

The regular meeting of the Board of Commissioners of the Borough of Harvey Cedars, NJ was called to order by Deputy Mayor Gerken at 4:33pm. Mayor Oldham was unable to attend. Commissioner Garofalo was present.

The Deputy 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 on December 13, 2018 in the Beach Haven Times and on December 29, 2018 in the Asbury Park Press.

**Motion** to approve the minutes of the previous meeting, August 2, 2019, was made by Commissioner Garofalo, seconded by Commissioner Gerken.

The Deputy 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 #2019-087:**

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING THE CANCELLATION OF TAXES RECEIVABLE**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerken

**RESOLUTION #2019-088:**

**AUTHORIZING LEASE AGREEMENT WITH SPRINT FOR COMMUNICATION FACILITIES ON THE BOROUGH'S WATER TOWER**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerken

**RESOLUTION #2019-089:**

**AUTHORIZING MEMBERSHIP RENEWAL IN THE CENTRAL JERSEY HEALTH INSURANCE FUND FOR DENTAL BENEFITS**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerken

**RESOLUTION #2019-090:**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

Commissioner Gerken commented every year we are audited and if anything is remiss the Auditors have findings; we passed with flying colors this year but did have 2 comments of things that needed to be fixed; both of them were not due to our new CFO, who found them and solved them before the audit; they were due to the CFO who left last year. The Commissioner commended the new CFO for her good work.

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerken

**RESOLUTION #2019-091: Bills**

Motion to adopt: Commissioner Garofalo  
Second: Commissioner Gerken

**Public Property Usage requests:**

1. A motion was made by Commissioner Garofalo, seconded by Commissioner Gerken, to approve the request to use Sunset Park ballfield to Brothers Lacrosse Camp on August 3-6, 2020 and August 10-13, 2020.
2. A motion was made by Commissioner Garofalo, seconded by Commissioner Gerken, to approve the request to use Sunset Park to Martyn Rushmore for soccer camps for 5 weeks in July & August of 2020 from 9am to 1pm.

3. A motion to table until more information is provided was made by Commissioner Garofalo, seconded by Commissioner Gerkens, for the request to use Sunset Park to Emmalee Swank for a private wedding on May 16, or 23 or 30, 2020 from 6am-11pm.

TOPICS OF INTEREST –

Commissioner Garofalo stated the Dog Day was this weekend, it was very hot, only a few incidents; about 1010 registered.

PRIVILEGE OF THE FLOOR –

The Comiso's from Compass Ave. stated the Commissioners were shown a video of the flood in their backyard on Compass and stated their concerns of the 79<sup>th</sup> Street bulkhead height that is causing the water to funnel into their yard, about 6 to 8 inches. The Commissioners will refer this to Public Works and the Borough Engineer.

**Motion** to adjourn: Commissioner Garofalo

Second: Commissioner Gerkens

Meeting adjourned at 4:47pm.

**RESOLUTION #2019-087**

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS AUTHORIZING  
THE CANCELLATION OF TAXES RECEIVABLE**

**WHEREAS** N.J.S.A. 54:4-99 authorizes a governing body to cancel taxes receivable and release the Tax Collector from the tax liability of such canceled taxes; and

**WHEREAS** the property owners listed below had filed an application of exemption, due to the Department of Veteran's Affairs determination of 100% military disability, of the taxes assessed by the Tax Assessor upon the listed properties which was not processed in the current tax duplicate; and

**WHEREAS** the property owners have not paid assessed taxes and are therefore not due any refund.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, and State of New Jersey that the Certified Tax Collector is hereby released from the tax liability of the following properties and is authorized to process the cancellation of property taxes as follows:

<b>Property Owner</b>	<b>Block</b>	<b>Lot</b>	<b>2019 taxes</b>	<b>2020 taxes</b>
Barry Putt	53	16	\$4,901.47	\$5,016.48
Marc Barbanell	14	5	\$4,879.09	\$4,993.58

PASSED ON: August 20, 2019

**RESOLUTION #2019-088**

**AUTHORIZING LEASE AGREEMENT WITH SPRINT FOR  
COMMUNICATION FACILITIES ON THE BOROUGH'S WATER TOWER**

**WHEREAS** a lease agreement for communication facilities was executed on June 1, 1999 with Sprint Spectrum, L.P., for an initial five (5) year term renewable for three (3) successive five (5) year periods, expiring June 2019; and

**WHEREAS** the Borough solicited bids by auction method for the leasing of a portion of the water tower, currently occupied by Sprint Spectrum (now known as T-Mobile), which were opened publicly on June 13, 2019 at 11:00am; and

**WHEREAS** the sole bidder Sprint Spectrum, L.P. submitted a bid for a lease amount payable to the Borough in the amount of \$30,000.00 for the first year with 3% annual increases; and

**WHEREAS** the Borough Engineer and Borough Solicitor have reviewed said bid and it is the desire of the Borough to accept said bid and authorize the execution of a new lease agreement subject to the bidder complying with the Engineer's and Solicitor's recommendations and approvals.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Harvey Cedars as follows:

1. The bid lease amount of \$30,000.00 with annual increases of 3% is hereby accepted from Sprint Spectrum, L.P. to operate communication facilities on the Borough Water Tower as per the bid documents submitted, copies of which are on file in the Municipal Clerk's office.
2. The Mayor and Municipal Clerk are hereby authorized to execute the lease agreement.

PASSED ON: August 20, 2019

**RESOLUTION #2019-089**

**AUTHORIZING MEMBERSHIP RENEWAL IN THE CENTRAL JERSEY HEALTH  
INSURANCE FUND FOR DENTAL BENEFITS**

**WHEREAS** a number of public entities in the State of New Jersey have joined together to form the Central Jersey Health Insurance Fund, hereafter referred to as “the FUND”, as permitted by NJAC 11:15-3, NJSA 17:1-8.1 and NJSA 40A:10-36 et seq.; and

**WHEREAS** the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

**WHEREAS** the statutes and regulations governing the creation and operation of a joint health insurance fund contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND; and

**WHEREAS** the governing body of the Borough of Harvey Cedars, hereinafter referred to as “LOCAL UNIT” has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars hereby agrees as follows:

- i. To renew membership with the FUND for the period outlined in the LOCAL UNIT’s Indemnity and Trust Agreement.
- ii. To participate in the Dental Insurance as defined pursuant to NJSA 17B:17-4, the FUND’s Bylaws, and Plan of Risk Management.
- iii. To adopt and approve the FUND’s Bylaws.
- iv. To execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND’s Bylaws, and to deliver these documents to the FUND’s Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

**BE IT FURTHER RESOLVED** that Judith Gerken, Commissioner of Revenue and Finance, is hereby appointed as Fund Commissioner to the Central Jersey Health Insurance Fund to represent the Borough of Harvey Cedars effective immediately.

PASSED ON: August 20, 2019

**RESOLUTION #2019-090**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS** NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS** the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to NJSA 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS** RS 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS** the Local Finance Board has promulgated NJAC 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

**WHEREAS** the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS** such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to NJAC 5:30-6.5; and

**WHEREAS** all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of RS 52:27BB-52, to wit:

RS 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Harvey Cedars hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

PASSED ON: August 20, 2019

**RESOLUTION #2019-091**

August 20, 2019  
01:47 PM

BOROUGH OF HARVEY CEDARS  
Bill List By P.O. Number

Page No: 1

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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

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-00161	02/22/18	LIBER015	LIBERTY OVERHEAD DOOR CO, INC	Repair Garage bay doors	Open	170.00	0.00 B
18-00225	03/14/18	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Sts & Rds vehicle repairs	Open	62.78	0.00 B
18-00661	07/25/18	PALER010	FERGUSON ENTERPRISES	Plumbing supplies	Open	7.69	0.00 B
19-00126	02/15/19	ONEC0010	ONE CALL CONCEPTS INC	Mark Outs	Open	58.26	0.00 B
19-00134	02/21/19	LAURE015	LAURENCE J WALSH	3rd shipment/ 22 trash frames	Open	1,404.00	0.00 B
19-00268	04/12/19	BUELL005	BUELL WETSUITS AND SURF, INC.	LIT paddle boards	Open	4,156.00	0.00
19-00329	05/07/19	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Lifeguard vehicle repair	Open	83.16	0.00 B
19-00342	05/09/19	HOLMA010	HOLMAN FRENIA ALLISON PC	2018 Audit	Open	16,100.00	0.00
19-00352	05/09/19	SREG0020	S REGIONAL BOARD OF EDUCATION	2019-2020 Reg. School Taxes	Open	227,201.92	0.00 B
19-00358	05/14/19	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	tools and supplies	Open	119.70	0.00 B
19-00480	06/13/19	PROFO005	PROFORMA	125th Promo Items	Open	550.00	0.00
19-00513	06/20/19	GRAIN010	GRAINGER, INC	Wardrobe Lockers	Open	853.44	0.00
19-00515	06/20/19	JRHE0010	J.R. HENDERSON LABS, INC.	Samples/PFNA's and bacteria	Open	1,245.00	0.00 B
19-00535	06/26/19	ATLAN120	ATLANTIC SWITCH AND GENERATOR,	Repair generators	Open	3,003.44	0.00
19-00584	07/05/19	OCUT0010	OC UTILITIES AUTHORITY	2019 3rd quarter payment	Open	45,438.75	0.00
19-00587	07/08/19	OXYGE010	OXYGEN SUPPLY COMPANY	oxygen& acetylene tank rental	Open	49.00	0.00 B
19-00594	07/11/19	HOME0010	HOME DEPOT/GECF	Bldgs & Grnds	Open	171.12	0.00 B
19-00621	07/16/19	LIBER010	LIBERTY PARKS & PLAYGROUNDS	parts for playground	Open	304.60	0.00
19-00622	07/16/19	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	Police vehicle maintenance	Open	363.91	0.00
19-00623	07/16/19	BEACH050	BEACH HAVEN AUTOMOTIVE, INC	tools & supplies	Open	350.65	0.00
19-00624	07/16/19	ACSH0010	AC SHULTES, INC.	Salem Well #4 Emergency Repair	Open	67,680.00	0.00
19-00626	07/16/19	WATCH005	WATCHUNG SPRING WATER CO, INC.	Spring water refills	Open	24.97	0.00 B
19-00652	07/22/19	AMERI070	AMERICAN WEAR, INC.	DPW uniforms	Open	247.92	0.00 B
19-00653	07/22/19	MRJOH005	MR. JOHN	Porta Potty rentals	Open	477.20	0.00 B
19-00659	07/23/19	SHORE060	SHORE PROMOTIONS	125th T's & Crab T's reorders	Open	483.00	0.00
19-00666	07/25/19	SHERW010	SHERWIN WILLIAMS	DPW Bldg. Paint	Open	237.61	0.00 B
19-00668	07/25/19	RRDON010	R.R. DONNELLEY	Vital Stat Safety paper	Open	31.50	0.00
19-00670	07/26/19	AMAZO005	AMAZON CAPITAL SERVICIES, INC	Police Supplies	Open	44.24	0.00
19-00677	07/29/19	DELAW030	DELAWARE VALLEY PAYROLL, INC.	Payroll Processing Services	Open	710.70	0.00
19-00679	07/30/19	COMCA010	COMCAST CABLE	Monthly Invoice	Open	255.94	0.00
19-00682	07/31/19	ANCHO005	ANCHOR RUBBER STAMP & PRINTING	Notary Supplies	Open	56.95	0.00
19-00692	08/01/19	EAGLE025	EAGLES LAKE RESERVE, INC	I5 for beach walkovers	Open	278.46	0.00 B
19-00693	08/01/19	JERSE035	JERSEY SHORE CCTV	Repair broken camera wire	Open	268.50	0.00
19-00694	08/01/19	QUILL010	QUILL CORPORATION	Copy Paper	Open	104.97	0.00
19-00695	08/01/19	OCRO0010	OC ROAD DEPARTMENT	Patch for roads	Open	1,210.00	0.00
19-00696	08/01/19	AMAZO005	AMAZON CAPITAL SERVICIES, INC	Adobe Acrobat Pro Software	Open	1,347.00	0.00
19-00698	08/05/19	LIFEFO05	LIFEFORCE USA, INC	CPR/ First Aid/ Rescue Fins	Open	1,627.00	0.00
19-00700	08/05/19	GERKE020	GERKENS, KEVIN	bal.of 2019 Clothing allowance	Open	129.52	0.00
19-00701	08/05/19	L-3M0010	L-3 MOBILE VISION	992 MVR repair	Open	560.00	0.00
19-00702	08/05/19	SHORE060	SHORE PROMOTIONS	LIT Tournament Tshirts	Open	2,186.25	0.00
19-00703	08/05/19	LACEY005	LACEY COURIER & TRANSPORTATION	Courier Svcs July 2019	Open	340.62	0.00
19-00704	08/05/19	ARMAN005	ARMANDO V. RICCIO, LLC	Legal Services	Open	49.50	0.00
19-00705	08/06/19	PETER010	PETERSEN, THERESA E.	Reimbursement for 125th games	Open	152.45	0.00
19-00708	08/06/19	INSTI020	INSTITUTE FOR FORENSIC PSYCHOL	Amanda white Psyc Eval	Open	425.00	0.00
19-00709	08/06/19	MANAH010	MANAHAWKIN MAGIC WASH	Vehicle wash	Open	39.25	0.00
19-00710	08/06/19	COMCA010	COMCAST CABLE	Monthly Invoice	Open	9.97	0.00
19-00712	08/07/19	COPS0005	C.O.P.S.	Butler - Training	Open	229.00	0.00
19-00714	08/07/19	SHORE020	SHORE BUSINESS SOLUTIONS	Copier Maintenance Fees	Open	410.33	0.00
19-00715	08/07/19	DYNAM010	DYNAMIC TESTING SERVICE	Pre-employment & Random tests	Open	55.00	0.00
19-00716	08/08/19	HIERI010	HIERING, GANNON & MC KENNA	July legal fees	Open	3,516.95	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
19-00718	08/10/19	MAGEL010	LINE SYSTEMS	monthly invoice	Open	1,571.18	0.00	
19-00719	08/10/19	MEADO020	MEADOWBROOK INDUSTRIES LLC	June Trash & Recycling	Open	24,550.54	0.00	
19-00720	08/12/19	WATER020	WATER WORKS SUPPLY COMPANY	replacement 100W Erts	Open	3,792.00	0.00	
19-00721	08/12/19	EAGLE025	EAGLES LAKE RESERVE, INC	I5 for beach paths	Open	294.87	0.00 B	
19-00723	08/13/19	SNYDE010	SNYDER ESQ, STUART D	Monthly Invoice	Open	375.00	0.00	
19-00724	08/13/19	ERSKI005	ERSKINE, LISA A.	Borough Hall Cleaning	Open	600.00	0.00	
19-00726	08/13/19	BAYTR005	BAY TRANSMISSION SVC, INC	#995 tow & diagnostics	Open	925.57	0.00	
19-00729	08/14/19	WATCH005	WATCHUNG SPRING WATER CO, INC.	Water Bottle Delivery	Open	105.88	0.00	
19-00730	08/14/19	TRUES005	TRUE SECURITY DESIGN LLC	Training	Open	239.00	0.00	
19-00731	08/14/19	INSTI020	INSTITUTE FOR FORENSIC PSYCHOL	Psychological Eval - Grundtisc	Open	425.00	0.00	
19-00732	08/14/19	THIS0010	THIS & THAT UNIFORMS	Uniforms - Grundtisch	Open	490.95	0.00	
19-00733	08/14/19	VERIZ040	VERIZON WIRELESS MDTs	Police MDT's	Open	160.04	0.00	
19-00735	08/15/19	ATLAN030	ATLANTIC CITY ELECTRIC	Monthly Invoices	Open	8,787.40	0.00	
19-00736	08/15/19	ATLAN030	ATLANTIC CITY ELECTRIC	Monthly Invoice	Open	5,264.75	0.00	
19-00737	08/15/19	NJNA0020	NJ NATURAL GAS	Monthly Invoices	Open	184.61	0.00	
19-00738	08/15/19	NJNA0020	NJ NATURAL GAS	Monthly Invoice	Open	69.62	0.00	
19-00740	08/15/19	VERIZ030	VERIZON WIRELESS - CELL	Police Cell Phones	Open	256.59	0.00	
19-00741	08/15/19	TWPO0010	TWP OF STAFFORD	July animal control	Open	278.50	0.00	
19-00743	08/15/19	BOROU020	BOROUGH OF SHIP BOTTOM	LIT Tournament	Open	350.00	0.00	
19-00744	08/16/19	WATCH005	WATCHUNG SPRING WATER CO, INC.	Water Delivery	Open	50.91	0.00	
19-00746	08/19/19	MONTA005	MONTAG, WILLIAM	USB for Salem Computer reimb.	Open	26.65	0.00	
19-00753	08/20/19	GANNE010	GANNETT NEW JERSEY NEWSPAPERS	Monthly Advertising	Open	194.16	0.00	
19-00754	08/20/19	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Engineering Invoices	Open	2,936.42	0.00	
19-00755	08/20/19	COMCA010	COMCAST CABLE	Monthly Invoice	Open	137.97	0.00	
19-00756	08/20/19	OWEN0010	OWEN, LITTLE & ASSOCIATES	Monthly Invoices	Open	560.00	0.00	
19-00757	08/20/19	COMCA010	COMCAST CABLE	Monthly Invoice	Open	152.97	0.00	
Total Purchase Orders:		76	Total P.O. Line Items:	0	Total List Amount:	437,663.80	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	8-01	1,644.47	0.00	1,644.47	0.00	0.00	1,644.47
Current Fund	9-01	294,711.85	0.00	294,711.85	0.00	0.00	294,711.85
Utility Operating	9-09	63,949.99	0.00	63,949.99	0.00	0.00	63,949.99
Year Total:		358,661.84	0.00	358,661.84	0.00	0.00	358,661.84
General Capital F	C-04	433.88	0.00	433.88	0.00	0.00	433.88
Utility Capital F	C-08	68,030.00	0.00	68,030.00	0.00	0.00	68,030.00
Year Total:		68,463.88	0.00	68,463.88	0.00	0.00	68,463.88
Trust Fund	T-17	8,893.61	0.00	8,893.61	0.00	0.00	8,893.61
Total of All Funds:		437,663.80	0.00	437,663.80	0.00	0.00	437,663.80

**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 August 20, 2019 be paid upon verification by the Chief Financial Officer that sufficient funds are available for the payment of the same.

PASSED ON: August 20, 2019