

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Deputy Mayor Imperiale at 4:30pm. Commissioner Rice was present, Mayor Oldham was not.

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

The Deputy 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 9, 2021 in the Asbury Park Press and on December 16, 2021 in the Beach Haven Times, and republished with amendments on February 24, 2022 and March 8, 2022 respectively.

Motion to approve the minutes of the previous meeting held on April 1, 2022 was made by Commissioner Rice, seconded by Commissioner Imperiale.

Deputy Mayor Imperiale stated the first two items on the agenda will be tabled, and a public discussion will be held at the public portion of the meeting.

The Deputy Mayor asked for a motion to table Ordinance #2022-10.

ORDINANCE #2022-10 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY, AMENDING CHAPTER 15 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, ENTITLED "SITE PLAN" AS IT PERTAINS TO ESTABLISHING A THREE-PERSON SITE PLAN EXEMPTION COMMITTEE

Motion to TABLE: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes: Imperiale, Rice

The Deputy Mayor asked for a motion to table Ordinance #2022-11.

ORDINANCE #2022-11 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 13 ENTITLED "ZONING" AS IT PERTAINS TO DUAL USE FOR OFF-SEASON BUSINESS

Motion to TABLE: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes: Imperiale, Rice

The Deputy 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 #2022-12 SECOND READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 13 ENTITLED "ZONING" AS IT PERTAINS TO POOL FEATURES

Motion to open public discussion: Commissioner Rice

Second: Commissioner Imperiale

Kathleen Ries, Cedars Ave., asked what pool features this refers to. Commissioner Rice explained when new pools are being put in, features around the pool such as benches or waterfalls, are being restricted due to the zoning code; this change will avoid going to the Land Use Board for these de minimis items.

Motion to close public discussion: Commissioner Rice

Second: Commissioner Imperiale

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes – Rice, Imperiale

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

The Deputy 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 #2022-041:

AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN WATER/SEWER CHARGES

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

RESOLUTION #2022-042:

AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

RESOLUTION #2022-043:

AUTHORIZING THE REFUND AND CANCELLATION OF TAXES DUE

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

The Deputy Mayor read the following resolution:

RESOLUTION #2022-044:

AUTHORIZING THE BUDGET BEING READ BY TITLE ONLY

WHEREAS the Local Budget Law provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Borough Hall and copies have been made available by the Clerk to persons requiring them; and

WHEREAS these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the 2022 budget will be read by title only.

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes – Imperiale, Rice

Motion to open public discussion of budget: Commissioner Rice

Second: Commissioner Imperiale

Steve Sepanak, Long Beach Blvd., asked if the budget will be published on the website. The Clerk responded that it will be.

Motion to close public discussion: Commissioner Rice

Second: Commissioner Imperiale

The Deputy Mayor read the following resolution:

RESOLUTION #2022-045:

BUDGET ADOPTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$3,603,970.74 for municipal purposes.

Motion to adopt: Commissioner Rice

Second: Commissioner Imperiale

Vote: Ayes – Imperiale, Rice

The Board thanked the Taxpayers' Association and Department Heads for their contribution in preparing the budget. Commissioner Rice stated the municipal tax rate remains flat.

RESOLUTION #2022-046: Bills

Motion to approve 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 to use Sunset Park to the Neil Family for a memorial service on Sunday, April 24, 2022 from 11am to 2pm.
2. A motion was made by Commissioner Rice, seconded by Commissioner Imperiale, to approve the request to use the municipal bay beach parking lot for overflow storage of sailboats overnight to the Barnegat Light Yacht on June 25th & 26th, 2022. Barricades requested from Public Works and possible off-duty police.

PRIVILEGE OF THE FLOOR –

The Deputy Mayor explained the purpose and evolution of the Three-Person Site Plan Committee ordinance (that was tabled at this meeting); the purpose was if a business wanted a non-substantial change they could simply apply to the Three-Person Committee for a lesser fee instead of going through the lengthy time process of the Land Use Board for thousands of dollars; he said the Commissioners discussed at length all aspects of the ordinance, such as who would be the Committee members, and finally came up with the ordinance that was introduced at the previous meeting; since then there has been feedback that led to tabling the ordinance in order to hear public opinions. He asked how does the Board create a 3-person committee that is effective for this town, and is there a way to approve simple changes for a local business without going through the Land Use Board. Commissioner Rice stated it would be nice to always say “yes” but unfortunately there are State laws that must be followed; to make a permanent change for a business, neighbors must be notified, this (tabled) ordinance was only for off-season changes.

A public discussion was held regarding how a business can legally fast-track a de minimis change. Fred Schragger stated he has been a municipal attorney for many years and has dealt with Land Use; he offered his input to help come up with a legal solution. The Board will be setting up a meeting soon to work on this and invited Mr. Schragger to join.

Margaret “Pooch” Buchholz, Bay Terrace, asked about the town acquiring the 1906 house on Lee Avenue; it is 800 square feet and could either be used as lifeguard housing or somewhere in the park. Commissioner Imperiale stated the Board is considering it, and will need to work out the details of where it would go.

Commissioner Imperiale thanked everyone for their feedback.

Motion to adjourn: Commissioner Rice

Second: Commissioner Imperiale

Meeting adjourned at 5:13pm.

RESOLUTION #2022-041

**AUTHORIZING THE UTILITY COLLECTOR TO ADJUST CERTAIN
WATER/SEWER CHARGES**

WHEREAS the Utility Collector of the Borough of Harvey Cedars processes quarterly utility bills based on the prior three months of water usage, and the Borough Superintendent reads and maintains monthly meter readings; and

WHEREAS the following property owner had high water usage for the 1st quarter of 2022 due to a water leak that began in the 4th quarter of 2021, and the Utility Collector investigated this usage and agreed to issue credits for this one occasion:

- Johnston, William – 8 West Bergen Ave. – broken pipe leak; and

WHEREAS during the water main replacement project on North Holly Avenue, the water service at 6515 Holly Avenue had been turned on by Public Works unbeknownst to the property owner causing high water usage not the responsibility of the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the Utility Collector is authorized to adjust and issue a one-time credit to the following utility account(s) based on the usage calculated for the leak:

ACCOUNT#	WATER CREDIT	SEWER CREDIT
21-0	\$1607.46	\$506.68

BE IT FURTHER RESOLVED the Utility Collector is authorized to adjust and issue a credit in the 2nd quarter to the following utility account for erroneous excess usage:

ACCOUNT#	WATER CREDIT	SEWER CREDIT
319-0	\$1,074.13	\$321.56

PASSED ON: April 18, 2022

RESOLUTION #2022-042

**AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE
BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE**

WHEREAS pursuant to NJSA 40A:11-36 the governing body may by resolution authorize the sale of personal property no longer needed for public use by sealed bid or public auction; and

WHEREAS pursuant to Local Finance Notice No. 2008-09 a public auction is authorized to be held with an online vendor; and

WHEREAS the Borough of Harvey Cedars is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS the Board of Commissioners is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to and in accordance with the terms and conditions of the Sourcewell Contract (previously known as NJPA) member #83071. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com.
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) List of the surplus property no longer needed for public use is as follows:
 - a. Lifeguard 2007 Ford Ranger Pickup VIN 1FTYR15E37PA72301
 - b. Police 2007 Ford Crown Victoria VIN 2FAFP71W77X149556
 - c. Prior year beach badges
 - d. Olympus Stylus Camera
 - e. AT&T Speakerphone
- (5) A list of the surplus abandoned property to be sold is as follows:
 - a. One (1) Old Town 2-Person Kayak
 - b. One (1) Blue Sorrento Diamond Back Bicycle
 - c. One (1) Wooden Foldable Table with Umbrella
 - d. One (1) Ozark Trail Kayak Paddle 87” Telescoping
 - e. One (1) Dewalt Drill Model DCD790 20V Max/Lithium Ion
 - f. One (1) Amazon Kindle
- (6) The Police Department is authorized to turn over said abandoned property to the Municipal Clerk for the auction.
- (7) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (8) The Borough of Harvey Cedars reserves the right to accept or reject any bid submitted.

PASSED ON: April 18, 2022

RESOLUTION #2022-043

AUTHORIZING THE REFUND AND CANCELLATION OF TAXES DUE

WHEREAS the property located at 10-A Hudson Avenue was assessed in 2021 for \$1,996,200; and

WHEREAS the assessment was appealed to the Tax Court of New Jersey which reduced the assessment for 2021 to \$1,800,000; and

WHEREAS due to this appeal, the Tax Collector desires to credit the overpaid 2021 Tax amount to future taxation and cancel the over billed 2022 tax amount.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Harvey Cedars, County of Ocean, State of New Jersey, that the Tax Collector is hereby authorized to issue the following credits and adjustments:

Year	Block	Lot	Tax Amount to Credit/Cancel
2021	22	8	\$1,844.28
2022	22	8	\$ 922.14

BE IT FURTHER RESOLVED a copy of this resolution shall be forwarded to the Tax Collector, Chief Finance Officer, and Auditor.

PASSED ON: April 18, 2022

RESOLUTION #2022-046

April 19, 2022
09:30 AM

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
21-00655	07/07/21	SREG0020	S REGIONAL BOARD OF EDUCATION	2021-2022 Reg. School Taxes	Open	250,826.67	0.00 B
21-00699	07/19/21	THIS0010	THIS & THAT UNIFORMS	Uniforms - D'Andrea	Open	180.00	0.00
21-00810	08/18/21	ACTIO005	ACTION UNIFORM CO, LLC	Oldham - uniforms	Open	133.98	0.00
22-00055	01/13/22	TONYS005	TONY'S GENERAL MECHANDIS E INCO	D Lisiewski Apparel Allowance	Open	344.00	0.00 B
22-00056	01/13/22	TONYS005	TONY'S GENERAL MECHANDIS E INCO	R Ott Apparel Allowance	Open	388.93	0.00 B
22-00142	02/07/22	TUCKE010	TUCKERTON LUMBER COMPANY	shop supplies	Open	2.05	0.00 B
22-00146	02/07/22	OXYGE010	OXYGEN SUPPLY COMPANY	oxygen and acetylene rental	Open	49.00	0.00 B
22-00167	02/09/22	GSACC005	THE AUTO PARTS CONNECTION	police vehicles	Open	295.62	0.00
22-00173	02/10/22	ONECO010	ONE CALL CONCEPTS INC	Monthly markouts	Open	55.05	0.00 B
22-00207	02/23/22	HOME0010	HOME DEPOT/GECF	buildings and grounds	Open	214.90	0.00 B
22-00232	03/03/22	VISIO005	VISIONMARK NAMEPLATE CO. LLC	2021 Officer Of the Year Award	Open	189.66	0.00
22-00281	03/16/22	HOME0010	HOME DEPOT/GECF	Tools and Shop Supplies	Open	676.95	0.00 B
22-00299	03/22/22	FOLEY005	FOLEY, INCORPORATED	D-1 Parts	Open	590.32	0.00 B
22-00303	03/22/22	INSTI020	INSTITUTE FOR FORENSIC PSYCHOL	MacCorkle Evaluation	Open	525.00	0.00
22-00305	03/22/22	ATLAN130	ATLANTIC PLUMBING SUPPLY CORP	coupling for bay terrace proj	Open	554.05	0.00
22-00318	03/23/22	MIRAC010	MIRACLE CHEMICAL COMPANY	chlorine	Open	969.00	0.00
22-00319	03/23/22	COMCA010	COMCAST CABLE	Monthly Invoice - w&s	Open	567.11	0.00
22-00325	03/25/22	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	17.98	0.00
22-00330	03/25/22	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	32.91	0.00
22-00337	03/29/22	OARH0010	OAR HOUSE LLC	OARS	Open	4,280.00	0.00
22-00339	03/29/22	SANDP010	SANDPAPER	DPW help wanted	Open	111.40	0.00
22-00348	04/01/22	IMPER005	IMPERIALE, JOHN	Reimbursement	Open	45.15	0.00
22-00349	04/01/22	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	32.16	0.00
22-00350	04/01/22	SMITH010	SMITH, ASHLEY	department photos	Open	50.00	0.00
22-00351	04/04/22	NJDC0010	NJ DCA	1st Qtr 2022 permits surcharge	Open	2,614.00	0.00
22-00352	04/04/22	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office & BG Supplies	Open	27.38	0.00
22-00353	04/04/22	COMCA010	COMCAST CABLE	Monthly Invoice - Spc Video	Open	9.96	0.00
22-00354	04/04/22	PAVIA005	PAVIA ENTERPRISES LLC	March Courier Service	Open	316.29	0.00
22-00357	04/04/22	MAGEL010	LINE SYSTEMS	Monthly Invoice	Open	1,566.10	0.00
22-00358	04/05/22	PCSL005	PCS, LLC	Monthly Invoice	Open	1,341.96	0.00
22-00359	04/05/22	STAMP010	STAMP FULFILLMENT SERVICE	Envelopes w/Postage	Open	2,762.55	0.00
22-00360	04/05/22	CENTR035	CENTRAL JERSEY HEALTH INS FUND	April Premium	Open	2,008.00	0.00
22-00361	04/05/22	METRO020	METLIFE - GROUP BENEFITS	Monthly Premium - April	Open	197.60	0.00
22-00362	04/05/22	TREAS020	TREAS.STATE OF NJ-DEPT TREAS	NJ Pollutant Discharge permit	Open	600.00	0.00
22-00365	04/06/22	LANGU010	LANGUAGE LINE SERVICES, INC	Phone Interpretation	Open	73.21	0.00
22-00366	04/06/22	GOLD0010	GOLD TYPE BUSINESS MACHINE INC	1/1-3/31 e ticket invoice	Open	43.35	0.00
22-00367	04/06/22	ATLAN105	ATLANTIC PRINTING & DESIGN	2022 Calendar of Events	Open	523.78	0.00
22-00368	04/06/22	AMAZO005	AMAZON CAPITAL SERVICES, INC	Office Supplies	Open	29.60	0.00
22-00369	04/06/22	CIT-E010	CIT-E-NET, LLC	Website Hosting	Open	1,500.00	0.00
22-00370	04/07/22	NESTL005	NESTLE WATERS NORTH AMERICAN	Water Delivery	Open	109.40	0.00
22-00372	04/08/22	HOME0010	HOME DEPOT/GECF	Tool and Shop Supplies	Open	422.22	0.00 B
22-00373	04/08/22	HOME0010	HOME DEPOT/GECF	Vehicle Maintenance	Open	275.49	0.00 B
22-00377	04/08/22	BURNA010	BURNAFORD, ROBERT	Postage	Open	37.53	0.00
22-00379	04/08/22	AMERI070	AMERICAN WEAR, INC.	dpw uniforms	Open	855.80	0.00
22-00382	04/08/22	MEADO020	MEADOWBROOK INDUSTRIES LLC	March Trash & Recycling	Open	26,821.97	0.00
22-00384	04/08/22	HIERI010	HIERING, GANNON & MC KENNA	March Legal Fees	Open	1,730.40	0.00
22-00386	04/12/22	CAUSE010	CAUSEWAY FORD	994 repair	Open	155.00	0.00
22-00387	04/12/22	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	5 ton starting fluid	Open	14.98	0.00
22-00389	04/12/22	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.04	0.00
22-00390	04/13/22	BUSIN010	BUSINESS INFORMATION SYSTEMS	Court recorder maintenance	Open	1,045.00	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
22-00391	04/13/22	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoices	Open	13,237.41	0.00	
22-00394	04/13/22	CENTR035	CENTRAL JERSEY HEALTH INS FUND	May Premium	Open	2,061.00	0.00	
22-00395	04/14/22	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	47.84	0.00	
22-00396	04/14/22	NJDI0030	STATE OF NEW JERSEY	Ann. Life Hazard Use Reg. Fee	Open	191.00	0.00	
22-00398	04/14/22	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	4,041.98	0.00	
22-00399	04/14/22	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - W&S Charges	Open	2,480.00	0.00	
22-00400	04/14/22	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	1,724.73	0.00	
22-00402	04/18/22	DALE0010	DALE, DAINA	Reimbursements Indeed & Zoom	Open	566.20	0.00	
22-00403	04/18/22	TWPO0010	TWP OF STAFFORD	March Animal Control	Open	269.00	0.00	
22-00404	04/18/22	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	454.37	0.00	
22-00405	04/18/22	NJNA0020	NJ NATURAL GAS	Monthly Invoice -	Open	1,933.22	0.00	
22-00406	04/18/22	QUINL005	QUINLAN, ESQ., KEVIN	LUB Invoices - 03/17 Meeting	Open	200.00	0.00	
22-00407	04/18/22	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	359.82	0.00	
22-00408	04/18/22	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthly Advertising - March	Open	416.96	0.00	
Total Purchase Orders:		64	Total P.O. Line Items:	0	Total List Amount:	334,349.03	Total Void Amount:	0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
Current Fund	1-01	251,295.65	0.00	251,295.65	0.00	0.00	251,295.65
Current Fund	2-01	59,520.41	0.00	59,520.41	0.00	0.00	59,520.41
Utility Operating	2-09	9,360.23	0.00	9,360.23	0.00	0.00	9,360.23
Year Total:		68,880.64	0.00	68,880.64	0.00	0.00	68,880.64
General Capital F C-04		7,714.91	0.00	7,714.91	0.00	0.00	7,714.91
Utility Capital F C-08		1,654.05	0.00	1,654.05	0.00	0.00	1,654.05
Year Total:		9,368.96	0.00	9,368.96	0.00	0.00	9,368.96
Trust Fund	T-17	4,803.78	0.00	4,803.78	0.00	0.00	4,803.78
Total of All Funds:		334,349.03	0.00	334,349.03	0.00	0.00	334,349.03

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 18, 2022 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: April 18, 2022