

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order in the Borough Hall by Mayor Oldham at 4:30pm. Commissioners Imperiale and Rice were present.

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

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 December 26, 2020 in the Asbury Park Press and on December 31, 2020 in the Beach Haven Times. Notice of this meeting being held in person was posted on the website on May 10, 2021.

Motion to approve the minutes of the previous meeting held on May 7, 2021 was made by Commissioner Imperiale, seconded by Commissioner Rice.

The Mayor acknowledged the presence of and welcomed the former commissioner Judy Gerken, the LBI School representative Fred Schragger, the President of the Fire Company Craig Coddington, and the President of the Taxpayers Association Kathy Ries.

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 #2021-09 SECOND HEARING
AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS AMENDING AND SUPPLEMENTING CHAPTER 3 ENTITLED “POLICE REGULATIONS” AND CHAPTER 12 ENTITLED “BUILDING AND HOUSING” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, AS IT PERTAINS TO CONSTRUCTION NOISE

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

Arlene Schragger, Salem Avenue, stated this ordinance does not consider year-round residents; 7 o’clock in the morning is pretty early to listen to banging all the time; she asked if there was a way to amend the ordinance to some sort of perimeter around the people who live here year-round; it doesn’t seem fair for people who live here year-round to put up with it when those here in the summer do not.

Commissioner Imperiale said prior to this (ordinance) there was no noise ordinance at all; this will be monitored and can be tweaked; the effort here is to get something on the books, monitor it, and make changes as it goes along. He said many comments were given at the last meeting where changes were made resulting in this version; this will be monitored and can be tweaked at any time.

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.

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 #2021-052:
AMENDMENT TO THE POLICY AND PROCEDURE MANUAL FOR THE BOROUGH OF HARVEY CEDARS AS IT PERTAINS TO BENEFIT TIME SELL BACK POLICY AND AMENDING VACATION HOURS
Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice
Vote: Ayes – Oldham, Imperiale, Rice

RESOLUTION #2021-053: Bills

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

Public Property Usage requests:

1. Wedding Welcome Party – Holly Avenue Beach

Motion was made by Commissioner Imperiale, seconded by Commissioner Rice, to approve the request by Kenny Burkhardt to use the vacant bayfront lot on Holly Avenue next to his house for a Wedding Welcome Party BBQ on Saturday July 17, 2021 from 5pm to 9pm. Large tent with hi-top tables, seats and lounge seating for overflow of guests from the house at 5608 Holly. 100 guests expected.

2. Educational Sessions – Sunset Park

Motion was made by Commissioner Imperiale, seconded by Commissioner Rice, to approve the request by “ReClam The Bay” to hold educational sessions in Sunset Park on Wednesdays starting June 23rd through September 1st from 1pm to 3pm. Sessions are for those interested in the marine life found in the bay, ages 11 years and up. 10 to 15 people expected; RCTB will set up with tables and all equipment necessary.

PRIVILEGE OF THE FLOOR –

Kathy Ries gave a status update of Jim Fritz’s recovery. The Mayor asked Ms. Ries to tell him we missed him at the meeting and are we are all thinking about him.

Fred Schragger thanked the Mayor for the pending fence ordinance, and suggested to consider including a matching height for fencing around his property. The Mayor said the fence height should match with the neighbor’s height. Mr. Schragger also asked about generator locations and heard the town was changing the ordinance to allow them in the setback area without a variance. The Mayor stated that extra footage is being considered for generators for those who built at the 35% lot coverage, but not permitted in the setback area. Mr. Schragger asked to consider it to be placed in the setback area, since he would need a variance to get a generator. The Mayor said at this time the lot coverage is being addressed, but there have been conversations about it.

Craig Coddington announced the Dog Day Race has been cancelled this year, but there will be a virtual race; people can run and turn in their times, no trophies awarded; the committee members setup an additional website, and there are commemorative shirts on sale for last year and this year. He also said the use of the Firehouse for events is still up in the air.

Fred Schragger gave an update on the school consolidation and school property: the school board voted to consolidate back in the winter; they went out to bid twice to sell the property, the property bids were improper/inconsistent; Ship Bottom Land Use Board passed a resolution to reaffirm their master plan to basically state the land (school grounds) cannot be used for anything but recreation, not development; the township passed an zoning ordinance that the property cannot be used for anything but open space, limiting it from being developed; the school board then hired an attorney to contest the zoning ordinance and they appeared before the township committee last week and then filed suit against Ship Bottom a week or 2 ago basically stating the ordinance is improper; there is a board meeting tomorrow night and he will give further updates of what happens. The Mayor thanked Mr. Schragger and said he appreciated Mr. Schragger’s efforts on behalf of the taxpayers of Harvey Cedars.

The Mayor said the Boulevard should be getting repaired soon through the County; the Chief and Superintendent went over the schedule with the contractor; repairs also include painting the crosswalks. The Mayor said the watermain near Passaic will be worked on by Public Works, and they will also be replacing a hydrant.

Chief Burnaford stated the new Polaris was delivered and is in service for the beach access program; this was funded by a CDBG grant along with a donation from the Harvey Cedars Taxpayers Association.

Motion to adjourn: Commissioner Imperiale
Second: Commissioner Rice

Meeting adjourned at 5:00pm.

RESOLUTION #2021-052

**AMENDMENT TO THE POLICY AND PROCEDURE MANUAL FOR THE
BOROUGH OF HARVEY CEDARS AS IT PERTAINS TO BENEFIT TIME
SELL BACK POLICY AND AMENDING VACATION HOURS**

WHEREAS the Borough of Harvey Cedars adopted employment policies and procedures on February 7, 1997 which are available to the employees through an encompassing manual known as the Policy and Procedure Manual; and

WHEREAS said manual shall be reviewed from time to time for policy updates.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Harvey Cedars hereby authorizes amendments to the Personnel Policy and Procedure Manual as follows:

1. Section 9-1.h entitled “Sell Back of Sick Days” shall only apply to full-time employees hired prior to May 21, 2010. Attached is a copy of the full amended section.
2. Section 10.1 entitled “Vacation Leave” paragraphs a. and b. shall be amended by converting days into hours based on 8-hour days), and by adding 10 hours to the 4th level of employees hired prior to 1995 and to the 2nd level of employees hired after 1995. Attached is a copy of the full amended section.
3. Section 10.4 entitled “Personal Days” is amended by supplementing new paragraph d. as follows:
 - d. At the end of each calendar year, full-time employees may elect to sell back to the Borough any unused personal days at the employee’s regular rate of pay. Effective in 2021, buyback of personal days will be executed in the first pay period of January 2022. Effective in 2022, buyback of personal days will be executed in the first pay period of December.

BE IT FURTHER RESOLVED as follows:

1. Buyback of personal days for the year 2021 shall be paid in the first pay period of January 2022, unless funding is allocated in the 2021 budget for it to be paid in the first paycheck of December 2021.
2. This update to the Policy Manual shall take effect immediately.
3. The revision of the Policy Manual shall be known as Revision 05/2021.
4. The Personnel Officer shall offer copies of this resolution to all employees.

PASSED ON: May 17, 2021

SECTION 9. LEAVE OF ABSENCE/SICK DAYS POLICY

9.1 Sick Leave

h. Sell Back of Sick Days

At the end of each calendar year, full-time employees **hired prior to May 21, 2010** may elect to sell back to the Borough up to one-half of any unused portion of that year's earned sick days at the employee's regular rate of pay. In the event that an employee has reached the maximum accumulated sick days of 100, the employee shall sell back the entire unused portion of that year's earned sick days over 100. Sell back must be in whole days and in the event the number of days is uneven, the larger number may be sold back. Buyback of sick days for a particular year will be executed in the first pay period of the subsequent year.

SECTION 10. VACATION/HOLIDAYS/PERSONAL LEAVE DAYS

10.1 Vacation Leave

Each employee shall be entitled to receive vacation days, in addition to all other days, as described:

- | | |
|---|------------------------------|
| a. Full-Time Employees Employed prior to July 27, 1995 | |
| 1. After one year from the date of hire | 5 days 40 hours |
| 2. In the third year through the fifth year | 10 days 80 hours |
| 3. During the sixth year through the end of the tenth year | 15 days 120 hours |
| 4. During the eleventh year and beyond | 20 days 170 hours |
| b. Full-Time Employees Employed after July 27, 1995 | |
| 1. After one year from the date of hire | 5 days 40 hours |
| 2. In the third year through the fifth year | 10 days 90 hours |
| 3. During the sixth year and beyond | 15 days 130 hours |

10.4 Personal Days

- a. Full-Time Employees Employed **prior to** July 27, 1995:

Full-time employees employed prior to July 27, 1995 shall be granted five (5) personal days per year. Said days shall be taken for personal business, religious reasons or family members' illnesses only. An employee, in order to qualify for any personal day, must notify his/her Department Head at least one day in advance. Said one day notification may be waived in the case of any emergency, provided the employee promptly telephones his/her Department Head.

- b. Full-Time Employees Employed **after** July 27, 1995:

Full-time employees hired **after** July 27, 1995 shall be granted three (3) personal days per year. Said days shall be taken for personal business, religious reasons or family members' illnesses only. An employee, in order to qualify for any personal day, must notify his/her Department Head at least one day in advance. Said one day notification may be waived in the case of any emergency, provided the employee promptly telephones his/her Department Head.

- c. Part-Time Employees:

Part-Time employees shall not receive personal days unless directly approved by the Board of Commissioners as a term of employment.

- d. **At the end of each calendar year, full-time employees may elect to sell back to the Borough any unused personal days at the employee's regular rate of pay. Effective in 2021, buyback of personal days will be executed in the first pay period of January 2022. Effective in 2022, buyback of personal days will be executed in the first pay period of December.**

RESOLUTION #2021-053

May 17, 2021
12:43 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
20000552	06/15/20	SREG0020	S REGIONAL BOARD OF EDUCATION	2020-2021 Reg. School Taxes	Open	237,433.17	0.00 B
20001236	12/12/20	PCSL005	PCS, LLC	Police Server	Open	3,150.00	0.00
21-00190	02/25/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Shop Supplies	Open	84.00	0.00 B
21-00224	03/08/21	PCSL005	PCS, LLC	Police Server	Open	1,320.78	0.00
21-00247	03/12/21	GSACC005	THE AUTO PARTS CONNECTION	Shop Supplies	Open	34.23	0.00 B
21-00276	03/23/21	OXYGE010	OXYGEN SUPPLY COMPANY	Oxygen and acetylene rental	Open	49.00	0.00 B
21-00312	04/08/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Police 5-Ton	Open	218.66	0.00
21-00329	04/13/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Dozers	Open	76.98	0.00 B
21-00331	04/13/21	SANDP010	SANDPAPER	hydrant flushing ad	Open	99.64	0.00
21-00335	04/13/21	MGLF0010	MGL FORMS-SYSTEMS	Tax Bills	Open	337.00	0.00
21-00344	04/13/21	MOTOR040	MOTOROLA SOLUTIONS, INC	700/800 Radio 991	Open	4,617.25	0.00
21-00351	04/15/21	AMERIO70	AMERICAN WEAR, INC.	dpw uniforms	Open	480.00	0.00 B
21-00382	04/20/21	MUNIC045	MUNICIPAL RECORD SERVICE	Court Notices	Open	1,075.00	0.00
21-00438	05/07/21	MEADO020	MEADOWBROOK INDUSTRIES LLC	April Trash & Recycling	Open	25,812.26	0.00
21-00440	05/10/21	HOLMA010	HOLMAN FRENIA ALLISON PC	Consulting	Open	1,250.00	0.00
21-00442	05/11/21	KRILL005	KRILL, ALBERT	Eyeglass Reimbursement 2021	Open	322.00	0.00
21-00443	05/11/21	DYNAM010	DYNAMIC TESTING SERVICE	Random Drug Testing - DPW	Open	560.00	0.00
21-00444	05/11/21	HIERIO10	HIERING, GANNON & MC KENNA	April legal fees	Open	1,025.32	0.00
21-00445	05/11/21	AMAZO005	AMAZON CAPITAL SERVICES, INC	Buildings & Grounds Supplies	Open	233.85	0.00
21-00447	05/11/21	ZWUSA005	ZW USA, INC.	dog bags	Open	537.90	0.00
21-00448	05/11/21	GSACC005	THE AUTO PARTS CONNECTION	police vehicles	Open	68.91	0.00 B
21-00449	05/11/21	GSACC005	THE AUTO PARTS CONNECTION	streets and roads vehicles	Open	74.15	0.00 B
21-00450	05/13/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Shop Supplies	Open	144.05	0.00 B
21-00454	05/13/21	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.04	0.00
21-00455	05/13/21	DELA030	DELAWARE VALLEY PAYROLL, INC.	Payroll Processing Services	Open	427.80	0.00
21-00456	05/14/21	AGRAE005	AGRA ENVIRONMENTAL, INC	IOCs and Secondary Samples	Open	1,848.00	0.00
21-00461	05/14/21	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	247.74	0.00
21-00462	05/15/21	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoices	Open	10,755.95	0.00
21-00463	05/15/21	HIERIO10	HIERING, GANNON & MC KENNA	April legal fees	Open	813.00	0.00
21-00464	05/15/21	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	720.30	0.00
21-00465	05/15/21	PEDRO010	PEDRONI FUEL COMPANY	Fuel Charges	Open	1,080.02	0.00
21-00469	05/15/21	ATLAN030	ATLANTIC CITY ELECTRIC	Electric Water Charges	Open	3,318.50	0.00
21-00470	05/15/21	ATLAN030	ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	4,302.64	0.00
21-00471	05/17/21	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	46.60	0.00

Total Purchase Orders:	34	Total P.O. Line Items:	0	Total List Amount:	302,716.74	Total Void Amount:	0.00
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Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
Current Fund	0-01	240,583.17	0.00	240,583.17	0.00	0.00	240,583.17
Current Fund	1-01	47,073.46	0.00	47,073.46	0.00	0.00	47,073.46
Utility Operating	1-09	<u>6,161.11</u>	<u>0.00</u>	<u>6,161.11</u>	<u>0.00</u>	<u>0.00</u>	<u>6,161.11</u>
Year Total:		53,234.57	0.00	53,234.57	0.00	0.00	53,234.57
General Capital F	C-04	8,170.00	0.00	8,170.00	0.00	0.00	8,170.00
Utility Capital F	C-08	<u>140.00</u>	<u>0.00</u>	<u>140.00</u>	<u>0.00</u>	<u>0.00</u>	<u>140.00</u>
Year Total:		8,310.00	0.00	8,310.00	0.00	0.00	8,310.00
	T-13	589.00	0.00	589.00	0.00	0.00	589.00
Total of All Funds:		<u>302,716.74</u>	<u>0.00</u>	<u>302,716.74</u>	<u>0.00</u>	<u>0.00</u>	<u>302,716.74</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 17, 2021 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: May 17, 2021