

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 and Commissioner Garofalo was vacationing.

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, March 22, 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 #2019-02 SECOND READING

AN ORDINANCE FIXING AND DETERMINING THE ANNUAL BASE SALARIES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF HARVEY CEDARS FOR THE YEAR 2019

Motion to open public discussion: Commissioner Gerkens
Second: Mayor Oldham

Mr. Donahower asked where the ordinance is posted. The Mayor and Clerk responded in the foyer of the Clerk's office on the bulletin board.

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 ordinance by title and number and stated that proof of publication is on hand and the ordinance has been posted.

ORDINANCE #2019-03 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 BEACH FEES

Motion to open public discussion: Commissioner Gerkens
Second: Mayor Oldham

The Mayor stated the beach fees remain the same except daily badges increase to \$7.

There were no public questions or comments.

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 #2019-034:

BOROUGH OF HARVEY CEDARS PROCLAIMING APRIL 9 – 15, 2019 AS NATIONAL LIBRARY WEEK

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Representatives from the Friends of the Library were in attendance to accept the proclamation. They thanked the Board and reminded all that the Library is more than just books; it offers programs for seniors and children, computer labs and internet access. Commissioner Gerkens stated the Library's electronic sign is very helpful for advertisement of their upcoming events. This sign was donated by the Friends.

RESOLUTION #2019-035:

RECOGNIZING THE BOROUGH OF HARVEY CEDARS' PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM AND THE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI)

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-036:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR THE PROVISION OF IT/NETWORK ADMINISTRATION AND COMPUTER HARDWARE AND SOFTWARE MAINTENANCE

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-037:

APPOINTMENTS TO THE HARVEY CEDARS ACTIVITY COMMITTEE

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-038:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF HARVEY CEDARS AND ELIZABETH GREBER

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

Vote: Ayes – Oldham, Gerkens

RESOLUTION #2019-039:

A RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, SUPPORTING LEGISLATION TO INCREASE STATE FUNDING TO THE "SHORE PROTECTION FUND" FROM \$25 MILLION TO \$50 MILLION (S-1614/A-826)

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

RESOLUTION #2019-040: Bills

Motion to adopt: Commissioner Gerkens

Second: Mayor Oldham

PRIVILEGE OF THE FLOOR –

Mr. Alan Donahower of 76th Street asked if the Board knew which way Harvey Cedars leans, pro or against Trump. The Mayor stated to the best of his knowledge Harvey Cedars is fairly split between Democrats and Republicans, but does not have knowledge on Trump standings. The Mayor added that Harvey Cedars is a non-partisan Commission. Commissioner Gerkens stated there are approximated 360 registered voters in Harvey Cedars.

Motion to adjourn: Commissioner Gerkens
Second: Mayor Oldham

Meeting adjourned at 4:45pm.

RESOLUTION #2019-034

**BOROUGH OF HARVEY CEDARS
PROCLAIMING APRIL 9 – 15, 2019
AS NATIONAL LIBRARY WEEK**

WHEREAS today's libraries are not just about books but what they do for and with people; and

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

WHEREAS libraries have long served as trusted and treasured institutions where people of all backgrounds can be together and connect; and

WHEREAS libraries and librarians build strong communities through transformative services, programs and expertise; and

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

WHEREAS libraries promote civic engagement by keeping people informed and aware of community events and issues; and

WHEREAS librarians and library workers partner with other civic organizations to make sure their community's needs are being met; and

WHEREAS libraries and librarians empower their communities to make informed decisions by providing free access to information; 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 resources 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 7-13, 2019. I encourage all residents to visit the library this week and explore what's new at your library and engage with your librarians. Because of you, libraries equal strong communities.

PASSED ON: April 5, 2019

RESOLUTION #2019-035

RECOGNIZING THE BOROUGH OF HARVEY CEDARS' PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM AND THE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI)

WHEREAS the Borough of Harvey Cedars is enrolled in the National Flood Insurance Program (NFIP) to provide flood insurance for the residents of Harvey Cedars; and

WHEREAS the Borough of Harvey Cedars takes part in the Community Rating System (CRS) program that is a voluntary component of the NFIP; and

WHEREAS Harvey Cedars' Class 8 Rating currently provides for \$107,187 in flood insurance discounts for its residents and businesses; and

WHEREAS the Borough of Harvey Cedars disseminates flood hazard information that not only is beneficial to the residents through mitigation of the hazardous effects of flooding, but is also beneficial in maximizing credit in the CRS program.

NOW, THEREFORE, BE IT RESOLVED, by having completing a flood insurance assessment (FIA), in accordance with the 2017 CRS Coordinator's Manual, it has been determined that 83.2% of the properties in Harvey Cedars, a barrier island, are insured through the National Flood Insurance Program, and that by completing the annual Island-wide program for Public Information update and executing that program for 2019, minutes of which are attached hereto, this level of coverage will remain high due to the fact that insurance is mandatory for properties that have federally backed mortgages in the special flood hazard area, and furthermore, post "Sandy", that flood insurance is a wise investment for all property owners including year round renters.

PASSED ON: April 5, 2019

RESOLUTION #2019-036

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING
THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR THE
PROVISION OF IT/NETWORK ADMINISTRATION AND COMPUTER
HARDWARE AND SOFTWARE MAINTENANCE**

WHEREAS the Borough contracted, through a shared services agreement, with the Township of Lacey for the provision of IT/Network Administration and Computer Hardware and Software Maintenance; and

WHEREAS the Borough has realized the need for added cyber security and desires to supplement said shared services with a 24-hour monitoring/managing computer service to fill in voids of the shared service; and

WHEREAS 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, *upon receipt of properly executed State mandated forms*, a professional service contract commencing May 1, 2019 and ending April, 30, 2020 as per the attached agreement is awarded to PCS, LLC, 304 Harper Drive, Suite 130, Moorestown, NJ 08057 for the provisions of IT/Network Administration and Computer Hardware and Software Maintenance.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to execute said agreement with PCS, LLC. A copy of said agreement is attached hereto and made a part hereof.

PASSED ON: April 5, 2019

RESOLUTION #2019-037

APPOINTMENTS TO THE HARVEY CEDARS ACTIVITY COMMITTEE

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the following appointments are made to the Harvey Cedars Activity Committee for the year 2019:

Judith Gerkens, Chair	7 West Burlington Ave., Harvey Cedars
Barbara Aukstikalnis	PO Box 3192, Harvey Cedars
Mindy Berman	15 West 80 th Street, Harvey Cedars
Mary Pat Brearley	7606 Long Beach Blvd., Harvey Cedars
Margaret Buchholz	8102 Bay Terrace, Harvey Cedars
Robert Burnaford	7606 Long Beach Blvd., Harvey Cedars
Daina Dale	7606 Long Beach Blvd., Harvey Cedars
Stephanie Farrell	2 West Salem Ave., Harvey Cedars
Hilary Fiorella	23 West 80 th Street, Harvey Cedars
Roberta Giannone	6105 Long Beach Blvd., Harvey Cedars
Wayne Giannone	6105 Long Beach Blvd., Harvey Cedars
Rick Hathaway	15 West 80 th Street, Harvey Cedars
Susan Kramer	34 West 80 th Street, Harvey Cedars
Marilyn Langan	5 West 79 th Street, Harvey Cedars
Rosemaur Leonardo	67 Cedars Ave., Harvey Cedars
Sandra Marti	17 West Lee Ave., Harvey Cedars
Jason Marti	9 West 80 th Street, Harvey Cedars
Theresa Petersen	10 Barnegat Ave., Harvey Cedars
Barry Putt	4 East 75 th Street, Harvey Cedars
Judith Putt	4 East 75 th Street, Harvey Cedars
Kathy Sheplin	5518 Holly Ave., Harvey Cedars
Robert Rue	383 S. Green Street, Tuckerton, NJ 08087
Diana Stott	10 West 21 st Street, Barnegat Light
Theresa Vosseller	16 Vosseller Way, Harvey Cedars
Sue Warren	5515 Holly Ave., Harvey Cedars
Mary Wilding	7 East Gloucester Ave., Harvey Cedars

BE IT RESOLVED the following appointments are made to the 125th Anniversary Committee for the year 2019:

Bernadette Deely	16 Warwick Ave., Harvey Cedars
Kathleen Ries	Cedars Ave., Harvey Cedars
Fred Schragger	7 East Salem Ave., Harvey Cedars
Arlene Schragger	7 East Salem Ave., Harvey Cedars
Michael Songer	16 Warwick Ave., Harvey Cedars

PASSED ON: April 5, 2019

RESOLUTION #2019-038

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF HARVEY CEDARS AND ELIZABETH GREBER

WHEREAS on October 16, 2017, a Verified Complaint was filed in the Superior Court of New Jersey, Civil Division, under Docket No.: OCN-L-2897-17, naming Elizabeth Greber as the plaintiff and the Borough of Harvey Cedars as the defendant; and

WHEREAS on January 9, 2018, the matter was removed to U.S. District Court under Docket No.: 3:17-cv-11862-FLW-TJB; and

WHEREAS the parties engaged in pre-trial discovery, including depositions; and

WHEREAS on March 25, 2019, the Honorable Tonianne J. Bongiovanni, U.S.M.J., conducted an in-person Settlement Conference with all counsel and their respective clients present; and

WHEREAS on March 25, 2019, during the Settlement Conference with Judge Bongiovanni, the parties agreed to the terms of a settlement of the litigation; and

WHEREAS the parties, through counsel, prepared a written Release and Settlement Agreement setting forth the terms of the settlement of the litigation; and

WHEREAS all parties have agreed with the terms of the Release and Settlement Agreement and the document has been signed by the plaintiff, Elizabeth Greber.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, and State of New Jersey, the Board of Commissioners hereby formally accepts the terms of the settlement as set forth in the Release and Settlement Agreement dated April 3, 2019, as hereinabove set forth.

PASSED ON: April 5, 2019

RESOLUTION #2019-039

A RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, SUPPORTING LEGISLATION TO INCREASE STATE FUNDING TO THE “SHORE PROTECTION FUND” FROM \$25 MILLION TO \$50 MILLION (S-1614/A-826)

WHEREAS the State of New Jersey maintains the Shore Protection Fund, \which was established in 1992; and

WHEREAS the Shore Protection Fund provides important funding that allows the State and municipalities to engage in cost-share partnerships with the U.S. Army Corps of Engineers on shore protection projects including beach restoration and maintenance; and

WHEREAS the Shore Protection Fund is funded by State realty transfer fee revenue, and is currently capped at \$25 million, an amount that was last adjusted in 1999; and

WHEREAS following the devastating effects of Superstorm Sandy, it has become evident that the current funding to the Shore Protection Fund is inadequate for allowing the State and municipalities to fund necessary projects; and

WHEREAS pending before the Legislature are bills S-1614 and A-826, which would increase the cap on funding to the Shore Protection Fund to \$50 million; and

WHEREAS the Borough Commission believes this proposed increase to the Shore Protection Fund is essential to protecting the shoreline of the Borough of Harvey Cedars and that of every other shore community comprising the Jersey Shore.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars in the County of Ocean, State of New Jersey, that it hereby expresses its support for an increase in funding to the Shore Protection Fund from \$25 million to \$50 million, as provided in the bills pending before the Legislature as S-1614 and A-826.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to Governor Phil Murphy, Senate President Steve Sweeney, the Senate Budget and Appropriations Committee and the Long Beach Island municipalities.

PASSED ON: April 5, 2019