

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 Imperiale and Rice were present.

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.

Motion to approve the minutes of the previous meeting held on July 2, 2021 was made by Commissioner Imperiale, seconded by Commissioner Rice.

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 #2021-072:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING SENATE BILL NO. 3926 AMENDING THE "OFFSHORE WIND ECONOMIC DEVELOPMENT ACT" AND GRANTING THE BOARD OF PUBLIC UTILITIES AUTHORITY TO SUPERSEDE CERTAIN LOCAL GOVERNMENTAL POWERS UPON PETITION FROM OFFSHORE WIND PROJECTS

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION #2021-073:

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

Motion to adopt: Commissioner Imperiale
Second: Commissioner Rice

RESOLUTION #2021-074:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING APPLICATIONS FILED BY VERIZON WIRELESS FOR THE INSTALLATION OF SMALL WIRELESS FACILITIES PURSUANT TO CHAPTER 23 OF THE BOROUGH CODE

Motion to adopt: Commissioner Rice
Second: Commissioner Imperiale

RESOLUTION #2021-075:

FIRE COMPANY MEMBERSHIP APPROVAL – JEFFREY VAN SCIVER

After a discussion regarding the Borough ordinance for Fire Company membership, the Board unanimously TABLED this resolution to fully review policies of membership.

RESOLUTION #2021-076: Bills

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

Public Property Usage requests:

1. Fishing Tournament – Sunset Park

A motion was made by Commissioner Rice, seconded by Commissioner Imperiale, to approve the request by LBI Fishing Club to use the beach for their 74th Annual World Series of Surf Fishing Invitational Tournament on Saturday, September 25, 2021 from 6:30am to 1pm, beach condition dependent.

2. Adoption Party – Beachfront

After a discussion, the Board unanimously approved the request by Darcy Sterling to use the beach at the 5415C easement for a gathering (adoption party) on Saturday, September 18, 2021, with a few round tables on the beach, and use of Sunset Park for overflow parking, approximately 50 people, and conditioned upon everyone off the beach by 10:00pm.

3. Wedding - Beachfront

After a discussion, the Board unanimously approved the request by request by John Redmond to use the beach at the 5309D easement for a small wedding ceremony/reception on Wednesday, August 18, 2021 from 5:30pm – 10pm; small tables on beach to set food/drinks, portable lighting; all catering in the house, with 21 people, conditioned upon everyone off the beach by 10:00pm.

PRIVILEGE OF THE FLOOR –

Craig Coddington, West 80th Street, said the parking spaces on 80th Street are not working as planned; the restaurant employees are using the spaces instead of having the spaces available for patrons, and a truck has been parked there for a several days. Mr. Coddington suggested to put a 3-hour parking limit. After a discussion, Commissioner Imperiale said he will speak with the restaurant owners; he said the new traffic officer, Ben Mrozinski, will be looking at parking throughout the town.

Mr. Coddington stated a new camera system was installed at the Fire Company, and he said it was his understanding the Fire Company would require a warrant if the Police Department wanted to look at the cameras.

Commissioner Imperiale reported Jim Fritz is doing well and should be home in a couple of weeks. The first Coffee with Cops was held at Birdy's and went well.

The Mayor asked if there was a status on the purchase of the vacant lot. Commissioner Rice said the Borough is waiting for the subdivision. Zoning Officer Anna Grimste reported an attorney was hired for the subdivision and they are aware of the Land Use meeting deadlines. The Mayor and Commissioners agreed the existing slips may remain for the season if there was a closing.

Motion to adjourn: Commissioner Imperiale
Second: Commissioner Rice

Meeting adjourned at 5:05pm.

RESOLUTION #2021-072

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS, COUNTY OF OCEAN,
STATE OF NEW JERSEY, OPPOSING SENATE BILL NO. 3926 AMENDING THE
“OFFSHORE WIND ECONOMIC DEVELOPMENT ACT” AND GRANTING THE
BOARD OF PUBLIC UTILITIES AUTHORITY TO SUPERSEDE CERTAIN LOCAL
GOVERNMENTAL POWERS UPON PETITION FROM OFFSHORE WIND
PROJECTS**

WHEREAS the New Jersey Legislature is currently considering legislation that would fast-track offshore wind energy projects by removing the ability of local governments to control power lines and other onshore components of offshore wind farms; and

WHEREAS the bill would amend the “Offshore Wind Economic Development Act” to authorize a qualified offshore wind project or an open access offshore wind transmission facility approved by the Board of Public Utilities (“Board”) to place, replace, construct, reconstruct, install, reinstall, add to, extend, use, operate, inspect, and maintain wires, conduits, lines, and associated infrastructure, whether underground or overhead, or within, under, or upon the public streets, thoroughfares, rights-of-way, or any other public property of any municipality, county or other instrumentality of the state; and

WHEREAS the bill also authorizes a qualified offshore wind project or an open access offshore wind transmission facility approved by the Board to file a petition with the Board seeking a determination that all municipal or county approvals, consents, or affirmative filings with other public entities required to construct the qualified offshore wind project are preempted and superseded, upon a finding by the Board that such municipal or county approvals, consents, or affirmative filings are reasonably necessary for the construction of the qualified offshore wind project; and

WHEREAS if the Board makes a determination preempting municipal or county action that is a condition of a permit or other approval of the Department of Environmental Protection or any other department or agency of the state, the department or agency may proceed to act without prior municipal or county approval, consent, or affirmative filing; and

WHEREAS the bill provides that a qualified offshore wind project approved by the Board is to be deemed an electric power generator for the purposes of the “Municipal Land Use Law” which would allow for an appeal of a Local Land Use Board decision to the Board; and

WHEREAS the bill further provides that a municipality, county or other instrumentality of the state may not prohibit, or charge a fee for, the use of public streets, thoroughfares, or rights-of-way for the aforementioned purposes, other than a fee for a road opening permit; and

WHEREAS the proposed development of offshore wind power projects has resulted in significant and growing concern throughout New Jersey’s coastal communities due to the potential negative environmental impact on New Jersey’s most pristine natural resource, as well as the detrimental impact on tourism, the recreational and commercial fishing industries and local property values; and

WHEREAS in spite of the economic and environmental concerns raised by a number of citizen groups and local governmental leaders, which have advocated for greater and more meaningful input in the review process, the legislature is considering Senate Bill No. 3926 which fast-tracks wind energy projects and preempts local government control; and

WHEREAS the governing body of the Borough of Harvey Cedars wishes to go on record as opposing Senate Bill No. 3926.

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

1. That the governing body does hereby oppose Senate Bill No. 3926 amending the “Offshore Wind Economic Development Act” and granting the Board of Public Utilities Authority to supersede certain local governmental powers upon petition from offshore wind projects.
2. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Governor, 9th District State Legislators, Ocean County Board of Commissioners, and all Long Beach Island Mayors.

PASSED ON: July 19, 2021

RESOLUTION #2021-073

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

WHEREAS a position of Police Officer for the Borough of Harvey Cedars has become available; and

WHEREAS the Director of Public Safety and the Chief of Police for the Borough of Harvey Cedars have recommended the Board of Commissioners appoint one (1) seasonal Class II Special Officer to the Harvey Cedars Police Department; and

WHEREAS interviews have been held and the best qualified candidate has been selected.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that Jonathan Rainier is hereby appointed as full-time Class II Special Law Enforcement Officer for the Borough of Harvey Cedars effective July 28, 2021.

PASSED ON: July 19, 2021

RESOLUTION #2021-074

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING APPLICATIONS FILED BY VERIZON WIRELESS FOR THE INSTALLATION OF SMALL WIRELESS FACILITIES PURSUANT TO CHAPTER 23 OF THE BOROUGH CODE

WHEREAS on January 22, 2021 New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”) filed applications pursuant to Chapter 23 of the Borough Code and the Borough designated said Verizon Applications as Nos. WF2021-01, 02, 03, 04, and 05; and

WHEREAS on March 15, 2021 Application Nos. WF2021-01, 02, 03 and 04 were denied; and

WHEREAS alternate locations have been submitted as Verizon Applications No. WF2021-06 and WF2021-07; and

WHEREAS Verizon Wireless has filed the required Chapter 23 application fees for the wireless communications facilities and all other required permit applications and fees; and

WHEREAS in accordance with the applicable Federal and State law, the requirements of the Code, and pursuant to the discretion granted to the Board of Commissioners by the Code, the Borough has elected to approve said applications as follows:

Application No. WF2021-06 – Site Location **1 E. 79th Street**, Block 79 Lot 1.03 – installation of new utility pole.

Application No. WF2021-07 – Site Location **12 Cedars Avenue**, Block 26 Lot 1, (across from 6501 Harvest Avenue) – remove existing pole and erect new replacement pole.

NOW, THEREFORE, BE IT RESOLVED based upon the foregoing Recitals, which are incorporated herein by reference, the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, State of New Jersey, hereby approves Verizon Wireless applications WF2021-06 and WF2021-07 as to all site locations stated hereinabove, provided that the installations comply with the requirements of the Code, including, but not limited to, the restrictions relating to the location of the existing utility poles and replacement utility poles.

PASSED ON: July 19, 2021

RESOLUTION #2021-076

July 19, 2021
10:48 AM

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
21-00142	02/16/21	ONEC0010	ONE CALL CONCEPTS INC	Monthly Mark Outs	Open	54.34	0.00 B
21-00247	03/12/21	GSACC005	THE AUTO PARTS CONNECTION	Shop Supplies	Open	30.29	0.00 B
21-00276	03/23/21	OXYGE010	OXYGEN SUPPLY COMPANY	Oxygen and acetylene rental	Open	49.00	0.00 B
21-00277	03/23/21	NESTL005	NESTLE WATERS NORTH AMERICAN	Spring water refills	Open	12.26	0.00 B
21-00329	04/13/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Dozers	Open	42.79	0.00 B
21-00330	04/13/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	police vehicles	Open	198.21	0.00 B
21-00342	04/13/21	MWC00010	M&W COMMUNICATIONS, INC	700/800 Radios	Open	21,337.62	0.00
21-00351	04/15/21	AMERI070	AMERICAN WEAR, INC.	dpw uniforms	Open	384.00	0.00 B
21-00365	04/19/21	STOF0010	ST OF NJ - PWT DIV OF TAXATION	Quarterly Water Tax	Open	96.91	0.00 B
21-00391	04/23/21	JOHNN010	JOHNNY ON THE SPOT, LLC	porta potty rental service	Open	362.50	0.00 B
21-00406	04/29/21	HOME0010	HOME DEPOT/GECF	park supplies	Open	17.98	0.00 B
21-00414	05/04/21	HOME0010	HOME DEPOT/GECF	b&g supplies	Open	21.89	0.00 B
21-00436	05/07/21	AGRAE005	AGRA ENVIRONMENTAL, INC	Samples	Open	112.00	0.00 B
21-00450	05/13/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Shop Supplies	Open	12.95	0.00 B
21-00496	05/28/21	WATER020	CORE & MAIN LP	Holly Ave Main Job	Open	14,792.18	0.00
21-00498	05/28/21	PALER010	FERGUSON ENTERPRISES	2" Meters	Open	1,946.94	0.00
21-00530	06/04/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	beach vehicles	Open	195.06	0.00 B
21-00552	06/10/21	DHYM0005	DHY MOTORSPORTS	LG QUAD	Open	7,861.00	0.00
21-00569	06/15/21	HOME0010	HOME DEPOT/GECF	Lifeguard supplies	Open	19.48	0.00 B
21-00570	06/15/21	HOME0010	HOME DEPOT/GECF	herbicide	Open	315.78	0.00
21-00590	06/22/21	MGLF0010	MGL FORMS-SYSTEMS	Current Fund Checks	Open	249.00	0.00
21-00620	06/29/21	FOLEY005	FOLEY, INCORPORATED	Skid steer Actuator	Open	1,349.85	0.00
21-00621	06/30/21	PCSL0005	PCS, LLC	Monthly Invoice - June servers	Open	262.96	0.00
21-00623	06/30/21	OXYGE010	OXYGEN SUPPLY COMPANY	oxygen and acetylene rental	Open	49.00	0.00 B
21-00625	06/30/21	CDI00010	C&D INSTRUMENT SERVICES	Instrument Repair- Lightning	Open	500.00	0.00
21-00630	07/01/21	ANCHO005	ANCHOR RUBBER STAMP & PRINTING	Notary Supplies	Open	63.40	0.00
21-00631	07/01/21	MUNC0010	MUN CLERKS ASS'N OF NJ	2021-2022 Membership Dues	Open	175.00	0.00
21-00643	07/07/21	JERSE035	JERSEY SHORE CCTV	Tower camera replacement	Open	599.00	0.00
21-00647	07/07/21	VOGUE005	VOGUE CONSTRUCTION CO., INC	black mulch	Open	160.00	0.00
21-00648	07/07/21	AMAZO005	AMAZON CAPITAL SERVICES, INC	Medical Supplies	Open	47.58	0.00
21-00649	07/07/21	AMAZO005	AMAZON CAPITAL SERVICES, INC	Medical Supplies	Open	100.30	0.00
21-00652	07/07/21	PAVIA005	PAVIA ENTERPRISES LLC	June Courier Service	Open	316.29	0.00
21-00653	07/07/21	MAGEL010	LINE SYSTEMS	Monthly Invoice	Open	1,679.40	0.00
21-00654	07/07/21	NJDC0010	NJ DCA	2nd Qtr 2021 permits surcharge	Open	1,039.00	0.00
21-00655	07/07/21	SREG0020	S REGIONAL BOARD OF EDUCATION	2021-2022 Reg. School Taxes	Open	250,826.67	0.00 B
21-00657	07/07/21	PETER020	PETERSON, BONNIE R	Prosecutor June 2021	Open	550.00	0.00
21-00658	07/07/21	ARMAN005	ARMANDO V. RICCIO, LLC	Legal Services	Open	2,012.50	0.00
21-00659	07/08/21	GSACC005	THE AUTO PARTS CONNECTION	Shop supplies	Open	34.69	0.00 B
21-00660	07/08/21	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Sts and Roads Vehicles	Open	108.34	0.00 B
21-00662	07/08/21	COMCA010	COMCAST CABLE	Monthly Invoice - w&s	Open	189.57	0.00
21-00663	07/08/21	MEADO020	MEADOWBROOK INDUSTRIES LLC	June Trash & Recycling	Open	33,161.49	0.00
21-00665	07/09/21	NESTL005	NESTLE WATERS NORTH AMERICAN	Water Delivery	Open	209.71	0.00
21-00667	07/12/21	NESTL005	NESTLE WATERS NORTH AMERICAN	Spring water refills	Open	19.28	0.00 B
21-00668	07/12/21	GERKE010	GERKENS, JUDITH E.	HOFNOD 2021 - Reimbursement	Open	100.00	0.00
21-00672	07/14/21	HOLMA010	HOLMAN FRENIA ALLISON PC	Consulting	Open	1,250.00	0.00
21-00673	07/14/21	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	152.08	0.00
21-00675	07/14/21	HIERI010	HIERING, GANNON & MC KENNA	June legal fees	Open	1,636.95	0.00
21-00676	07/14/21	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthly Advertising	Open	181.45	0.00
21-00677	07/14/21	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	89.87	0.00
21-00678	07/14/21	COUNT010	COUNTY OF OCEAN	Traffic Signal Maint 2nd qtr	Open	15.34	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
21-00679	07/14/21	DELA030 DELAWARE VALLEY PAYROLL, INC.	Payroll Processing Services	Open	574.20	0.00	
21-00680	07/14/21	QUINL005 QUINLAN, ESQ., KEVIN	June LUB Invoices	Open	550.00	0.00	
21-00682	07/14/21	TWPO010 TWP OF STAFFORD	June Animal Control	Open	278.50	0.00	
21-00684	07/14/21	MWC0010 M&W COMMUNICATIONS, INC	Repairs - Lightning strike	Open	1,533.30	0.00	
21-00685	07/14/21	STOF020 STATE TOXICOLOGY LABORATORY	Random Urine Test	Open	45.00	0.00	
21-00686	07/14/21	HOME010 HOME DEPOT/GECF	Streets and roads	Open	451.39	0.00	
21-00687	07/14/21	HOME010 HOME DEPOT/GECF	County Truck Parts	Open	107.51	0.00	
21-00688	07/14/21	CDI0010 C&D INSTRUMENT SERVICES	programming	Open	808.00	0.00	
21-00691	07/14/21	SANDP010 SANDPAPER	Water Quality Report Ad	Open	99.64	0.00	
21-00694	07/15/21	VERIZ030 VERIZON WIRELESS - CELL	Police Cell Phones	Open	266.44	0.00	
21-00695	07/16/21	GRIMS005 GRIMSTE, ANNA	Eyeglass reimbursement	Open	349.00	0.00	
21-00701	07/19/21	NJNA0020 NJ NATURAL GAS	Monthly Invoice -	Open	153.51	0.00	
21-00702	07/19/21	NJNA0020 NJ NATURAL GAS	Monthly Invoice -	Open	544.51	0.00	
21-00703	07/19/21	ATLAN030 ATLANTIC CITY ELECTRIC	Electric Water Charges	Open	6,357.05	0.00	
21-00704	07/19/21	ATLAN030 ATLANTIC CITY ELECTRIC	Electric - Current Charges	Open	4,863.74	0.00	
21-00705	07/19/21	OWEN010 OWEN, LITTLE & ASSOCIATES	Monthly Invoice	Open	400.00	0.00	

Total Purchase Orders: 66 Total P.O. Line Items: 0 Total List Amount: 362,373.69 Total Void Amount: 0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
Current Fund	1-01	335,375.04	0.00	335,375.04	0.00	0.00	335,375.04
Utility Operating	1-09	26,204.15	0.00	26,204.15	0.00	0.00	26,204.15
Year Total:		361,579.19	0.00	361,579.19	0.00	0.00	361,579.19
	T-13	294.50	0.00	294.50	0.00	0.00	294.50
Trust Fund	T-17	500.00	0.00	500.00	0.00	0.00	500.00
Year Total:		794.50	0.00	794.50	0.00	0.00	794.50
Total of All Funds:		362,373.69	0.00	362,373.69	0.00	0.00	362,373.69

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
21-00343	04/13/21	MWC0010 M&W COMMUNICATIONS, INC	700/800 Radios	Open	3,017.54	0.00	

Total Purchase Orders: 1 Total P.O. Line Items: 0 Total List Amount: 3,017.54 Total Void Amount: 0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
Current Fund	1-01	3,017.54	0.00	3,017.54	0.00	0.00	3,017.54
Total of All Funds:		3,017.54	0.00	3,017.54	0.00	0.00	3,017.54

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 July 19, 2021 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: July 19, 2021