

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ scheduled for March 21, 2017 was postponed due to a lack of quorum. This special meeting was called to order by Mayor Oldham at 4:30pm. Commissioner Gerkens was present. Commissioner Garofalo was on vacation.

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. Notices were emailed to the Asbury Park Press, the Atlantic City Press and the Sandpaper on March 13, 2017 and published in the Beach Haven Times on March 23, 2017. Notices were posted on the bulletin board in the Municipal Building, the Post Office and the website. Notices have remained continuously posted.

Motion to approve the minutes of the previous meeting held on March 3, 2017 was made by Commissioner Gerkens, seconded by Mayor Oldham.

Motion to approve the minutes of the public hearing held on March 21, 2017 for the water well project was made by Commissioner Gerkens, seconded by Daina Dale.

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 #2017-033:

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS SUPPORTING THE
“2017 UDRIVE, UTEXT, UPAY” DISTRACTED DRIVING CRACKDOWN**

April 1 - 21, 2017

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-034:

**CERTIFICATION OF RECYCLING TAXES SUBMITTED FOR THE YEAR
2016**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-035:

**ENDORING SUBMISSION OF THE 2016 RECYCLING TONNAGE GRANT
APPLICATION TO THE STATE**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-036:

AUTHORIZING AMENDMENT TO THE TEMPORARY BUDGET

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-037:

**AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO AMEND A
SHARED SERVICES AGREEMENT WITH THE COUNTY OF OCEAN FOR
THE 2016 DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-038:

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT
FOR THE PROVISION OF MUNICIPAL COURT SERVICES**

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2017-039: Bills

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Public Property Usage requests:

1. **School Field Trip – Sunset Park and Beach**

A motion was made by Commissioner Gerkens, seconded by Mayor Oldham, to approve the request to use Sunset Park and the beach to the Hamilton Township School District on May 22, 23 & 24, 2017 from 10am to 2pm. Off-duty police officers have been employed for street crossing.

2. **Art Camp – Sunset Park**

A motion was made by Commissioner Gerkens, seconded by Mayor Oldham, to approve the request to use Sunset Park to Van Grow Art Instruction for children's art classes for 6 weeks, 4 days a week, from 9am to 11:30am, beginning July 3, 2017.

PRIVILEGE OF THE FLOOR –

Stefanie Magallanes (Steff Mags) addressed the Board regarding her skimboarding camp to be held on the beach this summer. A discussion regarding the placement of a tent vs. umbrellas was held and it was concluded that 2 umbrellas should be used instead of an easy-up tent to avoid other commercial and residential use of tents. A camp sign strung between the umbrellas was approved.

TOPICS OF INTEREST –

Commissioner Gerkens stated the potluck last Wednesday was a success; plenty of good food and everyone enjoyed the get-together.

Motion to adjourn: Commissioner Gerkens

Second: Mayor Oldham

Meeting adjourned at 4:45pm.

RESOLUTION #2017-033

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS SUPPORTING THE
“2017 UDRIVE, UTEXT, UPAY”
DISTRACTED DRIVING CRACKDOWN
April 1 - 21, 2017**

WHEREAS distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation’s roads; and

WHEREAS in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

WHEREAS the State of New Jersey will participate in the nationwide *Distracted Driving 2017 Crackdown* from April 1 - 21, 2017 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS the national slogan for the campaign is *UDrive. UText. UPay*; and

WHEREAS a reduction in distracted driving in New Jersey will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars declares its support for the *Distracted Driving 2017 Crackdown* both locally and nationally from April 1 - 21, 2017 and pledges to increase awareness of the dangers of distracted driving.

PASSED ON: March 24, 2017

RESOLUTION #2017-034

**CERTIFICATION OF RECYCLING TAXES
SUBMITTED FOR THE YEAR 2016**

WHEREAS the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities; and

WHEREAS there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 322, in 2016 in the amount of Two Thousand One Hundred Forty Seven Dollars and Forty Six Cents (\$2,147.46). Documentation supporting this submission is available at 7606 Long Beach Blvd. and shall be maintained for no less than five years from this date.

PASSED ON: March 24, 2017

Tax Reimbursement Certified By: _____
Laura Cohen, Chief Finance Officer Date

RESOLUTION #2017-035

**ENDORISING SUBMISSION OF THE 2016 RECYCLING TONNAGE GRANT
APPLICATION TO THE STATE**

WHEREAS the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Commissioners of the Borough of Harvey Cedars to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Borough of Harvey Cedars hereby endorses the submission of the 2016 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Diana Stott to ensure that the application is properly filed.

PASSED ON: March 24, 2017

RESOLUTION #2017-036

AUTHORIZING AMENDMENT TO THE TEMPORARY BUDGET

WHEREAS N.J.S. 40A:4-19.1 provides that in any fiscal year for which the budget dates have been extended, the Director of the Division of Local Government Services may permit appropriations to provide for the period between the date upon which the budget was scheduled temporary budget for adoption pursuant to N.J.S.A. 40A:4-5 and the actual date upon which the budget is adopted; and

WHEREAS the date of this resolution is after the scheduled adoption date of March 20, 2017; and

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

	<u>Amendment</u>	<u>2017</u> <u>Amended Temporary</u>
<u>Current Fund</u>		
Administrator S&W	1,500.00	4,000.00
Finance Administration S&W	6,500.00	16,700.00
Tax Collection S&W	7,700.00	20,960.00
Tax Assessor S&W	3,000.00	8,010.00
Engineering	3,000.00	9,000.00
Land Use Board S&W	3,000.00	8,550.00
Construction S&W	700.00	2,700.00
Police S&W	92,000.00	322,000.00
Road Repair & Maintenance	20,000.00	100,000.00
Prosecutor	1,300.00	2,800.00
Unemployment Insurance	1,000.00	3,750.00
Social Security	11,000.00	41,000.00
PERS Contribution	77,285.65	77,285.65
PFRS Contribution	173,805.00	173,805.00
	<u>401,790.65</u>	<u>790,560.65</u>
<u>Water/Sewer Fund</u>		
Water/Sewer S&W	45,000.00	135,000.00
Unemployment Insurance	500.00	1,000.00
PERS Contribution	41,615.35	41,615.35
	<u>87,115.35</u>	<u>177,615.35</u>

PASSED ON: March 24, 2017

RESOLUTION #2017-037

AUTHORIZING THE BOROUGH OF HARVEY CEDARS TO AMEND A SHARED SERVICES AGREEMENT WITH THE COUNTY OF OCEAN FOR THE 2016 DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM

WHEREAS the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et. seq., authorizes two or more governmental entities to enter into a mutual service agreement for the provision of certain governmental services when approved by resolution under NJSA 40A:65-5; and

WHEREAS Resolution #2016-090 passed on October 18, 2016 authorized a shared service agreement with the County of Ocean for the 2016 Driving While Intoxicated Enforcement Program (DWIEP) traffic safety program run by the Ocean County Prosecutor's Office for the purpose of identifying and removing intoxicated drivers from the roadways; and

WHEREAS it is the desire of the Board of Commissioners of the Borough of Harvey Cedars to amend said agreement with the County of Ocean for the purpose of adjusting officers' compensation.

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 an amendment to the Shared Services Agreement with Ocean County for the 2016 Driving While Intoxicated Enforcement Program, a copy of which is on file in the Municipal Clerk's office.

PASSED ON: March 24, 2017

RESOLUTION #2017-038

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT
FOR THE PROVISION OF MUNICIPAL COURT SERVICES**

WHEREAS the Borough of Harvey Cedars entered into a Shared Services agreement with the Borough of Beach Haven for the provision of certain administrative services related to the management of the municipal court and designating the Borough of Beach Haven as lead agency effective September 1, 2014 for a period of four (4) years; and

WHEREAS amendments to Schedule C regarding hourly rates need to be made to said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the attached Schedule C is hereby approved effective January 1, 2017 and copies of this Resolution shall be sent to the Borough of Beach Haven.

PASSED ON: March 24, 2017