

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Mayor Oldham at 4:30pm. Commissioner Garofalo was present, Commissioner Gerkens was on vacation.

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 June 19, 2018 regular meeting listed in the annual meeting notice of the Board of Commissioners of the Borough of Harvey Cedars was cancelled and rescheduled to be held on this date, June 21, 2018. Notice of the cancellation and new meeting date was posted on the bulletin board located in the Borough Hall and the Borough's website, and was published on June 14, 2018 in the Beach Haven Times. Notices were sent to the Asbury Park Press and the Atlantic City Press on June 12, 2018, as well as to the Harvey Cedars Taxpayers Association President.

**Motion** to approve the minutes of the previous meeting, June 1, 2018, was made by Commissioner Garofalo, 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 #2018-08 SECOND READING**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 6 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HARVEY CEDARS, 1975, ENTITLED "ANIMALS" AS IT PERTAINS TO LIVESTOCK**

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

There were no public questions or comments.

Motion to close public discussion: Commissioner Garofalo  
Second: Mayor Oldham

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

Vote: Ayes – Oldham, Garofalo

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 #2018-09 SECOND READING**

**ORDINANCE OF THE BOROUGH OF BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3 OF THE BOROUGH CODE OF THE BOROUGH OF HARVEY CEDARS ENTITLED "POLICE REGULATIONS" SO AS TO ESTABLISH A PROHIBITION ON THE SALE, DISPENSATION AND CULTIVATION OF MARIJUANA IN THE BOROUGH OF HARVEY CEDARS**

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

There were no public questions or comments.

Motion to close public discussion: Commissioner Garofalo  
Second: Mayor Oldham

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

Vote: Ayes – Oldham, Garofalo

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 #2018-10 SECOND READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS APPROPRIATING THE SUM OF \$65,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR CERTAIN CAPITAL IMPROVEMENTS IN THE BOROUGH OF HARVEY CEDARS**

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

There were no public questions or comments.

Motion to close public discussion: Commissioner Garofalo  
Second: Mayor Oldham

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham  
Vote: Ayes – Oldham, Garofalo  
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 #2018-070:**

**AUTHORIZING CHANGE ORDER #2 FOR THE HAZARD MITIGATION PROJECT AT 80TH STREET WATER PLANT**

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

**RESOLUTION #2018-071:**

**AUTHORIZING CHANGE ORDER #1 FOR THE 2015 ROAD RECONSTRUCTION / IMPROVEMENT PROJECT (Holly Ave. from Cumberland to Union)**

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

**RESOLUTION #2018-072:**

**AUTHORIZING CHANGE ORDER #1 FOR THE 2017 ROAD RECONSTRUCTION / IMPROVEMENT PROJECT (West 85<sup>th</sup> & West 86<sup>th</sup> Streets)**

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

**RESOLUTION #2018-073:**

**AUTHORIZING CONTRACT PURCHASE UNDER THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PRICING SYSTEM FOR THE ACQUISITION OF A TRACTOR**

Motion to adopt: Commissioner Gerkens  
Second: Mayor Oldham

**RESOLUTION #2018-074:**

**RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE TO OUTRIGGER RESTAURANT, LLC FOR THE YEAR 2018-2019**

The Mayor asked the public if there were any objections to the granting of this license. There were no objections.

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham  
Vote: Ayes – Oldham, Garofalo

**RESOLUTION #2018-075: Bills**

Motion to adopt: Commissioner Garofalo  
Second: Mayor Oldham

**Public Property Usage requests:**

1. **Block Party – James Street**

A motion was made by Commissioner Garofalo, seconded by Mayor Oldham to approve the request to use James Street to Susan Carril for their annual neighborhood block party on Tuesday, July 3, 2018 (raindate July 4<sup>th</sup>) from 6:30pm to dusk.

2. **Fishing Tournament**

A motion was made by Commissioner Garofalo, seconded by Mayor Oldham to approve request to use the beach to the LBI Fishing Club for the 72<sup>nd</sup> Annual World Series of Surf Fishing Invitational Tournament on Saturday, September 22, 2018 from 6:30am to 1pm.

PRIVILEGE OF THE FLOOR – none.

**Motion** to adjourn: Commissioner Garofalo

Second: Mayor Oldham

Meeting adjourned at 4:36pm.

**RESOLUTION #2018-070**

**AUTHORIZING CHANGE ORDER #2 FOR THE  
HAZARD MITIGATION PROJECT AT 80<sup>TH</sup> STREET WATER PLANT**

**WHEREAS** a contract was previously awarded to Alpine East Electric, LLC for the furnishing and installation of an emergency generator and the elevation of the electrical equipment at the 80<sup>th</sup> Street Avenue Water Plant; and

**WHEREAS** the original contract for said work was in an amount of \$332,000.00; and

**WHEREAS** Change Order #1 was authorized by Resolution #2018-044 on April 17, 2018 for additional electrical and mechanical work in the amount of \$42,306.29; and

**WHEREAS** the Engineer has determined that modifications to the air intake system required custom ductwork and additional work was required by NJNG for a total amount of \$10,140.00 as per the attached form; and

**WHEREAS** the total change orders amount to a total of less than twenty (20%) percent of the original contract awarded to the Contractor.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that Change Order #2 is hereby approved in the amount of \$10,140.00 for a total contract amount of \$384,446.29.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute this change order.

PASSED ON: June 21, 2018

**RESOLUTION #2018-071**

**AUTHORIZING CHANGE ORDER #1 FOR THE  
2015 ROAD RECONSTRUCTION/IMPROVEMENT PROJECT  
(Holly Ave. from Cumberland to Union)**

**WHEREAS** the State of New Jersey, Department of Transportation, awarded a road reconstruction/improvement grant to the Borough of Harvey Cedars; and

**WHEREAS** the Borough of Harvey Cedars opened sealed bids for the 2015 Road Reconstruction/Improvement Project on June 15, 2017; and

**WHEREAS** on June 20, 2017, CJ Hesse, Inc., the lowest bidder, was awarded the bid in the amount of \$143,312.12; and

**WHEREAS** the engineer has determined that lower quantities of certain bid items were required (\$11,073.69) and additional quantities of other bid items were needed (\$9,138.60) and the Department of Transportation has approved these items.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that Change Order #1 is hereby approved in the lesser amount of \$1,935.09 for a total contract of \$141,377.03.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute this change order.

PASSED ON: June 21, 2018

**RESOLUTION #2018-072**

**AUTHORIZING CHANGE ORDER #1 FOR THE  
2017 ROAD RECONSTRUCTION/IMPROVEMENT PROJECT  
(West 85<sup>th</sup> & West 86<sup>th</sup> Streets)**

**WHEREAS** the State of New Jersey, Department of Transportation, awarded a road reconstruction/improvement grant to the Borough of Harvey Cedars; and

**WHEREAS** the Borough of Harvey Cedars opened sealed bids for the 2017 Road Reconstruction/Improvement Project on October 5, 2017; and

**WHEREAS** on October 6, 2017, Shore Connection, Inc., the lowest bidder, was awarded the bid in the amount of \$246,473.00; and

**WHEREAS** the engineer has determined that lower quantities of certain bid items were required (\$33,892.00) and additional quantities of other bid items were needed (\$19,960.00) and the Department of Transportation has approved these items.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars that Change Order #1 is hereby approved in the lesser amount of \$13,932.00 for a total contract of \$232,541.00.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute this change order.

PASSED ON: June 21, 2018

**RESOLUTION #2018-073**

**AUTHORIZING CONTRACT PURCHASE UNDER THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PRICING SYSTEM FOR THE ACQUISITION OF A TRACTOR**

**WHEREAS** NJSA 52:34-6.2 authorizes contracting units to purchase goods and contract services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

**WHEREAS** the nationally-recognized National Joint Powers Alliance Cooperative Pricing System, hereafter referred to as NJPA, has offered voluntary participation in the national cooperative purchasing agreement for the purchase of goods and services; and

**WHEREAS** the Borough of Harvey Cedars joined the NJPA to purchase goods and services to make the procurement process more efficient and to provide cost savings to the Borough; and

**WHEREAS** the Public Works Department is in need of a tractor for use throughout the Borough; and

**WHEREAS** the NJPA has entered into a contract #021815 with Cherry Valley Tractor Sales for a New Holland Tractor.

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

1. The purchase of a New Holland Tractor Model TS6.110 T4B with a New Holland 835TL Front Loader, under NJPA Cooperative Contract #021815 from Cherry Valley Tractor Sales for the purchase price of \$64,664.09 (price including trade-in of a John Deere 6320 Tractor) is hereby authorized.
2. The Chief Financial Officer shall certify the availability of funds and is authorized to issue a purchase order for said equipment.

PASSED ON: June 21, 2018

**RESOLUTION #2018-074**

**RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE TO  
OUTRIGGER RESTAURANT, LLC FOR THE YEAR 2018-2019**

**WHEREAS** Outrigger Restaurant, LLC, trading as Plantation Restaurant, has applied for the renewal of a Plenary Retail Consumption License for the year 2018/2019 for the premises known and designated as 7908 Long Beach Blvd.; and

**WHEREAS** said application, through the POSSE online system, shows evidence of application for a Federal Tax Stamp and payment to the Borough in the amount of \$2,500.00 has been received.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Harvey Cedars, in the County of Ocean, NJ that a Retail Consumption License be issued to Outrigger Restaurant, LLC.

**BE IT FURTHER RESOLVED** that Daina Dale, Municipal Clerk of the Borough of Harvey Cedars, NJ is hereby authorized and directed to execute and deliver said license on behalf of the Governing Body to said Plantation Restaurant.

Before the Resolution was voted upon, the Mayor asked if there were any objections on the part of the public to the granting of this license.

MOTION: Commissioner Garofalo

SECOND: Mayor Oldham

ROLL CALL VOTE: Ayes – Oldham, Garofalo

ABSENT: Commissioner Gerken

PASSED ON: June 21, 2018