

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 via Zoom in the Borough Hall meeting room. Mayor Oldham, Commissioner Imperiale, Commissioner Rice and Board Attorney William Hiering were in attendance from remote locations. Also in remote attendance were 10 members of the public and 4 Borough employees.

The meeting was called to order by Mayor Oldham at 4:30pm. The Mayor and Clerk asked the public to raise their hand for questions during the public portions.

The Mayor asked all to rise for the Pledge of Allegiance; a flag was shown on the screen.

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 April 21, 2020 and published in the Beach Haven Times on April 2 and 9, 2020.

Motion to approve the minutes of the previous meeting held on April 20, 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 #2020-09 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 21 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS ENTITLED “PROPERTY MAINTENANCE” AS IT PERTAINS TO DEAD TREES

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, Rice, Imperiale

The Mayor read the following resolution by title only and asked for a motion to adopt. Copy of the full resolution is attached hereto and made a part hereof:

RESOLUTION #2020-053:

AUTHORIZING AND CERTIFYING THE SELF-EXAMINATION OF THE ANNUAL BUDGET FOR THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NJ

Motion to adopt: Commissioner Imperiale

Second: Commissioner Rice

The Mayor read the following resolution:

RESOLUTION #2020-054:

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 2020 budget will be read by title only.

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale
Vote: Ayes – Oldham, Imperiale, Rice

Prior to the public budget hearing, Commissioner Rice gave a brief synopsis of the budget; the annual total budget is a little over \$4.6 million, of that, \$3.4 million will be raised with taxes. The school's budget has not been received yet to calculate the final tax rate; the (total) tax rate as of now is estimated to be .923, basically going up less than 1% from last year's rate; on a house assessed at a little over a million dollars, those taxes will go up about \$72 a year. This rate may change once the school budget is received.

Motion to open public discussion of budget: Commissioner Imperiale
Second: Commissioner Rice

Kathy Ries asked about the short-term rental policy. Mayor Oldham stated although this is open for public discussion specifically for budget, the rental stay ran out on May 1st and will not be extended.

There were no public comments regarding the budget.

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

The Mayor read the following resolution:

**RESOLUTION #2020-055:
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 \$3,435,292.58 for municipal purposes.

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice
Vote: Ayes – Oldham, Rice, Imperiale

RESOLUTION #2020-056: Bills

Motion to approve the bills for payment: Commissioner Rice
Second: Commissioner Imperiale

PRIVILEGE OF THE FLOOR –

The following issues were addressed by the Commissioners from questions submitted via email prior to the meeting:

1. The short-term rental Order has expired.
2. The Mayor gave an update on the watermain project: it is supposed to start this Monday; work will be from 76th to 80th Street a block at a time on the west side of the Boulevard; there will be only one traffic lane open in each direction on the east side of the Boulevard; trench openings will be 50 feet at a time and closed each night; will not be working in rain; should not interrupt many (water) services; work should be at the corner of 80th Street by Memorial Day weekend, but will not be working the Friday through Monday of Memorial Day weekend; a map of the project is posted on the website but is subject to change; businesses have been contacted; there will be 2 police officers on site, paid by contractor, to help if there are problems getting in and out; police can be notified about anyone with significant health issues for assistance.
3. The Mayor addressed the plan to reopen Harvey Cedars: staying in concert with State and the Governor; very in tune with the directives going out and the Governor's 6 step plan; the park will be open starting Monday. He stated the Borough is acting jointly with other Island towns to pass a declaration allowing restaurants the ability to have outdoor seating, but not increasing amount of seats; this will help to meet social distancing guidelines coming from the Governor and Health Department; the parking requirements will be relaxed; the 3 Commissioners are working together to help businesses for the summer.
4. Commissioner Rice stated the Governor allowed municipalities the authority to extend the tax grace period; at this time there is no reason to (for Harvey Cedars); relief was not granted to municipalities to pay county and school tax. He also stated he doesn't anticipate any changes in the (Borough's) anticipated revenue at this time.

5. Commissioner Imperiale stated he received questions about the dead trees in town with all the ongoing wind storms; he believes the introduction of the ordinance today addresses that. He added (about the outdoor seating) the Commissioners will work with businesses to address their concerns and be as flexible as possible within reason. He also thanked the Police Department for their continued work.

Jim Fritz asked if tax bills are due May 1st. Commissioner Rice said it was not mandated to extend the grace period to June 1st; Harvey Cedars' due dates are remaining the same, he believes only Surf City has extended it to June 30. Mayor Oldham added Long Beach has not extended it.

Kathy Ries asked if and when badges will be sold in person. Commissioner Imperiale stated the Borough is looking at ways to open the Borough Hall safely; the pre-season sale goes through June 15, and seniors who have purchased a senior badge in the past, do not have to purchase in person, they can mail in payment. Kathy Ries stated she will eblast about senior badges and also taxes due May 1st with a 10-day grace period. It was noted the 10th is a Sunday, so the 11th is the last day to pay without interest.

Mike Songer sent a message via Chat thanking the Commissioners for scheduling the meetings in Zoom.

The Mayor stated there are a number of cases coming up with the Land Use Board; the Board may be scheduling an additional meeting to get them heard.

Motion to adjourn: Commissioner Imperiale
Second: Commissioner Rice

Meeting adjourned at 4:52pm.

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 21 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS ENTITLED “PROPERTY MAINTENANCE” AS IT PERTAINS TO DEAD TREES

WHEREAS it is the desire of the Mayor and Commissioners of the Borough of Harvey Cedars to promote and regulate matters that benefit the health, safety and welfare of the community; and

WHEREAS the intent of this Ordinance is to regulate and govern the maintenance of dead trees when such trees may cause a hazard to life and or property such as through wind damage.

THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Harvey Cedars as follows:

Section 1. Section 21-7 entitled “Exterior Property Areas” is hereby amended by supplementing Section 21-7.8 entitled “Trees” as follows:

21-7.8 Trees. Properties shall be maintained free from dead trees when such trees constitute a hazard and may create a potential threat to persons or property within the Borough.

Upon failure of the owner or agent having charge of a property to remove such tree or trees after service of a notice of violation, they shall be subject to prosecution in accordance with Section 21-5.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the tree or trees growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 2. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall take effect after final adoption and publication in accordance with law.

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 **May 1, 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 **May 18, 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, Municipal Clerk

RESOLUTION #2020-053

**AUTHORIZING AND CERTIFYING THE SELF-EXAMINATION OF THE
ANNUAL BUDGET FOR THE BOROUGH OF HARVEY CEDARS,
OCEAN COUNTY, NJ**

WHEREAS NJSA 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services of conducting the annual budget examination; and

WHEREAS NJAC 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS pursuant to NJAC 5:30-7.2 thru 7.5 the Borough of Harvey Cedars has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary condition to participate in the program for the 2020 budget year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Harvey Cedars that in accordance with NJAC 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provision relating to limitation on increases of appropriations pursuant to NJSA 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and NJAC 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of NJSA 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

PASSED ON: May 1, 2020

RESOLUTION #2020-056

May 5, 2020
09:29 AM

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

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00337	05/09/19	GEORG005	GEORGIA GOLF CONSTRUCTION, INC	Baseball Field maintenance	Open	452.00	0.00
19-00514	06/20/19	MIRAC010	MIRACLE CHEMICAL COMPANY	Chlorine for water plants	Open	313.42	0.00 B
19-00921	10/18/19	JOHNN010	JOHNNY ON THE SPOT, LLC	Porta Potty rental park	Open	38.06	0.00 B
19-01093	12/17/19	SNAP-010	SNAP-ON TOOLS CORP	update for vehicle diagnostics	Open	798.89	0.00 B
19-01100	12/17/19	NJDEP025	NJ DEPARTMENT OF TREASURY	Beach Repair & Maintenance	Open	352,697.72	0.00
20000049	01/16/20	DALE020	DALE, DAINA	Petty Cash Reimbursements	Open	82.02	0.00
20000224	03/02/20	JOHNN010	JOHNNY ON THE SPOT, LLC	Porta potty rental	Open	87.71	0.00 B
20000273	03/16/20	COUNT020	COUNTY OF OCEAN	County Tax Payment	Open	1,254,172.05	0.00
20000283	03/17/20	SITE005	SITEONE LANDSCAPE SUPPLY, LLC	Park sprinkler supplies	Open	162.58	0.00 B
20000305	03/26/20	ZWUSA005	ZW USA, INC.	Mutt Mitt Dog Bags	Open	903.03	0.00
20000308	03/30/20	CLAYT010	CLAYTON BLOCK COMPANY, INC	Concrete for ADA ramp	Open	595.50	0.00 B
20000351	04/09/20	SIMPL005	SIMPLIFY CHEMICAL SOLUTIONS IN	Toilet Paper	Open	455.92	0.00
20000359	04/14/20	MIRAC010	MIRACLE CHEMICAL COMPANY	Chlorine for water plants	Open	464.74	0.00 B
20000368	04/16/20	LANGU005	LANGUAGE SERVICES ASSOCIATES,	Telephonic Charges	Open	10.00	0.00
20000372	04/16/20	MEADO020	MEADOWBROOK INDUSTRIES LLC	March Trash & Recycling	Open	16,848.54	0.00
20000379	04/21/20	WATCH005	WATCHUNG SPRING WATER CO, INC.	Water Bottle Delivery	Open	51.94	0.00
20000382	04/21/20	GRUND005	GRUNTISCH, DANIEL	Equipment allowance	Open	301.52	0.00
20000383	04/21/20	MANAH010	MANAHAWKIN MAGIC WASH	Vehicle Wash	Open	19.95	0.00
20000384	04/21/20	BURNA010	BURNAFORD, ROBERT	Reimbursement	Open	8.08	0.00
20000385	04/21/20	FRAZE010	FRAZEE, STEVE	Reimbursement	Open	711.46	0.00
20000386	04/21/20	EAGLE025	EAGLES LAKE RESERVE, INC	Topsoil for Park	Open	292.90	0.00 B
20000387	04/21/20	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	251.94	0.00
20000388	04/23/20	COMCA010	COMCAST CABLE	Monthly Invoice	Open	264.14	0.00
20000389	04/23/20	COMCA010	COMCAST CABLE	Monthly Invoice	Open	164.57	0.00
20000390	04/27/20	WESSL005	WESSLER, REBECCA	Reimbursement	Open	30.36	0.00
20000391	04/27/20	FORDC005	FORD CREDIT	Zoning Car Lease Payment	Open	162.11	0.00
20000392	04/28/20	CENTR035	CENTRAL JERSEY HEALTH INS FUND	May 2020 Dental Premium	Open	2,036.00	0.00
20000393	04/28/20	RELIA010	RELIABLE COMMUNICATIONS	Monitoring system, boro hall	Open	420.00	0.00
20000394	04/28/20	TCTAM005	TCTA MEMBERSHIP SERVICES	2020 Webinar Conference	Open	200.00	0.00
20000397	04/29/20	METRO020	METLIFE - GROUP BENEFITS	Monthly Premium - April & May	Open	436.80	0.00
20000398	04/30/20	PEDRO010	PEDRONI FUEL COMPANY	Monthly Invoices	Open	922.08	0.00
20000399	04/30/20	ERSKI005	ERSKINE, LISA A.	Borough Hall Cleaning	Open	1,500.00	0.00

Total Purchase Orders: 32 Total P.O. Line Items: 0 Total List Amount: 1,635,856.03 Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	0-01	1,279,041.01	0.00	1,279,041.01	0.00	0.00	1,279,041.01
Utility Operating	0-09	<u>1,919.43</u>	<u>0.00</u>	<u>1,919.43</u>	<u>0.00</u>	<u>0.00</u>	<u>1,919.43</u>
	Year Total:	1,280,960.44	0.00	1,280,960.44	0.00	0.00	1,280,960.44
Current Fund	9-01	1,884.45	0.00	1,884.45	0.00	0.00	1,884.45
Utility Operating	9-09	<u>313.42</u>	<u>0.00</u>	<u>313.42</u>	<u>0.00</u>	<u>0.00</u>	<u>313.42</u>
	Year Total:	2,197.87	0.00	2,197.87	0.00	0.00	2,197.87
General Capital F	C-04	352,697.72	0.00	352,697.72	0.00	0.00	352,697.72
Total of All Funds:		<u>1,635,856.03</u>	<u>0.00</u>	<u>1,635,856.03</u>	<u>0.00</u>	<u>0.00</u>	<u>1,635,856.03</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 May 1, 2020 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: May 1, 2020