

MINUTES OF THE REGULAR SESSION
STONE HARBOR PLANNING BOARD

January 24, 2011

7:00 p.m.

CALL TO ORDER:

The meeting was called to order by Mr. Conte, who stated that all requirements of the “Open Public Meetings Act of 1975” had been met.

ROLL CALL:

Planning Members Present

Perry Conte
Mayor Suzanne Walters
Kenneth Hawk
Albert Carusi
Wayne Conrad

Board Solicitor

Andrew Catanese

Board Secretary

Patricia H. Wagner

Alternates Present

Robert Ashman
Julian Miraglia

Absent

Thomas Hand
Joanne Mascia, Zoning Officer

Nomination for 2011 Board Chairman

Motion by Mr. Hawk and seconded by Mr. Miraglia to appoint Thomas Hand as Board Chairman.

Affirmative votes: Mayor Walters, Mr. Hawk, Mr. Conte, Mr. Conrad and Mr. Carusi, Mr. Ashman and Mr. Miraglia.

Nomination for 2011 Board Vice Chairman

Motion by Mr. Carusi and seconded by Mr. Ashman to appoint Perry Conte as Board Vice Chairman.

Affirmative votes: Mayor Walters, Mr. Hawk, Mr. Conte, Mr. Conrad and Mr. Carusi, Mr. Ashman and Mr. Miraglia.

Approve Minutes

Motion by Mr. Hawk and seconded by Mr. Conrad to approve the minutes of the December 13, 2010 regular session.

Affirmative votes: Mayor Walters, Mr. Hawk, Mr. Conte, Mr. Conrad and Mr. Carusi, Mr. Ashman and Mr. Miraglia.

Nomination for 2011 Board Solicitor

Motion by Mr. Miraglia and seconded by Mr. Ashman to appoint Andrew Catanese as Board Solicitor.

Affirmative votes: Mayor Walters, Mr. Hawk, Mr. Conte, Mr. Conrad and Mr. Carusi, Mr. Ashman and Mr. Miraglia.

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Resolution 2011-001 - 2011 Solicitor Contract

Motion by Mr. Hawk and seconded by Mr. Miraglia to approve Resolution 2011-011 appointing Andrew Catanese as Board Solicitor.

WHEREAS, the Planning Board of the Borough of Stone Harbor, Cape May County, New Jersey, is a contracting unit as defined by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, there exists a need for legal services for the Planning Board's business from time to time, which services are professional services as defined in said law; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contract Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Stone Harbor, Cape May County, New Jersey, as follows:

1. Andrew D. Catanese, Esquire (Monzo Catanese, P.C.) is appointed to the position of Planning Board Solicitor.

2. The Chairperson and Secretary of the Planning board are hereby authorized and directed to enter into an agreement with Andrew D. Catanese, Esquire, for the performance of such services, for the calendar year 2011 as set forth on the attached EXHIBIT A.

3. This contract will be awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because it is a contract for services performed by a person authorized by law to practice a recognized profession and that it was not possible to obtain competitive bids.

4. A copy of this resolution shall be published in the Borough's official newspaper, as required by law, within ten (10) days of its passage.

5. A copy of the Resolution and any contract pursuant hereto are on file and available for public inspection in the Office of the Clerk of the Borough of Stone Harbor.

Affirmative votes: Mayor Walters, Mr. Hawk, Mr. Conte, Mr. Conrad and Mr. Carusi, Mr. Ashman and Mr. Miraglia.

Board Discussion

Mayor Walters noted that she is interested in the possibility of combining the Planning and Zoning Board of Adjustment into one combined land use board. She is waiting for more information from Council Solicitor Donohue on how this could be achieved. Mayor Walters asked for comments from Mr. Catanese. He stated the combined board could have nine members and up to four alternates. Zoning cases requesting a "D" variance would prohibit the Mayor, Council Member and the Municipal Employee from hearing the case. While there are no costs savings to the Borough, a combined board would allow for an applicant to have an optimum number of board members to hear a "D" variance request. One negative would be for the combined board to meeting at a minimum of twice a month, if not more for planning work sessions. This requires a greater commitment from the members to be willing to attend scheduled meetings. A positive is that it does allow for members to see their impact on the entire zoning process, from the planning stages through implementation of zoning laws & the requests

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for variance relief. There are several municipalities in Cape May County, Avalon, West Cape May, Dennis Township, and Wildwood that already have combined boards.

Mr. Catanese gave a summary of the Planning committee for zoning revisions. The committee is still a couple months away from having a draft available for the Planning Board's review. He noted that Mr. Cope, who has stepped down as the Council Liaison, has agreed to stay on the committee. Mr. Carusi, the new Council Liaison, will join the committee.

Mr. Conte would like for the Board to begin working on Phase Two, implementing the suggestions from the Master Plan. Mr. Catanese feels this could be done, but stated he is hesitant because there is a lot for the Board to review and clean-up on Phase One. Mr. Conte feels it might be easier if the Board started working on Phase Two now rather than waiting and becoming overwhelmed at a later date.

The Planning Board would like to receive a copy of the annual report the Zoning Board of Adjustment files with the Borough Council. The Board Secretary will request this from the Secretary to the Zoning Board.

Mayor Walters reported Governor Christie had recently vetoed Senate Bill S-1, amending COAH regulations. COAH is at a standstill.

There has been no recent action on the building of the Stone Harbor branch of the CMC Library.

Public Comment

None

Old Business

None

New Business

None

ADJOURNMENT

Having no further business at hand Mr. Conte called for a motion to adjourn the meeting.

A motion to adjourn the meeting by Mr. Miraglia and seconded by Mr. Hawk. All members present voted in the affirmative.

APPROVED: February 28, 2011

ATTESTED: _____

Patricia H. Wagner, Secretary Stone Harbor Planning Board