

Due to the COVID-19 pandemic and the New Jersey Governor’s Executive Order No. 107, the shelter in place order effective March 21, 2020, the regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was hosted by the Municipal Clerk and Deputy Clerk via Zoom in the Borough Hall meeting room. Mayor Oldham, Commissioner Imperiale, Commissioner Rice and Borough Attorney William Hiering were in attendance from remote locations. Also in attendance remotely were 13 members of the public, 3 Borough staff, and 1 unknown registrant (most likely a Zoom “crasher”).

The meeting was called to order by Mayor Oldham at 4:35pm. The Mayor and Clerk asked the public to submit questions during the public portions.

The Mayor asked all to rise for the Pledge of Allegiance; the flag was on video in the Borough Hall meeting room.

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 January 9, 2020 in the Beach Haven Times and the Asbury Park Press. N.J.S.A. 10:4-8(b) authorizes local units to conduct public meetings through use of streaming services and other online meeting platforms. Notice of the meeting being held remotely via Zoom was posted on the website on March 28, 2020 and published in the Beach Haven Times on April 2, 2020.

Motion to approve the minutes of the previous meeting held on March 16, 2020 was made by Commissioner Imperiale, seconded by Commissioner Rice.

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

ORDINANCE #2020-08 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING THE MUNICIPALITY IN PREPARING ITS 2020 BUDGET TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

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 #2020-06 SECOND READING

AN ORDINANCE AMENDING CHAPTER 12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “BUILDING AND HOUSING” AS IT PERTAINS TO LOT FILL FOR LANDS EAST & WEST OF LONG BEACH BLVD.

The Mayor stated this ordinance brings items into consistency regarding barrier walls and lot fill.

Motion to open public discussion: Commissioner Imperiale

Second: Commissioner Rice

Joe Geiger asked who is responsible for maintaining timber walls if they eventually rot. The Mayor stated most walls are built with concrete blocks, however the property owner who installed the wall would be responsible for its maintenance; the hope is that in time when the next property fills, the wall will go away. Mr. Geiger asked how this effects the height and measurement of fencing, will the lower property’s fence be 2 feet short. The Zoning Officer stated the measurement for the height of the fence is determined from the property getting the permit. The Mayor said adjustments have been made if the property getting the fence is lower than the neighbors.

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

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

Vote: Ayes – Oldham, Rice, Imperiale

A copy of the full ordinance as adopted is filed in the ordinance book and posted on the website.

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 #2020-07 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS ENTITLED “STORMWATER REGULATIONS AND STORMWATER CONTROL” AS IT PERTAINS TO DRAINAGE DETAILS AND DIAGRAMS

The Mayor mentioned this is in concert with the other ordinance and includes diagrams.

Motion to open public discussion: Commissioner Imperiale

Second: Commissioner Rice

There were no public questions or comments.

Motion to close public discussion: Commissioner Imperiale

Second: Commissioner Rice

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

Vote: Ayes – Oldham, Imperiale, Rice

A copy of the full ordinance as adopted is filed in the ordinance book and posted on the website.

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 #2020-046:

BOROUGH OF HARVEY CEDARS PROCLAIMING APRIL 19 – 25, 2020 AS NATIONAL LIBRARY WEEK

The Mayor noted the library is closed through April 30th; however, the library is open online and provides a number of different services to the community.

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

RESOLUTION #2020-047:

AUTHORIZING AMENDMENT TO THE TEMPORARY BUDGET

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

RESOLUTION #2020-048:

INTRODUCTION OF MUNICIPAL BUDGET FOR 2020 TO BE READ BY TITLE ONLY

Municipal Budget of the Borough of Harvey Cedars, County of Ocean for the Fiscal Year 2020.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2020.

BE IT FURTHER RESOLVED that said budget be published in the Beach Haven Times in the issue of **April 9, 2020**.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building, 7606 Long Beach Blvd., Harvey Cedars on **Friday, May 1, 2020 at 4:30pm** at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented

by taxpayers or other interested persons. The full budget document will be posted on the website no later than April 9, 2020.

A summary copy of the budget is attached hereto and made a part hereof.

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

Vote: Ayes – Oldham, Rice, Imperiale

The Mayor mentioned the State is delayed in its budget, therefore, estimated tax bills will be calculated and mailed.

RESOLUTION #2020-049: Bills

Motion to approve the bills for payment: Commissioner Imperiale

Second: Commissioner Rice

PRIVILEGE OF THE FLOOR –

Joe Geiger asked for a status on the downtown beautification discussed at a prior meeting. The Mayor stated the Master Plan is being worked on this year and will include sidewalk plans; Commissioner Imperiale added the Land Use Board will be forming a committee to review the Master Plan and it will be completed this year. The continuity of sidewalks was discussed; a committee will be formed to get input. Commissioner Rice asked the Mayor to discuss the upcoming Boulevard plan. The Mayor said the County will be paving the Boulevard this fall; since the County will not change the Boulevard from 4 to 3 lanes, he will be asking the County to address certain safety issues in the design of the Boulevard. Kathy Ries asked what was the reasoning for the County not to change to 3 lanes when there was an overwhelming desire to do so. The Mayor stated politics. Mr. Geiger suggested to have underground electric in the downtown area so not to have poles in the middle of sidewalks; the Mayor will speak with the Atlantic City Electric representative regarding cost.

Two questions were received by email prior to the meeting; the first question was not represented at this meeting, in attendance for the second question was Jim Fritz. The questions discussed were:

1. Can personal appearance be waived for senior beach badges this year. The Clerk stated the senior badges are the same price all season; it is uncertain how long the pandemic will continue; it is not necessary to sell them at this time.
2. Jim Fritz asked to put some “teeth” into the ordinance for the use of designated private property parking spots; people should be using their off-street parking spots not parking in the street; street parking should be reserved for day trippers and visitors; people have converted their parking spaces into gardens and patios. The Mayor stated the property in question was sent letters and had been cleaned up. Commissioner Imperiale stated it would be difficult to enforce; Mr. Fritz suggested during the summer months the Class 1 officers while riding bicycles can be texted to let them know a property has 5 cars in the street and none in the driveway. Commissioner Imperiale stated if parking spaces are turned into a patio, the spaces are not being maintained, this can be addressed, however enforcing parking on the street will be difficult. Mr. Fritz mentioned the property in question has not been cleaned up. The Mayor stated this will be looked at, he was aware that letters were sent.

Mayor Oldham stated these are difficult times; Borough employees are working hard in a tough situation trying to stay safe themselves while performing their jobs. He asked for the public’s cooperation and patience, to plan ahead for resale and construction inspections, and to be courteous to staff who are trying to protect themselves; no one can be in the house 12 to 24 hours prior to an inspection; Barnegat Light has shut down its inspections, Ship Bottom and Long Beach are still open. Kathy Ries (Harvey Cedars Taxpayers Association) stated she will include the message in the next email blast.

Motion to adjourn: Commissioner Imperiale

Second: Commissioner Rice

Meeting adjourned at 5:08pm.

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING THE MUNICIPALITY IN PREPARING ITS 2020 BUDGET TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

WHEREAS the Local Government Cap Law, NJSA 40A:4-45.1 et. seq., provides that, in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS the Board of Commissioners of the Borough of Harvey Cedars in the County of Ocean finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS the Board of Commissioners hereby determines that any amount authorized herein that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Harvey Cedars in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2020 budget year, the final appropriations of the Borough of Harvey Cedars shall, in accordance with this ordinance and NJSA 40A:4-45.14, be increased by 3.5%, amounting to \$126,709 and that the CY 2020 municipal budget for the Borough of Harvey Cedars be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 via Zoom on **April 3, 2020**. 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 **April 20, 2020** at 4:30pm hosted from the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, via Zoom at which time and place any person desiring to be heard will be given an opportunity to be so heard by registering online for the Zoom meeting at www.harveycedars.org.

Daina Dale

Daina Dale, Municipal Clerk

RESOLUTION #2020-046
BOROUGH OF HARVEY CEDARS
PROCLAIMING APRIL 19 – 25, 2020
AS NATIONAL LIBRARY WEEK

WHEREAS today's libraries are less about what they have on the shelves and more about what they can do with and for their communities; and

WHEREAS libraries have long served as trusted and treasured institutions where people of all ages, interests and backgrounds can come together and learn alongside one another; and

WHEREAS libraries of all types are at the heart of cities, towns, schools and campuses; and

WHEREAS libraries offer members of the community a welcoming space and opportunities to explore new passions through technology, programs and services; and

WHEREAS libraries and librarians help patrons find tools to help improve the quality of their life; and

WHEREAS libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy; and

WHEREAS libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve; and

WHEREAS libraries and librarians work to create an equitable society by providing free access to accurate information to all people; and

WHEREAS libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational programming that transform lives and strengthen communities; and

WHEREAS libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED that I, Jonathan Oldham, Mayor of the Borough of Harvey Cedars, proclaim National Library Week, April 19-25, 2020. During this time, I encourage all residents to visit the library, a place where we can all belong and discover who we are. Because of you, Libraries Transform.

PASSED ON: April 3, 2020

RESOLUTION #2020-047

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, 2020; and

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

	<u>Amendment</u>	<u>2020</u> <u>Amended Temporary</u>
<u>Current Fund</u>		
Municipal Clerk OE	2,000.00	7,500.00
Tax Collection OE	1,000.00	3,147.19
Police OE	15,000.00	48,000.00
Building & Grounds	10,000.00	35,000.00
Electric	3,000.00	8,200.00
Street Lighting	5,000.00	16,500.00
Telephone	5,000.00	12,500.00
Natural Gas	2,000.00	6,500.00
Gasoline	5,000.00	11,000.00
Public Health Services	9,322.47	9,322.47
DCRP	451.00	451.00
Animal Control	700.00	2,200.00
	<u>58,473.47</u>	<u>158,120.66</u>
<u>Water/Sewer Fund</u>		
Water/Sewer S&W	<u>30,000.00</u>	<u>137,500.00</u>
	<u>30,000.00</u>	<u>137,500.00</u>

PASSED ON: April 3, 2020

RESOLUTION #2020-049

April 4, 2020
03:31 PM

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

Page No: 1

P.O. Type: All	Open: N	Paid: N	Void: N	
Range: First to Last	Rcvd: Y	Held: Y	Aprv: N	
Format: Condensed	Bid: Y	State: Y	Other: Y	Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00447	06/07/19	WATER030	WATERSPORTS OF LONG BEACH	Mule tune up & ignition	Open	758.75	0.00
19-00902	10/09/19	VERIZ030	VERIZON WIRELESS - CELL	DPW cell phones	Open	166.50	0.00 B
19-00943	10/28/19	ATLAN120	ATLANTIC SWITCH AND GENERATOR,	Generator Maint. contract	Open	330.00	0.00 B
20000021	01/08/20	TONYS005	TONY'S GENERAL MECHANDISE INCO	D Lisiewski Apparel Allowance	Open	55.60	0.00 B
20000037	01/13/20	WATCH005	WATCHUNG SPRING WATER CO, INC.	Spring water refills	Open	29.97	0.00 B
20000079	01/21/20	HUNTE005	HUNTER TECHNOLOGIES	Outside Emergency Phone	Open	1,105.28	0.00
20000116	01/31/20	TUCKE010	TUCKERTON LUMBER COMPANY	B&G supplies	Open	238.86	0.00 B
20000165	02/13/20	HOME0010	HOME DEPOT/GEFCF	B&G supplies	Open	939.19	0.00 B
20000177	02/20/20	TUCKE010	TUCKERTON LUMBER COMPANY	ADA repairs to Park bldg	Open	65.91	0.00 B
20000208	02/25/20	GRAMC010	GRAMCO	Court/Board Recorder	Open	3,385.00	0.00
20000211	02/25/20	GARCIO05	GARCIA, KAREN	Court Clerk Call Outs	Open	50.00	0.00
20000221	02/28/20	TUCKE010	TUCKERTON LUMBER COMPANY	ADA Improvements	Open	107.83	0.00 B
20000251	03/09/20	EDWAR030	EDWARDS TIRE COMPANY INC	Tires for explorer	Open	476.00	0.00
20000252	03/09/20	COURT010	COURTS, BARBARA	Municipal Court	Open	75.00	0.00
20000256	03/11/20	AMAZO005	AMAZON CAPITAL SERVICES, INC	Name Plate	Open	12.91	0.00
20000257	03/11/20	AMAZO005	AMAZON CAPITAL SERVICES, INC	Hand Sanitizer	Open	87.98	0.00
20000260	03/13/20	HOME0010	HOME DEPOT/GEFCF	Trailer repairs	Open	584.69	0.00
20000262	03/16/20	UNIVE020	UNIVERSAL SUPPLY COMPANY, INC	ADA improvements	Open	199.56	0.00
20000282	03/17/20	JERSE035	JERSEY SHORE CCTV	Service Call - cameras	Open	400.00	0.00
20000285	03/18/20	FALKO005	FALKOWSKI, JERRY	Thermometer	Open	49.99	0.00
20000286	03/19/20	GOLD0010	GOLD TYPE BUSINESS MACHINE INC	2020 Info-Cop Annual Renewal	Open	1,312.50	0.00
20000287	03/19/20	COMCA010	COMCAST CABLE	Monthly Invoice	Open	164.57	0.00
20000288	03/19/20	JRHE0010	J.R. HENDERSON LABS, INC.	Monthly lab tests	Open	129.00	0.00
20000289	03/19/20	STOF0020	STATE TOXICOLOGY LABORATORY	Drug Test - Random	Open	90.00	0.00
20000291	03/19/20	TREAS020	TREAS.STATE OF NJ-DEPT TREAS	Air Permits Salem & Boro Hall	Open	1,770.00	0.00
20000293	03/24/20	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	170.12	0.00
20000294	03/24/20	EAGLE010	EAGLE POINT GUN	Ammunition	Open	10,922.12	0.00
20000295	03/24/20	AGRAE005	AGRA ENVIRONMENTAL, INC	Monthly Samples	Open	150.00	0.00 B
20000296	03/24/20	LONG0010	LONG BEACH TOWNSHIP	COVID-19 Indoor Sanitizer	Open	705.00	0.00
20000299	03/26/20	ATLAN030	ATLANTIC CITY ELECTRIC	Monthly Invoice	Open	3,981.73	0.00
20000300	03/26/20	OWEN0010	OWEN, LITTLE & ASSOCIATES	2020-03 Marceski - LUB Review	Open	640.50	0.00
20000301	03/26/20	OWEN0010	OWEN, LITTLE & ASSOCIATES	2020-02 Marshall - LUB Review	Open	540.50	0.00
20000302	03/26/20	OWEN0010	OWEN, LITTLE & ASSOCIATES	2020-04 Haeberelin	Open	640.80	0.00
20000303	03/26/20	COMCA010	COMCAST CABLE	Monthly Invoices	Open	274.14	0.00
20000304	03/26/20	WATCH005	WATCHUNG SPRING WATER CO, INC.	Water Bottle Delivery	Open	69.92	0.00
20000306	03/26/20	FORDC005	FORD CREDIT	Zoning Car Lease Payment	Open	162.11	0.00
20000309	03/30/20	SNOW0010	SNOW, KEVIN	Case Law Books	Open	182.66	0.00
20000310	03/30/20	BURNA010	BURNAFORD, ROBERT	COVID19 Supplies	Open	18.68	0.00
20000311	03/30/20	FALKO005	FALKOWSKI, JERRY	Respirator	Open	26.65	0.00
20000316	04/01/20	NJDE0020	NJ DEPT OF HEALTH & SENIOR	2020 March dog license fees	Open	2.40	0.00
20000317	04/01/20	DALE0010	DALE, DAINA	Reimbursements	Open	554.89	0.00
20000318	04/02/20	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	2,518.60	0.00
20000319	04/02/20	PEDRO010	PEDRONI FUEL COMPANY	Fuel - Water Charges	Open	1,224.04	0.00
20000320	04/02/20	ERSKI005	ERSKINE, LISA A.	Borough Hall Cleaning	Open	1,700.00	0.00
20000322	04/02/20	NJNA0020	NJ NATURAL GAS	Monthly Invoice - Natural Gas	Open	1,066.89	0.00
20000323	04/02/20	NJNA0020	NJ NATURAL GAS	Monthly Invoice - Natural Gas	Open	624.90	0.00
20000324	04/02/20	COMCA010	COMCAST CABLE	Monthly Invoice	Open	189.57	0.00

Total Purchase Orders:	47	Total P.O. Line Items:	0	Total List Amount:	38,951.31	Total Void Amount:	0.00
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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	0-01	31,590.10	0.00	31,590.10	0.00	0.00	31,590.10
Utility Operating	0-09	<u>2,796.62</u>	<u>0.00</u>	<u>2,796.62</u>	<u>0.00</u>	<u>0.00</u>	<u>2,796.62</u>
	Year Total:	34,386.72	0.00	34,386.72	0.00	0.00	34,386.72
Current Fund	9-01	2,198.94	0.00	2,198.94	0.00	0.00	2,198.94
Utility Operating	9-09	<u>496.50</u>	<u>0.00</u>	<u>496.50</u>	<u>0.00</u>	<u>0.00</u>	<u>496.50</u>
	Year Total:	2,695.44	0.00	2,695.44	0.00	0.00	2,695.44
Dog trust Fund	T-15	2.40	0.00	2.40	0.00	0.00	2.40
Trust Fund	T-17	<u>1,866.75</u>	<u>0.00</u>	<u>1,866.75</u>	<u>0.00</u>	<u>0.00</u>	<u>1,866.75</u>
	Year Total:	1,869.15	0.00	1,869.15	0.00	0.00	1,869.15
Total of All Funds:		<u>38,951.31</u>	<u>0.00</u>	<u>38,951.31</u>	<u>0.00</u>	<u>0.00</u>	<u>38,951.31</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 April 3, 2020 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: April 3, 2020