #2019-021**

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
BY AND BETWEEN THE BOROUGH OF HARVEY CEDARS AND THE  
TOWNSHIP OF LONG BEACH FOR THE PROVISION OF A MUNICIPAL  
TRANSPORTATION SYSTEM**

**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** in 2014 the Borough of Harvey Cedars entered into an agreement with the Township of Long Beach, the Boroughs of Beach Haven, Surf City, Ship Bottom and Barnegat Light for the provision of a Municipal Transportation System and designated the Township of Long Beach as lead agency; and

**WHEREAS** the Borough acknowledges and confirms that the Transportation System has become a vital part of the Island and has been a substantial benefit to all the residents, businesses and visitors; and

**WHEREAS** the Borough recognizes the Township of Long Beach as lead agency has borne the financial burden of operating said system; and

**WHEREAS** the Borough has agreed to increase its contribution share for the 2019 calendar year with the understanding and expectation that the Transportation System is to move toward self-sufficient operation without future municipal contributions in the near future; and

**WHEREAS** it is the desire of the Borough to continue said services and to renew the agreement with the Township of Long Beach.

**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 the Municipal Transportation System, a copy of which is attached hereto, in accordance with the provisions of law for an initial term of one year commencing May 1, 2019 and terminating April 30, 2020, which may be extended for a maximum of four 1-year terms as more fully defined in said agreement.

**BE IT FURTHER RESOLVED** in accordance with Section 2.02 of said agreement, the Borough of Harvey Cedars hereby designates Sunset Park, Harvey Cedars as a regular stop to pick up passengers during the operation schedule for the Transportation System.

**BE IT FURTHER RESOLVED** the Borough of Harvey Cedars is willing to support the Transportation System providing there is documented progress observed to its self-sufficiency within the next 3 years.

PASSED ON: February 19, 2019