

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. 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, June 21, 2016, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

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 #2016-068:

AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PRICING SYSTEM FOR THE ACQUISITION OF A COMPACT FRONT LOADER

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2016-069:

AUTHORIZING BEACH BUGGY AND MUNICIPAL PROPERTY USAGE FEES TO BE WAIVED FOR THE 2016 LBI FISHING TOURNAMENT

Motion to adopt: Commissioner Garofalo
Second: Commissioner Gerkens

RESOLUTION #2016-070: Bills

Motion to adopt: Commissioner Gerkens
Second: Commissioner Garofalo

Public Property Usage requests:

1. Therapeutic Yoga Classes – Sunset Park

A discussion was held regarding the request by Marion Cianci for therapeutic yoga classes on Fridays in July and August from 8:30am to 9:45am. The Board's concern was that there is a yoga business in town that may present a conflict. The request was denied. (NOTE: *after the meeting adjourned, a resident that was not present at the time of this discussion explained the differences of therapeutic yoga and the yoga provided at the business. The Commissioners agreed that this request be approved.*)

PRIVILEGE OF THE FLOOR –

Jim Loudon reported he attended the local Board of Education meeting; the Board is waiting for supporting resolutions from the towns regarding the sale of the LBI School. James Donahower, School Board Representative for Harvey Cedars, stated the Board of Ed is merely seeking support from the towns at this time, and no formal action is necessary yet.

Jim Loudon asked about the striping of another pickleball court. The Mayor asked the clerk to order striping for the other court.

Bettie Greber, East 80th Street, voiced her complaint regarding no handicap access to the beach. Her granddaughter read a statement regarding State statutes and handicap accessibility. The Mayor explained that Public Works has been concentrating on restoring the beach, which put other projects on hold; they should be done in about a week; he would like to schedule a meeting with the neighbors to finalize the handicap parking spot and bike rack. The Mayor asked the Chief, who was in attendance, if a lifeguard and ATV can be used for beach access; Ms. Greber stated she could not use an ATV; Commissioner Garofalo suggested perhaps the police "mule" would be a better ride.

Todd Rendfrey, 17 James Street, submitted an engineer's survey of Block 1 Lot 2 dated 6/27/2016. It includes the street end of James Street and depicts the Borough's right-of-way and dune fencing that is in in the right-of-way. Also in attendance from James Street were Ted Einhorn, Sue Rendfrey, Joe Kiely, Susan Carril, and from William Street Irwin Sablosky, who all gave comments and participated in the discussion of the wetlands property on James Street, Block 1 Lot 1. The residents voiced their concerns regarding Mr. DiDonato's use of the wetlands, the right to the mean high water line and the fencing erected in the right-of-way. Mr. Rendfrey stated there is a small section of land between Mr. DiDonato's property line and his bulkhead where people can access the water. In summary, the residents requested the dune fencing be removed immediately from the Borough's right-of-way and also the camera that is on a tree in the right-of-way. The Mayor stated he will have the Borough Engineer verify the right-of-way location prior to asking Mr. DiDonato to remove the fencing and camera.

Motion to adjourn: Commissioner Gerkens
Second: Commissioner Garofalo

Meeting adjourned at 5:38pm.

RESOLUTION #2016-068

**AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE
(NJPA) COOPERATIVE PRICING SYSTEM FOR THE ACQUISITION OF A
COMPACT FRONT LOADER**

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 it is the desire of the Borough of Harvey Cedars to join 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 compact loader for use throughout the Borough for daily operations; and

WHEREAS the NJPA has entered into a contract #032515-CAT with Caterpillar, Inc. for heavy construction equipment, including a CAT Model 249D CCE compact track loader.

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 Superintendent of Public Works/Water/Sewer and the Municipal Clerk are hereby authorized to enter into a member participation agreement with the National Joint Powers Alliance Cooperative Pricing System.
2. The purchase of a Caterpillar compact front loader Model 249D, under NJPA Cooperative Contract #032585-CAT from Giles & Ransome, Inc. for the purchase price of \$50,571.00 is hereby authorized.
3. The Chief Financial Officer shall certify the availability of funds and is authorized to issue a purchase order for said equipment.

PASSED ON: July 1, 2016

RESOLUTION #2016-069

**AUTHORIZING BEACH BUGGY AND MUNICIPAL PROPERTY USAGE FEES
TO BE WAIVED FOR THE
2016 LBI FISHING TOURNAMENT**

WHEREAS pursuant to Section 4-3 of the General Ordinances of the Borough of Harvey Cedars, every person desiring to operate a motor vehicle on the strand of ocean beach of this borough for the purpose of competing in the annual Long Beach Island Fishing Club Tournament shall pay a registration fee of five (\$5.00) dollars per vehicle to be valid only during the tournament; and

WHEREAS pursuant to Section 4-9 of the General Ordinances of the Borough of Harvey Cedars, no person or group shall be permitted to conduct any private, commercial, or non-profit event or conduct any type of business upon municipal owned property without first obtaining a permit and paying a fee as per Resolution #2015-009; and

WHEREAS the Long Beach Island Fishing Club located at 6 East Cape May Avenue, Harvey Cedars, is hosting the 70th Annual World Series of Surf Fishing Invitational Tournament on September 24, 2016 with approximately 50 teams participating and using approximately 120 vehicles; and

WHEREAS the Long Beach Island Fishing Club hosts, sponsors and participates in the annual *Hooked On Fishing Not On Drugs* fishing tournament for children, a non-profit community spirited event held in Harvey Cedars.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that beach buggy registration fee and the municipal property usage fee for the 2016 Long Beach Island Fishing Club Tournament is hereby waived.

PASSED ON: July 1, 2016