

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 15, 2016 and the Asbury Park Press on December 10, 2016.

Motion to approve the minutes of the previous meeting, October 6, 2017, was made by Commissioner Gerkens, seconded by Commissioner Garofalo.

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 #2017-105:

RESOLUTION OF THE BOROUGH OF HARVEY CEDARS TO CANCEL TAXES RECEIVABLE DUE TO ERRONEOUS TAX ASSESSMENT

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-106:

DESIGNATING BANK SIGNATORIES FOR THE OPEN SPACE TRUST FUND

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

RESOLUTION #2017-107:

RESOLUTION URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-108:

AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT FOR THE PROVISION OF MUNICIPAL COURT SERVICES

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

RESOLUTION #2017-109: Bills

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

Public Property Usage requests:

1. Birthday Party – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Brigitte Easi for a child's birthday party on Saturday, October 21, 2017 from 11am to 5pm.

2. Wedding Ceremony – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Mary Kay Helm for a wedding ceremony on Saturday, May 5, 2018 from 1:30pm to 3:15pm.

3. Wedding Ceremony – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Kristin Leaf for a wedding ceremony on Saturday, August 25, 2018 from 2:30pm to 6pm.

4. Wedding Ceremony & Reception – Sunset Park

A motion was made by Commissioner Garofalo, seconded by Commissioner Gerkens, to approve the request to use Sunset Park to Marlana Moore for a wedding ceremony and reception on Saturday, September 22, 2018 from 2pm to 9:30pm.

TOPICS OF INTEREST –

Mayor Oldham stated the beach project was awarded and will be completed by next spring for Harvey Cedars, Surf City and part of Long Beach.

Mayor Oldham mentioned to Chief Burnaford he saw the sign board that stated paving will begin in Loveladies; this was confirmed by the Chief. The Mayor also asked if the Chief knew the schedule for the gas pipe installation (along Long Beach Blvd.). The Chief heard a rumor it will take place in the spring.

PRIVILEGE OF THE FLOOR –

Carol Dunn, Linda Feaster and Judy Bowden from the Friends of the Library thanked the Board for their support and proclamation passed last meeting. Ms. Dunn stated the Friends is an organization of community members whose mission is to foster awareness of the Island branch of the Ocean County Library as an education and cultural asset to our community and to enhance its facilities, services and programs. Most recently the Friends provided the electronic sign and 2 scholarships. The Mayor stated we are fortunate to have them on the Island; they do a great job and provide great services.

Motion to adjourn: Commissioner Garofalo

Second: Commissioner Gerkens

Meeting adjourned at 4:40pm.

RESOLUTION #2017-105

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS TO CANCEL
TAXES RECEIVABLE DUE TO ERRONEOUS TAX ASSESSMENT**

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 listed below has been assessed added taxes in error; and

WHEREAS the property owner has not paid assessed taxes and is 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 property and authorized to process the cancellation of property taxes as follows:

Block	Lot	2017 taxes	2018 taxes
36	1	\$111.30	\$166.95

PASSED ON: October 17, 2017

RESOLUTION #2017-106

DESIGNATING BANK SIGNATORIES FOR THE OPEN SPACE TRUST FUND

WHEREAS OceanFirst Bank was designated as an official depository for the Borough of Harvey Cedars for the year 2017; and

WHEREAS the Borough desires to establish a new banking account entitled “Open Space Trust” with authorized signors being the Mayor, Commissioner of Finance, Commissioner of Public Safety, Municipal Clerk and Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars, County of Ocean, that the following are hereby authorized to be signors of the Open Space Trust as per the Municipal Agreement with OceanFirst Bank, copy of which is on file with the Borough Clerk:

1. Jonathan Oldham, Mayor
2. Judith Gerkens, Commissioner of Finance
3. Michael Garofalo, Commissioner of Public Safety
4. Daina Dale, Municipal Clerk
5. Laura Cohen, Chief Financial Officer

PASSED ON: October 17, 2017

RESOLUTION #2017-107

RESOLUTION URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS

WHEREAS local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS salary costs, to a great extent, drive property tax increases; and

WHEREAS in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date; and

WHEREAS if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Harvey Cedars urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Assemblywoman DiAnne Gove, Assemblyman Brian Rumpf, Senator Christopher Connors, Senate President, Assembly Speaker, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

PASSED ON: October 17, 2017

RESOLUTION #2017-108

**AUTHORIZING AMENDMENT TO THE SHARED SERVICE AGREEMENT
FOR THE PROVISION OF MUNICIPAL COURT SERVICES**

WHEREAS the Borough of Harvey Cedars entered into a Shared Services agreement with the Borough of Beach Haven for the provision of certain administrative services related to the management of the municipal court and designating the Borough of Beach Haven as lead agency effective September 1, 2014 for a period of four (4) years; and

WHEREAS amendments to Schedule A regarding personnel need to be made to said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Harvey Cedars that the attached Schedule A is hereby approved effective immediately and copies of this Resolution shall be sent to the Borough of Beach Haven.

PASSED ON: October 17, 2017