

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 17, 2017, was made by Commissioner Garofalo, seconded by Commissioner Gerkens.

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 #2017-27 SECOND READING**

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER XIII ENTITLED "ZONING" AS IT PERTAINS TO OCEANFRONT IMPERVIOUS COVERAGE**

Motion to open public discussion: Commissioner Gerkens

Second: Commissioner Garofalo

Kathy Peters, 11 East 80<sup>th</sup> Street, asked to explain the ordinance. Mayor Oldham explained: an ordinance was passed a number of years ago to only allow a certain percentage of a lot to be covered with pavers; this allows water to percolate on the remainder of the lot. Oceanfront properties are allowed to use anything (within their property line) that is over the building line in the calculation of square footage for their house. If that same calculation is applied to the calculation of pavers, then everything is being covered with pavers on the usable property (behind the building line); we don't want run off issues, we want a portion of the property to absorb the water. This ordinance will make the calculation for pavers the same for everyone, 65% of the lot behind the building line can be impervious coverage.

*(Clerk's note: impervious coverage shall not exceed 75%)*

Motion to close public discussion: Commissioner Garofalo

Second: Commissioner Gerkens

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

Vote: Ayes – Oldham, Garofalo, Gerkens

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 #2017-110:**

**AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE**

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

**RESOLUTION #2017-111:**

**AUTHORIZING TRANSFER OF FUNDS**

Motion to adopt: Commissioner Gerkens

Second: Commissioner Garofalo

**RESOLUTION #2017-112: Bills**

Motion to adopt: Commissioner Garofalo

Second: Commissioner Gerkens

## TOPICS OF INTEREST –

Chief Burnaford reported the repaving of the Boulevard in Loveladies will start next week. He announced the Police Department is participating in the “No Shave November” campaign to raise awareness and fight cancer. The Harvey Cedars Officers chose to have all donations go to the University of Penn, where the Chief’s mother, is being treated for cancer. Donations can be made by visiting the police department’s website.

Kathy Peters, asked about the beach replenishment. The Mayor gave an update on his department: paving and drainage will begin on a section of South Holly first, then 85<sup>th</sup> and 86<sup>th</sup> Streets will have drainage improvements and be paved; South Holly should start in about 2 weeks and all should be completed by December 15; mailboxes should be stuffed to notify residents and the Mayor asked the Taxpayers’ Association to send an email out also. The chlorination pipe project at the Salem Ave. water plant should start the beginning of December. The beach project has been awarded and is expected to be completed before May; the Mayor is working on a design to make the walkovers wider to get machines up and down; the project will replace what was there before; the contractor has the prerogative on where to start the project.

## PRIVILEGE OF THE FLOOR –

Jim Loudon asked if Long Beach Township has given any financial data on the trolley since the town contributes to it and now they will be charging a fare. The Mayor said that is what the question will be next week (Election Day) whether or not to charge a fair; he believes if the question does not pass the trolley services will be over; the Township is not allowed to change from a free service to a charging service without a vote. He stated Long Beach is putting out about \$250K, all the other towns contribute \$10k each; the Mayor asked the Clerk to contact Township for more information on the financials.

Commissioner Gerken stated there are still tickets available for the Wine Tasting Event tomorrow night at the Firehouse.

**Motion** to adjourn: Commissioner Garofalo  
Second: Commissioner Gerken

Meeting adjourned at 4:50pm.

**RESOLUTION #2017-110**

**AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE  
BOROUGH OF HARVEY CEDARS NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS** pursuant to NJSA 40A:11-36 the governing body may by resolution authorize the sale of personal property no longer needed for public use by sealed bid or public auction; and

**WHEREAS** pursuant to Local Finance Notice No. 2008-09 a public auction is authorized to be held with an online vendor; and

**WHEREAS** the Borough of Harvey Cedars is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS** the Board of Commissioners is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Municipal Clerk.

(2) The sale will be conducted online and the address of the auction site is www.govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

- a. 2011 Ford Crown Victoria
- b. Herd seeder
- c. Air Compressor
- d. Beach badges

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Harvey Cedars reserves the right to accept or reject any bid submitted.

PASSED ON: November 3, 2017

**RESOLUTION #2017-111**

**AUTHORIZING TRANSFER OF FUNDS**

**WHEREAS** the date of this resolution is within the last two months of the calendar year 2017, and the first three months of the calendar year 2018; and

**WHEREAS** N.J.S.A. 40A:4-58 provides for the making of transfers between budget appropriations during the five month period beginning November.

**NOW, THEREFORE, BE IT RESOLVED** (Not less than two-thirds of all members of the governing body affirmatively confirming) that the following transfers be and the same hereby are made between budget appropriations accounts in the 2017 budget.

<b><u>CURRENT</u></b>		<b><u>FROM:</u></b>	<b><u>TO:</u></b>
Engineering Expense	7-01-20-165-000-200		\$6,500.00
Vehicle Maintenance	7-01-26-315-000-200		\$3,500.00
Tax Assessor Other Exp	7-01-20-150-000-220	\$5,000.00	
Legal Expense	7-01-20-155-000-270	\$5,000.00	

PASSED ON: November 3, 2017