

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:33pm. Commissioners Gerkens and Garofalo were present.

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 in the Beach Haven Times on December 10, 2015 and the Asbury Park Press on December 15, 2015.

Motion to approve the minutes of the previous meeting, May 6, 2016, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

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

ORDINANCE #2016-07 FIRST READING

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ZONING" AS IT PERTAINS TO BULKHEAD PERMIT FEES

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

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

Vote: Ayes – Oldham, Gerkens, Garofalo

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 #2016-049:

APPOINTMENTS TO THE HARVEY CEDARS ACTIVITY COMMITTEE

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-050:

AUTHORIZATION TO EXECUTE EMERGENCY OPERATING PLAN (REVISED MAY 2016) FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-051:

SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 23 – JUNE 5, 2016

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-052:

CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$5,000.00 – *CLICK IT OR TICKET*

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-053:

APPOINTMENT OF A FULL TIME CLASS II SPECIAL POLICE OFFICER FOR THE BOROUGH OF HARVEY CEDARS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2016-054:

CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$6,597.54 – CLEAN COMMUNITIES GRANT PROGRAM

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2016-055: Bills

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Public Property Usage requests:

Yoga/SUP Classes – Sunset Park & Bay

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to Ashley Quinn & Liquid Bliss Yoga for Yoga/Stand Up Paddleboard classes from June 24th to September 5th, 3 classes once a week.

PRIVILEGE OF THE FLOOR –

The Mayor announced that the Borough's long-time (retired) attorney, John Cerefice, passed away this weekend; he was also a good friend; condolences to the family.

Wendy McBair, 11 William Street, distributed copies of a letter that she read in full (attached) regarding the concerns of the wetlands property at the end of James and William Streets (Block 1 Lot 1) and public use of that area. Peg Felix & Philip Garfinkel from William Street, and Joe Kiely & Todd Rendfrey from James Street also voiced their concerns. Neighbors and kite boarders have used that area to access the bay; the new property owner, Mr. George DiDonato, posted No Trespassing signs; rumors are that a club or business association was being formed to provide access and a party will be held with food and beer sales. The Board stated that it is private property, no commercial business is allowed, and the property is wetlands that is enforced by the DEP. It was reported that Mr. DiDonato will be holding a meeting with the neighbors on Friday, and access issues should be addressed with him.

Roby McClellan, 78th Street, thanked the Board for Rob Burnaford becoming the Chief of Police, and also thanked the Board for the pickleball court.

Mr. Kiely asked why the taxes significantly went up a year ago. Commissioner Gerkens and the Mayor stated it was the school and County budgets that went up, the Borough's has remained stable; the formula for school taxes is based on a ratio of high school and grade school students; the County taxes were effected by ratables going down in other Ocean County towns due to Superstorm Sandy.

Ms. McBair informed the Board about playground mulch regulations regarding depth. The Mayor stated it should be 12".

The Mayor stated Public Works is working on the beach trying to fix it for the holiday weekend.

Motion to adjourn: Commissioner Garofalo

Second: Commissioner Gerkens

Meeting adjourned at 5:30pm.

ORDINANCE NO. 2016-07

AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED “ZONING” AS IT PERTAINS TO BULKHEAD PERMIT FEES

BE IT ORDAINED BY THE BOARD OF THE COMMISSIONERS OF THE BOROUGH OF HARVEY CEDARS, as follows:

Section 1. Section 13-16.2 entitled “Certificates and Permits” paragraph a.2(l) is hereby supplemented as follows:

(l) Bulkhead permit - \$50.00

Section 2. This Ordinance repeals any inconsistent ordinance or ordinances or part of parts thereof.

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Mayor and Commissioners hereby declare that they would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

EFFECTIVE DATE: June 23, 2016

RESOLUTION #2016-049

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 2016:

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
Margaret Buchholz	8102 Bay Terrace, Harvey Cedars
Deborah Burnaford	6405A Long Beach Blvd., Harvey Cedars
Robert Burnaford	6405A Long Beach Blvd., Harvey Cedars
Daina Dale	PO Box 242, Barnegat Light
Roberta Giannone	6105 Long Beach Blvd., Harvey Cedars
Wayne Giannone	6105 Long Beach Blvd., Harvey Cedars
Mary Beth Goldstein	5 East 78 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
Lona LeSchander	35 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
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

PASSED ON: May 17, 2016

RESOLUTION #2016-050

**AUTHORIZATION TO EXECUTE EMERGENCY OPERATING PLAN
(REVISED MAY 2016)
FOR THE BOROUGH OF HARVEY CEDARS**

WHEREAS the State of New Jersey requires that each municipality have in place an Emergency Operating Plan; and

WHEREAS an Emergency Operating Plan was completed and adopted on March 20, 2012; and

WHEREAS it is the desire of the Emergency Management Coordinator to update said plan for the Borough of Harvey Cedars.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Harvey Cedars, County of Ocean, State of New Jersey, as follows:

1. The Mayor and the Borough Clerk are hereby authorized to execute all documents to adopt the May 2016 revision of the Emergency Operation Plan for the Borough of Harvey Cedars.
2. Certified copies of this resolution shall be sent to the Emergency Management Coordinator, Municipal Clerk, and any other interested parties.

PASSED ON: May 17, 2016

RESOLUTION #2016-051

**SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF
MAY 23 – JUNE 5, 2016**

WHEREAS there were 560 motor vehicle fatalities in New Jersey in 2015; and

WHEREAS a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS a further increase in seat belt usage 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 *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

PASSED ON: May 17, 2016

RESOLUTION #2016-052

**CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$5,000.00 –
*CLICK IT OR TICKET***

WHEREAS NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Commission of the Borough of Harvey Cedars, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00, which is now available from the National Highway Traffic Safety Administration (through the State of New Jersey, Division of Highway Traffic Safety) – “Click It or Ticket 2016 Seat Belt Mobilization”.

BE IT FURTHER RESOLVED that the sum of \$5,000.00 is hereby appropriated under the caption: 8. General Appropriations (A) Operations excluded from “CAPS” Public and Private Programs offset by Revenues: Click It or Ticket 2016.

BE IT FURTHER RESOLVED that the above is a result of Federal funds obtained through the Division of Highway Traffic Safety as a State grant.

PASSED ON: May 17, 2016

RESOLUTION #2016-053

**APPOINTMENT OF A FULL TIME CLASS II SPECIAL POLICE OFFICER
FOR THE BOROUGH OF HARVEY CEDARS**

WHEREAS Amanda White has served the Police Department as temporary regular Police Officer for the Borough of Harvey Cedars since December 1, 2015; and

WHEREAS it is the desire of the Borough of Harvey Cedars to continue her employment as Police Officer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby appoints Amanda White as a full-time Special Law Enforcement Officer Class II for the Borough of Harvey Cedars Police Department effective May 27, 2016.

BE IF FURTHER RESOLVED that as a full-time Class II officer Amanda White shall be entitled to full-time benefits as per the Personnel Policy Manual of the Borough of Harvey Cedars.

PASSED ON: May 17, 2016

RESOLUTION #2016-054

**CHAPTER 159 ITEM OF REVENUE INSERTION IN THE SUM OF \$6,597.54 –
CLEAN COMMUNITIES GRANT PROGRAM**

WHEREAS NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Borough of Harvey Cedars, in the County of Ocean, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$6,597.54, which is now available from the State of New Jersey, Department of Environmental Protection entitled “Clean Communities Grant Program”.

BE IT FURTHER RESOLVED that the sum of \$6,597.54 is hereby appropriated under the caption: 8. General Appropriations (A) Operations excluded from “CAPS” Public and Private Programs offset by Revenues: Clean Communities Program.

BE IT FURTHER RESOLVED that the above is a result of State funds obtained through the Department of Community Affairs as a State grant.

PASSED ON: May 17, 2016