

**MINUTES OF THE ORGANIZATION MEETING
OF MAYOR AND COUNCIL OF THE BOROUGH
OF STONE HARBOR HELD IN THE MUNICIPAL
BUILDING, JANUARY 5, 2010**

The meeting was called to order by Councilmember Mayor Suzanne M. Walters at 7:00 p.m.

ROLL CALL

Kenneth J. Hawk, Administrator
Suzanne C. Stanford, Borough Clerk
Michael J. Donohue, Solicitor
James G. Nicola, CFO

PRESENT

Councilmembers
Randall S. Bauer
Joanne Vaul
Thomas Cope
Barry D. Mastrangelo

The meeting is now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press the Herald and Gazette Leader on December 17, 2009.

Monsignor Quinn conducted the prayer.

Members of Boy Scout Troop # 73 of West Cape May conducted the Salute to the Flag.

The Clerk read the election results from the General Election held on November 3, 2009:

Judith M. Davies-Dunhour 263+78 = 341
Joan T. Kramar 257-74 = 331

Mayor Walters introduced Sheriff Gary Schaffer and requested Judith Davies-Dunhour to come forward and be sworn in as a Councilmember by him.

Mayor Walters requested Joan T. Kramar to come forward and be sworn in as Councilmember by the Borough Clerk.

Mayor Walters presented outgoing Councilmember, Brian Levinson, with a plaque and expressed her appreciation of his dedication, time and service. Mayor Walters stated that outgoing Councilmember, Karl A. Giulian, was unable to attend tonight's meeting and hopefully will be at the next Council meeting.

NOMINATIONS, PRESIDENT OF COUNCIL

Upon motion of Councilmember Joanne Vaul
Seconded by Councilmember Thomas Cope

That Barry D. Mastrangelo be nominated as President of Council.

Upon motion of Councilmember Thomas Cope
Seconded by Councilmember Joanne Vaul

That the nominations for President of Council be closed.

Vote 6 Councilmembers AYE

Mayor called for a roll call vote on Councilmember Mastrangelo as President of Council.

Vote 6 Councilmembers AYE

Barry D. Mastrangelo will be President of Council for the year 2010.

ROBERT'S RULES OF ORDER

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Thomas Cope

That Robert's Rules of Order, as revised, shall apply to governing the Borough Council of the Borough of Stone Harbor for the year 2010.

Vote **6 Councilmembers AYE**

At this time the Mayor announced the Standing Committees for 2010.

ADMIN & FINANCE	Joanne Vault, Chairman Barry D. Mastrangelo Tom Cope
PUBLIC WORKS	Barry D. Mastrangelo, Chairman Randall S. Bauer Joan Kramar
BEACH & RECREATION	Judy Davies-Dunhour, Chairman Joan Kramar Joanne Vault
PUBLIC SAFETY	Thomas Cope, Chairman Judy Davies-Dunhour Barry D. Mastrangelo
NATURAL RESOURCES	Randall S. Bauer, Chairman Thomas Cope Joanne Vault
UTILITIES	Joan Kramar, Chairman Randall S. Bauer Judy Davies Dunhour

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Barry D. Mastrangelo

That the Standing Committees for the year 2010 be confirmed.

Vote **5 Councilmembers AYE**
1 Councilmember NAY (Councilmember Kramar)

Non-Board Appointments

Mayor Walters announced her non-board appointments for 2010:

Borough Administrator	Kenneth J. Hawk
Borough Clerk	Suzanne C. Stanford
Deputy Borough Clerk	Lisa Stafankiewicz
Municipal Assessment Certification Officer	Suzanne C. Stanford
Director of Finance	James G. Nicola
Tax Search Officer	Kathryn L. McClure
Deputy Tax Assessor	Harry Supple
Construction Official	Michael Koochembere
Director of Public Works	Gregory Sheeran
Recycling Coordinator	Linda Horvat
Clean Comm Act Coordinator	Linda Horvat
Deputy OEM	Roger Stanford
Zoning Officer	Joanne Mascia
Municipal Court Administrator	Pamela Davidson
Deputy Court Administrator	Deborah Scott

Organization Meeting, January 5, 2010

Uniform Fire Code Official	Roger Stanford
Fire Inspector	Michael R. Scheeler
Fire Inspector	Roger Stanford
Registrar of Vital Statistics	Suzanne C. Stanford
Deputy Registrar	Lisa Stafankiewicz
Beach Patrol Captain	Stephen Bosacco
Beach Tag Supervisor	Susie Voll
Recreation Director (summer & winter)	Van Cathcart
Art & Craft Show Director	John Atwood
Tourism Director	Joann DeIVescio

Upon motion of Councilmember Tom Cope
Seconded by Councilmember Barry D. Mastrangelo

That the Non-Board Appointments be confirmed

Vote 6 Councilmembers AYE

BOARD APPOINTMENT LIST 2010

MUNICIPAL ADV RECREATION BOARD

Eric Ruef	4 year term	1/5/2010 - 12/31/2013
James Hand	4 year term	1/5/2010 - 12/31/2013
Deborah Orzech	4 year term	1/5/2010 - 12/31/2013
Jean Miersch	unexpired term (Vaul	1/2/2008 – 12/31/2011
Rodney Tice	unexpired term (Burns)	1/2/2007 – 12/31/2010

PLANNING BOARD

Mayor (Class I)	term	1/5/2010 - 12/31/2012
Councilmember (Class II)	1 year term	1/5/2010 - 12/31/2010
Kenneth Hawk (Employee)	1 year term	1/5/2010 - 12/31/2010
Wayne Conrad	unexpired term (Burns)	1/5/2010 – 12/31/2010

ZONING BOARD OF ADJUSTMENT

Alan Kaplan (Alt #1)	2 year term	1/5/2010 - 12/31/2011
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BOARD OF HEALTH

Frank D'Elia	3 year term	1/5/2010 - 12/31/2012
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AMUSEMENT LICENSING

Kenneth J. Hawk	1 year term	1/5/2010 - 12/31/2010
Patti Wagner	1 year term	1/5/2010 - 12/31/2010
Debbie Scott	1 year term	1/5/2010 - 12/31/2010

BIRD SANCTUARY COMMITTEE

Ilene Eberly (Wetlands)	3 year term	1/5/2010 - 12/31/2012
Lois Hamilton (Wetlands)	3 year term	1/5/2010 - 12/31/2012
Michael Runyon (Employee)	1 year term	1/5/2010 - 12/31/2010

BUSINESS ADVISORY COMMITTEE

Perry Conte	3 year term	1/5/2010 - 12/31/2012
David Hoy	3 year term	1/5/2010 - 12/31/2012
Josh Miller	3 year term	1/5/2010 - 12/31/2012

Councilmember (all 1 year terms)

Municipal Advisory Recreation Board – Judy Davies-Dunhour

Board of Health - Randall S. Bauer

Bird Sanctuary Committee - Randall S. Bauer

Business Advisory Committee - Barry D. Mastrangelo

Organization Meeting, January 5, 2010

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

That the Board Appointments for 2010 be confirmed.

Vote 6 Councilmembers AYE

NOMINATIONS FOR COUNCIL REPRESENTATIVE TO PLANNING BOARD

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Barry D. Mastrangelo

That Councilmember Tom Cope be nominated as Council representative to the Planning Board for the year 2010.

Mayor Walters asked if there were any other nominations, there being none, she closed the nominations.

Vote on Councilmember Tom Cope as representative to the Planning Board.

6 Councilmembers AYE

Councilmember Tom Cope will be the Council Representative to the Planning Board for the year 2010.

ORDINANCE 1352 (Salary Ordinance)

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Barry D. Mastrangelo

That Ordinance 1352 be taken up on first reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1352 on first reading.

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Barry D. Mastrangelo

That Ordinance 1352 be passed on first reading, published according to law and that it be taken up on second, third and final reading, and adoption at a meeting of Mayor and Council to be held on the 2nd day of February, 2010.

Vote 6 Councilmembers AYE

ORDINANCE 1353 (Zoning – Exception for Affordable Housing)

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

That Ordinance 1353 be taken up on first reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1353 on first reading.

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

Organization Meeting, January 5, 2010

That Ordinance 1353 be passed on first reading, published according to law and that it be taken up on second, third and final reading, and adoption at a meeting of Mayor and Council to be held on the 2nd day of February, 2010.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-1 (Temporary Budget)

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Barry D. Mastrangelo

**A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS
FOR THE YEAR 2010**

WHEREAS, N.J.S. 40A:4-19 of the Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the adoption of the 2010 budget temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, the date of this Resolution is within the first 31 days of January, 2010 and

WHEREAS, 26.25% of the total appropriations in the year 2009 budget, exclusive of any appropriation made for the relief of the poor and interest and redemption charges in the 2009 budget is the sum of \$2,493,364.66 for current expenses; and \$568,281.26 for the dedicated section of the Water and Sewer Budget which is more than the amount required, now

BE IT RESOLVED that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records:

1. GENERAL GOVERNMENT

General Administration

Salaries & Wages	19,000
Other Expense	10,000

Mayor and Council

Salaries & Wages	11,000
Other Expenses	14,500

Municipal Clerk

Salaries & Wages	38,725
Other Expenses	4,800

Financial Administration

Salaries & Wages	33,200
Other Expenses	12,000

Assessment of Taxes

Salaries & Wages	7,000
Other Expense	4,500

Collection of Taxes

Salaries & Wages	14,200
Other Expense	2,500

Legal Services & Costs

Salaries & Wages	10,700
Other Expense	20,000

Engineering Services

Other Expenses	7,000
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Organization Meeting, January 5, 2010

	Zoning Board Costs		
	Salaries & Wages	7,500	
	Other Expenses	2,500	
	Planning Board		
	Salaries & Wages		1,000
	Other Expenses		7,000
	Insurance		
	Group Insurance		400,000
	Other Insurance		95,000
2.	PUBLIC SAFETY		
	Fire		
	Other Expense		52,000
	Police		
	Salaries & Wages		400,000
	Other Expense		25,000
	Prosecutor		
	Salaries & Wages		5,000
	Uniform Fire Code Official		
	Salaries & Wages		20,300
	Other Expenses		3,100
	Construction Code Official		
	Salaries & Wages		42,000
	Other Expenses		3,000
	Office of Emergency Management		
	Salaries & Wages		1,700
	Other Expenses		1,600
	Municipal Court		
	Salaries & Wages		35,000
	Other Expenses		4,000
	Natural Resources		
	Other Expenses		5,000
3.	PUBLIC WORKS		
	Public Works		
	Salaries & Wages		180,000
	Other Expenses		35,000
	Solid Waste Collection		
	Salaries & Wages	145,000	
	Other Expenses	50,000	
	Public Buildings and Grounds		
	Other Expenses	34,000	
4.	HEALTH AND WELFARE		
	Board of Health		
	Salaries & Wages	100	
	Other Expense	700	

Organization Meeting, January 5, 2010

	Dog Regulation by Contract	4,500
	Safety Compliance	6,000
5.	RECREATION AND EDUCATION	
	Beach	
	Salaries & Wages	5,000
	Other Expense	15,000
	Parks & Playgrounds	
	Salaries & Wages	10,000
	Other Expense	10,000
	Arts & Craft Show	
	Salaries & Wages	5,000
	Other Expenses	10,000
	Special Events	
	Salaries & Wages	4,000
	Tourism	
	Salaries & Wages	8,000
	Other Expenses	10,000
6.	UNCLASSIFIED	
	Longevity Pay for Employees	40,000
	Utilities	
	Electricity	25,000
	Street Lighting	25,000
	Telephone	17,000
	Gasoline	40,000
	Statutory Expenditures	
	Social Security	90,000
	Unemployment Compensation Insurance	7,000
7.	OPERATIONS EXCLUDED FROM CAP	
8.	MUNICIPAL DEBT SERVICE	
	Interest on Bonds	275,000
	Capital Improvement Fund	100,000
	GRAND TOTAL GENERAL GOVERNMENT	2,471,125
	<u>SEWER AND WATER UTILITY</u>	
1.	OPERATIONS	
	Salaries & Wages	96,000
	Other Expenses	110,000
	Cape May County MUA	336,000
2.	DEBT SERVICE	
	Interest on Bonds	68,000
3.	STATUTORY EXPENDITURES	
	FICA	7,000
	Unemployment Insurance	1,000
	GRAND TOTAL SEWER AND WATER	\$618,000

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-2 (Depositories)

Upon motion of Councilmember Tom Cope
Seconded by Councilmember Barry D. Mastrangelo

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the official depositories of the Borough of Stone Harbor funds for the year 2010, are Sturdy Savings Bank, New Jersey Cash Management Fund, PNC Bank, Cape Bank, Bank of America, TD Bank, Sovereign Bank, First Bank of Sea Isle City and MBIA Municipal Investors Service Corporation.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-3 (Official Publications)

Upon motion of Councilmember Judy Davies-Dunhour
Seconded by Councilmember Barry D. Mastrangelo

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Cape May County Herald and The Press of Atlantic City are designated as official publications for local advertising for the Borough of Stone Harbor during the year 2010.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-4 (Certifications of Receipt of Materials)

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Director of Finance/CFO be and he is hereby appointed to be the person required to make or cause to be made by the persons having knowledge thereof, the certification of the receipt of materials, supplies and equipment of the services rendered on all vouchers for payment of Municipal Funds as required by 40A:5-16.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-5 (Appoint an Auditor)

Upon motion of Councilmember Tom Cope
Seconded by Councilmember Barry D. Mastrangelo

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR BOROUGH AUDITOR

BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey as follows:

WHEREAS, it is required that each Municipality have a Borough Auditor to handle accounting matters, and accounting services are professional services; and,

WHEREAS, the Local Public Contracts Law R.S. 40A:11-1 et seq. provides that professional services contracts may be awarded without competitive bidding;

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey as follows:

Organization Meeting, January 5, 2010

1. That Glen J. Ortman, a Registered Municipal Accountant, of Ford, Scott, Seidenberg & Kennedy CPA's is hereby appointed auditor for the Borough of Stone Harbor for the year ending December 31, 2010.
2. That this professional be paid the fair and reasonable value of his services, as required.
3. That a copy of this resolution shall be published in the Cape May County Herald as required by law within 10 days of its adoption.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-6 (Appoint a Municipal Attorney/Prosecutor)

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joanne Vault

**RESOLUTION AUTHORIZING APPOINTMENT OF THE MUNICIPAL ATTORNEY
UNDER THE “NONFAIR AND OPEN” PROCESS**

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for “Professional Services” without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the “fair and open” process; and

WHEREAS, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign; and

WHEREAS, the required pay-to-play disclosures are on file with the Borough Clerk as required by law; and

WHEREAS, the Borough of Stone Harbor is mandated by state statute to appoint a Municipal Attorney and a Municipal Prosecutor and the law specifically allows for these posts to be filled by the same attorney. The law also requires that municipalities designate litigation counsel and counsel to the tax assessor. These tasks are typically performed by the Municipal Attorney; and

WHEREAS, Michael J. Donohue, Esquire, of Gruccio, Pepper, DeSanto & Ruth, P.A. is an attorney at law in good standing in the State of New Jersey, has effectively served the Borough of Stone Harbor for many years and has been found to be experienced in the area of Local Government Law and municipal prosecution; and

WHEREAS, Mr. Donohue is a person authorized by law to practice a recognized profession, the practice of which is regulated by law, and the performance of his service requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; and

WHEREAS, NJSA 40A:11 *et seq.* allows the Borough to enter into contracts for “Professional Services,” including legal services, without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body.

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

Organization Meeting, January 5, 2010

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That, as required by law, having been nominated by the Mayor of the Borough of Stone Harbor, Michael J. Donohue, Esquire, of Gruccio, Pepper, DeSanto & Ruth, P.A., be and hereby is appointed Municipal Attorney/Municipal Prosecutor for the Borough of Stone Harbor in accordance with and under the terms of a contract for professional services, which includes provisions for litigation and representation of the Tax Assessor and other extraordinary matters, which is on file with the Borough Clerk for public review, for a term of one year, said term commencing on January 5, 2010 and continuing until the reorganization meeting of the Borough in 2011 or in accordance with law.
3. That the Mayor is authorized and directed to forthwith execute on behalf of the Borough of Stone Harbor the contract for professional services, such contract being under and subject to the provisions of the affirmative action and antidiscrimination laws and regulations of the State of New Jersey, an acknowledgement of same to be executed by the Municipal Attorney.
4. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law which allows under NJSA 40A:11-5.
5. That a notice of the letting of the within contract be published in accordance with law within ten (10) days of passage in the official newspaper designated by the Borough for legal notices and that the contract be open to public viewing in accordance with the Open Public Records Act.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-7 (Concerning Tax Appeals)

Upon motion of
Seconded by

Councilmember Randall S. Bauer
Councilmember Joanne Vault

WHEREAS, by a directive from the County Board of Taxation pursuant to N.J.A.C. 18:12A-1(c), all tax appeals submitted to the Cape May County Board of Taxation by the Tax Collector, Tax Assessor, or Solicitor on behalf of the Borough of Stone Harbor must be authorized by Resolution of Borough Council for the Tax Year 2010; and,

NOW, THEREFORE, BE IT RESOLVED by Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey as follows:

1. Borough Council hereby authorizes the Tax Assessor to file Tax Appeals on behalf of the Borough whenever he feels it is in the best interest of the Borough to do so. The Tax Assessor shall have the right to terminate and/or settle, by Stipulation or otherwise, any such Tax Appeals that he shall institute.
2. The Borough Solicitor is hereby authorized to institute any Tax Appeals on behalf of the Borough requested by the Tax Assessor and, with the Tax Assessor's concurrence, to terminate and/or settle by Stipulation or otherwise, any such Tax Appeals that he shall institute.
3. The Borough Solicitor shall have the right to institute Tax Appeals on behalf of the Borough at the request of the Mayor and Borough Council and shall have the authority to terminate or settle any such appeal with the consent of Mayor and Borough Council by Stipulation or otherwise.
4. The Borough Solicitor and the Tax Assessor shall have the joint right and obligation to defend Tax Appeals brought on behalf of taxpayers, and they shall jointly have the authority to settle, by Stipulation or otherwise, any such Tax Appeals.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Cape May County Board of Taxation and to furnish copies of same to the Borough Tax Assessor, Tax Collector and Solicitor.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-8 (Meeting Dates)

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Randall S. Bauer

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the following dates and times have been established as meeting dates for the governing body during the year 2010. Legal action may be taken at these published meetings.

January	5 th	(7:00 pm)	July	6 th	(4:30 pm)
	19 th	(4:30 pm)		20 th	(4:30 pm)
February	2 nd	(4:30 pm)	August	3 rd	(4:30 pm)
	16 th	(4:30 pm)		17 th	(4:30 pm)
March	2 nd	(4:30 pm)	September	7 th	(4:30 pm)
	16 th	(4:30 pm)		21 st	(4:30 pm)
April	6 th	(4:30 pm)	October	5 th	(4:30 pm)
	20 th	(4:30 pm)		19 th	(4:30 pm)
May	4 th	(4:30 pm)	November	2 nd	(4:30 pm)
	18 th	(4:30 pm)		16 th	(4:30 pm)
June	1 st	(4:30 pm)	December	7 ^{th t}	(4:30 pm)
	15 th	(4:30 pm)		21 st	(4:30 pm)
			January 4, 2011		(7:00 pm)

BE IT FURTHER RESOLVED that a complete list of these dates and times to be published in the newspaper and posted according to law.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-9 (Public Defender)

Upon motion of
Seconded by

Councilmember Tom Cope.
Councilmember Joanne Vault

WHEREAS, the Borough is required to provide a Public Defender for the Stone Harbor Municipal Court; and,

WHEREAS, the Public Safety Committee has recommended the hiring of Michael A. Sorensen, Esq. who has agreed to handle the post; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. permits the execution of a contract with a professional for professional services without the necessity of competitive bids but requires that such contracts be available for public inspection,

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that a contract be and it is hereby awarded to Michael A. Sorensen, Esq. as the Public Defender for the Stone Harbor Municipal Court at a fee of \$3,500.00, total, for the year 2010, regardless of the number of cases assigned by the Court.

BE IT FURTHER RESOLVED that notice of the letting of this contract be published in the Cape May County Herald within 10 days of the date hereof.

BE IT FURTHER RESOLVED that this resolution shall only become effective when a copy of the Certification of Availability of Funds, prepared by the CFO of this Borough, is attached hereto.

BE IT FURTHER RESOLVED that two copies of this resolution shall be forwarded to Michael A. Sorensen, Esq. to be signed where his name appears at the bottom of said copies, which signature shall constitute a contract between the parties when a copy of same has been signed and delivered to the Borough Clerk.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-10 (Interest on Delinquent Taxes)

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Barry D. Mastrangelo

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the interest penalty for delinquent taxes shall be 8% per annum of the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00 on each parcel of land by block and lot, and

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within ten (10) calendar days after the date on which same is payable, said ten (10) calendar days to be straight calendar days and if the tenth day falls on a Saturday, Sunday or legal holiday, then the grace period shall extend to the next business day, and

BE IT FURTHER RESOLVED pursuant to N.J.S.A. 54:4-67 that an additional penalty of 6% shall be charged against any property with a delinquency related to taxes and/or any other municipal charges in excess of \$10,000.00 which remains in arrears beyond December 31 of each prior year.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-11 (Exempting Water Charges)

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry D. Mastrangelo

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the following utility charges be exempted for the billing period up to and including December 1, 2010, and

BE IT FURTHER RESOLVED that the Utilities Collector make the proper adjustments in her records:

Account

<u>Number</u>	<u>Owner</u>	<u>Amount</u>
6625	Evangelical Lutheran Church \$	983.00
7040	Evangelical Lutheran Church	547.00
7030	Evangelical Lutheran Church (vacant land)	352.00
7370	Stone Harbor Board of Education	547.00
7380	Stone Harbor Board of Education	1,471.00
7390	Stone Harbor Board of Education	983.00
8020	St. Mary's Episcopal Church	547.00
8860	Women's Civic Club	547.00
11981	St. Paul's Roman Catholic Church	811.00
11990	St. Paul's Roman Catholic Church	547.00
19945	Immaculate Heart of Mary, Villa Maria - Rectory	1,471.00
21150	Stephen C. Ludlam Post 331 (American Legion)	671.00

Organization Meeting, January 5, 2010

TOTAL \$ 9,477.00

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-12 (Authorizing Contracts Below Bid Limit Without Public Advertising)

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

**AUTHORIZING CONTRACTS BELOW THE BID LIMIT WITHOUT
PUBLIC ADVERTISING**

WHEREAS, N.J.S.A. 40A:11-3 provides that all contracts for the performance of work or for hiring materials or supplies, the cost of which is less than the bid limit described therein, which for 2009 is \$29,000.00, need not be publicly bid; and

WHEREAS, from time to time the Borough will desire to enter into contracts less than \$29,000.00; and

WHEREAS, N.J.S.A. 40A:11-3 further requires that these contracts be approved by resolution, either individually or by general authorization.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the appropriate Borough officials are hereby authorized and empowered to enter into contracts for the performance of work or the furnishing or hiring of materials or supplies, in amounts less than \$29,000.00 for the year 2009, without the necessity of public bidding, in accordance with the Borough's regulations and guidelines.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-13 (Small Contracts without soliciting Competitive Quotations)

Upon motion of Councilmember Randall S. Bauer
Seconded by Councilmember Joan Kramar

**AUTHORIZING SMALL CONTRACTS WITHOUT
SOLICITING COMPETITIVE QUOTATIONS**

WHEREAS, N.J.S.A. 40A:11-6.1 c. provides that when authorized by resolution of the governing body, all contracts that are in the aggregate less than 15% of the bid threshold, may be awarded by the contracting agent without soliciting competitive quotations; and

WHEREAS, the bid threshold is \$29,000.00, so that 15% thereof is \$4,350.00; and

WHEREAS, it is deemed to be in the best interest of the Borough of Stone Harbor that small contracts like this be awarded without competitive quotations.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that such contracts in the aggregate in the amount of \$4,350.00 or less may be awarded by the contracting agent without obtaining competitive quotations.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-14 (Litter Abatement Partnership Program 2010)

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joanne Vul

**AUTHORIZING PARTICIPATION IN CAPE MAY COUNTY
LITTER ABATEMENT PARTNERSHIP PROGRAM
FOR 2010**

WHEREAS, the Cape May County Municipal Utilities Authority has adopted a Litter Abatement Partnership Program for 2010; and

WHEREAS, the Borough of Stone Harbor desires to participate in said program.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough of Stone Harbor is hereby authorized to participate in the Cape May County Litter Abatement Partnership Program for 2010 as established by the Cape May County Municipal Utilities Authority.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor will initiate the following steps:

I. Providing a minimum of four (4) days of residential bulky waste collection services at no cost to individual customers (including or restoring bulky waste collection as part of the weekly municipal solid waste collection routes and schedules, at no cost to individual customers, would also satisfy this requirement).

The schedule for these collection services must be established and provided to the Authority prior to being eligible for any benefits under this program. The dates for 2010 have been set for Monday, March 22nd, Monday, May 10th, Monday, September 20th, and Monday, November 15th.

II. Enforcement of an anti-littering and anti-dumping ordinance which establishes penalties for littering and illegal dumping at a minimum \$500.00 fine plus the cost of clean-up, and provides financial rewards for reporting such activities. The Borough of Stone Harbor adopted such an ordinance a few years ago and it is found in the Revised General Ordinances of the Borough of Stone Harbor, 2005, as Sections 357 through 357.10.

III. As a supplement to these basic litter abatement services, the following measures have been approved:

- A. Provide satellite container and/or drop-off areas for household bulky wastes.
- B. Conduct special community-wide clean-up projects and/or special clean-up projects of selected local areas where illegal refuse dumping has occurred. (The CMCMUA must be advised, in advance, of the dates and locations of any special clean-up projects in order for any refuse collected from these special clean-up projects to be eligible as one of the municipality's four (4) no-cost disposal days at the Authority's solid waste disposal facilities.)
- C. Develop and carry out, within six (6) months of program adoption, a community-wide litter abatement education and information program. Such a program should disseminate anti-littering information to the entire community at least once every six (6) months. Assistance in preparing such programs will be provided by the Authority upon request.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor, by the adoption of this Resolution, becomes eligible to participate in the Litter Abatement Partnership for 2010 during the period of January 1, 2010 to December 31, 2010.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-15 (Appoint and Award Contract Risk Management Consultant)

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

WHEREAS, the Governing Body of the Borough of Stone Harbor has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Stone Harbor does hereby appoint J. BYRNE AGENCY, INC. as its Risk Management Consultant in accordance with 40A:11-5; and

BE IT FURTHER RESOLVED that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1),(a),(i).

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-16 (Appoint Fund Commissioner JIF)

Upon motion of
Seconded by

Councilmember Tom Cope
Councilmember Barry D. Mastrangelo

WHEREAS, the Borough Council of the Borough of Stone Harbor has resolved to join the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the Bylaws of the Atlantic County Municipal Joint Insurance Fund require that each Municipality appoint a Fund Commissioner; and

WHEREAS, the Borough Council recommends the appointment of James G. Nicola as Fund Commissioner and Lisa Stefankiewicz as Alternate Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that it does hereby appoint James G. Nicola as Fund Commissioner and Lisa Stefankiewicz as Alternate Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-17 (Public Agency Compliance Officer)

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Tom Cope

WHEREAS, the State of New Jersey requires each governmental unit to designate a “Public Agency Compliance Officer” to ensure compliance with the Affirmative Action mandates of State Law relative to public contracts, said position being a contact point for the State on these issues and not a new, compensated employment position with the Borough; and

WHEREAS, the Mayor has offered for appointment to said position, James Nicola, the Chief Financial Officer of the Borough; and

WHEREAS, Council consents to the appointment of Mr. Nicola to said position;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the appointment of James Nicola to the position of “Public Agency Compliance Officer” offered by Mayor Walters, is hereby Confirmed.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-18 (Appoint Labor Relations Counsel)

Upon motion of
Seconded by

Councilmember Tom Cope
Councilmember Barry D. Mastrangelo

**RESOLUTION APPROVING A CONTRACT FOR
PROFESSIONAL SERVICES OF LABOR RELATIONS COUNSEL**

WHEREAS, The Borough of Stone Harbor requires the professional services of a specialist in the field of collective bargaining negotiations, personnel administration, and employer-employee relations; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of collective bargaining negotiations, personnel administration and employer-employee relations; and

WHEREAS, the local Public Contracts Law provides for the entering into of a contract for Professional services pursuant to N.J.S.A. 40A:11-5(1)(a), without advertising for competitive bidding; and

WHEREAS, Borough has determined that Lawrence Pepper, Jr. and other members of the law firm of Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey hold professional licenses and are qualified to perform the said work and it is desired to enter a professional services contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, funds are available for the aforementioned as indicated in the Certificate of Available Funds prepared by the CFO of the Borough and attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Stone Harbor as follows:

1. Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey is hereby retained as a professional labor negotiator to provide specialized services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations. The said professional services to be received shall be “as directed” by the Borough of Stone Harbor from time to time.

Organization Meeting, January 5, 2010

2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. for specialized professional services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations, as aforesaid, for a term commencing upon the date of execution of the contract, a copy of which is attached hereto, and expiring on January 1, 2011 which contract shall provide for payment at the hourly rate of One Hundred Forty Five Dollars (\$145.00) Dollars per hour.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid and shall be in a form approved by the Borough. The preamble of the Resolution is hereby incorporated by reference as if set forth here at length.
4. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough of Stone Harbor for public inspection.
5. A copy of this Resolution shall be published in the local newspaper designed by the Borough as required by law, within ten (10) days of its passage.

Vote

6 Councilmembers AYE

RESOLUTION 2010-A-19 (Network Engineer)

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

**AUTHORIZING A CONTRACT
WITH RICHARD GRAVER, NETWORK ENGINEER
FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES**

WHEREAS, The Borough Council of the Borough of Stone Harbor has determined that there exists a need for oversight and maintenance of the Borough's information technology; and

WHEREAS, Richard Graver, Network Engineer of Marmora, New Jersey supplies a service that is specialized and qualitative in nature requiring expertise, extensive training and proven reputation in this field of endeavor, which constitutes an Extraordinary Unspecifiable Service not subject to public bidding; and

WHEREAS, the Borough Council is satisfied to engage Mr. Graver for the purposes outlined herein in accordance with the attached contract which is incorporated herein and made a part hereof by reference; and

WHEREAS, the amount of the contract in question is \$4560.00, which amount is less than the threshold which would require public bidding, subject to adjustment at the rate of \$95.00 dollars per hour if Mr. Graver's services exceed four hours per month as detailed in the contract. In accordance with the contract, less than four hours of service per month will result in a service credit to the Borough which may be applied to a succeeding month, which credits expire at the end of the contract term; and

WHEREAS, funds are available for such services as evidenced by the certification of the Chief Financial Officer of the Borough attached hereto;

WHEREAS, this resolution authorizing the award of a contract for "Extraordinary, Unspecifiable Services" along with the proposal submitted by Richard Graver, shall serve as the agreement between the parties and shall be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 5th day of January, 2010, as follows:

Organization Meeting, January 5, 2010

1. The Mayor and the Clerk are hereby authorized and directed to execute the attached contract which, along with the terms of this Resolution, as the contract for provision of an "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this service is specialized and qualitative in nature requiring expertise, extensive training and proven reputation in this field of endeavor
2. A notice of this action shall be published in accordance with law.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-20 (Dates for Parking Meters)

Upon motion of Councilmember Judy Davies-Dunhour.
Seconded by Councilmember Joanne Vault

DATES FOR PARKING METERS - 2010

WHEREAS, Section 391-7 of the Revised General Ordinances 2005 of the Borough of Stone Harbor provides that the Borough shall have the right to set the dates that the parking meters are operational;

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor that meters will be in operation from Saturday, May 1, 2010 through Friday, October 1, 2010.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-21 (Appoint Bond Counsel)

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Joanne Vault

**RESOLUTION AUTHORIZING APPOINTMENT OF BOND COUNSEL
UNDER THE "NONFAIR AND OPEN" PROCESS**

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the "fair and open" process; and

WHEREAS, the Borough of Stone Harbor is in need of legal representation by Bond Counsel of recognized national standing with advanced expertise in the area of Municipal Bonding Law in connection with the Borough's capital project bond financing procedures including the sale of bonds and/or bond anticipation notes; and

WHEREAS, Robert Beinfield, Esquire of the Law Firm of Hawkins, Delafield & Wood is an attorney at law in good standing in the State of New Jersey and has been found to be experienced in the area of Municipal Bonding Law and has familiarity with the Federal and State laws and regulations related to the bonding process.

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

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor is directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract for professional services in accordance with this Resolution providing for the retention of Hawkins, Delafield & Wood as Bond Counsel to the

Borough of Stone Harbor. The letter of Mr. Beinfield dated December 9, 2009 is attached hereto for reference only and is not part of the contract.

3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law and is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference.
4. That a notice of the letting of the within contract be published in accordance with law within ten (10) days of passage in the official newspaper designated by the Borough for legal notices and that the contract be open to public viewing in accordance with the Open Public Records Act.

Vote

6 Councilmembers AYE

RESOLUTION 2010-S-22 (Award Contract NJEIT)

Upon motion of
Seconded by

Councilmember Randall S. Bauer
Councilmember Joan Kramar

**AWARDING A CONTRACT
FOR 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST
(NJEIT) PROGRAM**

(Combined Sanitary Sewer And Water Main In-Kind Replacement Project;
84th Street, 86th Street, 87th Street, 89th Street, 94th Street, 99th Street and 109th Street)

WHEREAS, seven bids were received by the Stone Harbor Municipal Clerk on December 30, 2009, on the Borough's request for proposals for the aforementioned project in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-U-028 and NJDEP Project Numbers S340722-02 and 0510001-003, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, Asphalt Paving Systems, Inc. P.O. Box 530, Hammonton, N.J. 08037 submitted the lowest responsible and conforming bid in the amount of \$2,225,000.00; and

WHEREAS, the Borough Engineer has recommended that the contract be awarded to Asphalt Paving Systems, Inc. and the bid has been found to be responsible and in conformity by the Borough Solicitor; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer's Certification attached hereto; and

WHEREAS, such award is contingent upon the approval by the New Jersey Department of Environmental Protection and the New Jersey Department of Transportation, in accordance with the laws and regulations applicable to the NJEIT program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 5th day of January, 2010, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned bearing Remington and Vernick project number 05-10-U-028 and NJDEP Project Numbers S340722-02 and 0510001-003, be and the same is hereby awarded to Asphalt Paving Systems, Inc. in the amount of \$2,225,000.00;
3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above, upon approval by the NJDEP and NJDOT.
4. That the Borough Engineer is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as called for within the contract.
5. That the Borough Clerk is authorized to return the bonds of the unsuccessful bidders.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-A-23 (Refund of Redemption monies to outside Lien Holder)

Upon motion of Councilmember Randall S. Bauer
Seconded by Councilmember Barry D. Mastrangelo

**Authorizing Refund of Redemption
Monies to Outside Lien Holder**

WHEREAS, at the Municipal Tax Sale held on September 14, 2009 a lien was sold on Block 84.02 Lot 36, also known as 127 84th Street in Stone Harbor for 2008 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2009-2, was sold to Royal Tax Lien Services, LLC for a 0% redemption fee and a \$12,900.00 premium that was paid to the Borough; and

WHEREAS, First American Title Insurance Company has effected redemption of Certificate #2009-2 in the amount of \$16,911.01 to the Borough of Stone Harbor.

NOW THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue a check in the amount of \$16,911.01 to Royal Tax Lien Services, LLC, 179 Washington Lane, Jenkintown, PA 19046 for redemption of Tax Sale Certificate #2009-

BE IT FURTHER RESOLVED that the treasurer be authorized to issue a check in the amount of \$12,900.00 (Premium) to the aforementioned lien holder.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-24 (Transfer)

Upon motion of Councilmember Randall S. Bauer
Seconded by Councilmember Barry D. Mastrangelo

**A Resolution authorizing the transfer of certain items in the 2009 Budget of the
Borough of Stone Harbor.**

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that the following transfers are hereby made in the 2009 Budget, the same to become effective immediately and the proper officer shall cause the same to be made as follows:

TRANSFER TO:

Safety Compliance	Other Expenses	\$ 900
Street Lighting		4,500
Recreation	Other Expenses	1,000

TRANSFER FROM:

Gasoline	Other Expenses	\$ 6,400
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Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-25 (Amend Boot Camp Contract)

Upon motion of Councilmember Joanne Vaul
Seconded by Councilmember Barry D. Mastrangelo

**RESOLUTION AMENDING (Second Time) EXTRAORDINARY UNSPECIFIABLE
SERVICES CONTRACT FITNESS BOOT CAMP INSTRUCTOR**

WHEREAS, the Borough of Stone Harbor passed Resolution 2009-S-120 on June 2, 2009 which authorized a contract with Nick Elisano of Performance Athletic Center as a Boot Camp Instructor for the Borough and passed Resolution 2009-S-169 which extended the contract from September 1, 2009 to December 31, 2009; and

Organization Meeting, January 5, 2010

WHEREAS, the agreement to provide such service is extraordinary and does not fall under typical specification procedure and is therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as an Extraordinary Unspecifiable Service; and

WHEREAS, the Beach and Recreation Committee of the Borough Council has requested that the Boot Camp continue for the Borough of Stone Harbor from January 5, 2010 until March 1, 2010 using the same terms and compensation considerations included in the Contract approved by Resolution 2009-S-120; and

WHEREAS, the Certificate of Liability Insurance submitted with the original contract does expire on January 15, 2010, and a new Certificate of Insurance must be submitted.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 5th day of January, 2010 as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Council of the Borough of Stone Harbor hereby approves this Resolution which amends Resolution 2009-S-169 to have the same original contract run from January 5, 2010 to March 1, 2010.

Vote 6 Councilmembers AYE

COMMUNICATIONS

None

HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS & COMPLAINTS

Don Furmanski – inquired about the beach and bay situation and requested that a thorough report be given at the next Council meeting on what’s going on with the beach replenishment and the back bays and the removal of spoils, etc. Mr. Furmanski inquired if any place has been identified for the back bay spoils.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Joan Kramar – thanked her campaign manager and committee for working so hard to get her elected. Councilmember Kramar stated that she represents all of the people and is here to serve as a public servant to everyone. Councilmember Kramar stated that she will serve the people to the best of her ability and that she is a woman of honor, integrity, principal and dedication. Councilmember Kramar stated that a large majority elected her to Council to make a change and to make our Council more cohesive. As Charles Osgood just recently said “It only takes one determined person to make a change.” Councilmember Kramar stated that this is home to her and we are all friends and family and we all want to make our town better than it is. Councilmember Kramar stated that anyone wishing to speak to her should call her and she will get back to them with honest answers. Councilmember Kramar thanked everyone for their support.

Councilmember Judith Davies-Dunhour – thanked all the voters of Stone Harbor for their support and for this opportunity. Councilmember Davies-Dunhour stated that she has served the Borough as a police officer for 25 years and that she is thrilled to be back to continue to serve the community and the residents of Stone Harbor. Councilmember Davies-Dunhour promised to work hard, listen to the public, and that she would do her best to serve this community.

Councilmember Thomas Cope – welcomed Judy and Joan to Council and thanked Brian Levinson and Karl Giulian for their dedication and service to the Borough. Councilmember

Organization Meeting, January 5, 2010

Cope stated that as he reflects on his freshman year as a Councilmember, he acknowledged the support he has received from Mayor Walters, Councilmembers and Borough administration and the entire Borough staff. Councilmember Cope thanked Chief Toland, Fire Chief Stanford and Court Administrator Davidson and he is especially thankful for the advice and support of his wife, Nancy. Councilmember Cope stated that he learned that respect is the glue that holds this Council together, that compromise is the key to success; and that communication is more about listening than it is about telling, and the difference between politics and government – politics is the process to get here and government is the job we perform here. Councilmember Cope reported this past year on the Public Safety Committee two outstanding officers were promoted to sergeant and hired two new promising replacements; instituted a rental property registration and licensing and fire inspection program; ordered a replacement for an aging fire truck; the Planning Board produced a new Master Plan to guide our future growth; Council established the Waterfront Business District; and plans were put in motion for the new library as well as plans for Site 103. Councilmember Cope stated that 2010 presents with many new opportunities and challenges and he is excited about working with the new Councilmembers.

Councilmember Joanne Vault – thanked her family for their support and understanding and that this job is a huge commitment by the whole family. Councilmember Vault thanked Councilmembers Levinson and Giuliani for their dedication and service and stated that she is very optimistic and excited to have the two new Councilmembers Kramar and Davies-Dunhour. Councilmember Vault stated that this year holds a lot of promise and that this year this Council will make a lot of progress. Councilmember Vault stated that this past year has been one of progress and that a lot of things are in motion – and is excited to start working with the new Tourism Director, Joann DeVescio. Councilmember Vault thanked the whole staff and expressed her appreciation for all they do.

Councilmember Randall S. Bauer -- Welcomed new Councilmembers Kramar and Davies-Dunhour and requested that their time and commitment give a transparent, open government to the people of Stone Harbor. Councilmember Bauer stated that this Council was elected by the people for the people and that there seems to be too much government today that is more rewarding to the officials than to the people. Councilmember Bauer expressed his concern regarding the reasons people run for office and/or want to continue in office for such things as the fat benefits package. Councilmember Bauer stated that our citizens deserve a government at all levels and not run by a clique or special or personal interests. Just after my election to Council five years ago, when this town was embroiled in a dredging dispute and debacle, the late councilman, Jim Kilsdonk, wrote a piece he entitled the Atomic Fly Swatter and stated that he was referring to the power of the Federal government's response to the Borough for not following the requirements of a dredging permit. Councilmember Bauer thanked former Councilmember Julian Miraglia for his tireless work and for recovering the fine and providing for the placement of the viewing platforms at the Point. Councilmember Bauer spoke of several incidences this past year which should alert us to the ever increasing need for more open, transparent government and that just because a law is on the books, does not mean it is a good law and that many ordinances and laws are self-serving and oppressive and many are unenforceable. Councilmember Bauer stated that enforcement of what is said to be a State law when there seems to be exemptions for seasonal rentals seems to be an Atomic Fly Swatter being used locally. Councilmember Bauer indicated that in a letter to the editor of the Cape May County Herald, Mike McMannan wrote "it is not the responsibility of government to provide jobs but to provide services at the lowest costs." Councilmember Bauer indicated that saying something is revenue neutral in support of new jobs is really politically correct mouthing in support of increased taxation, but instead its called fees for service. Councilmember Bauer stated that as Chair of the Natural Resources Committee, he will open all Committee meetings to the public and will include the Bird Sanctuary Advisory Committee and the Friends of the Sanctuary Committee in all Natural Resources Committee meetings. Our greatest natural resource is people. Councilmember Bauer stated that 80% of the taxpayers do not live here, but provide us with the financial capability to operate this town to buy new fire trucks and ambulances, trash trucks and police vehicles to make this the seashore at its best and that we are in danger of making that only a cliché and that we must strive for inclusive of all, not just some shadow government and that we have the need to open up our government and extend it to others, both taxpayers and other municipalities. Over the next months, I hope the Council will strive to that end, certainly I know I will.

Organization Meeting, January 5, 2010

Councilmember Barry D. Mastrangelo – welcomed Mayor and Council back from holiday break and also congratulated new Councilmembers Kramar and Davies-Dunhour. Councilmember Mastrangelo thanked his wife and family for their support. Councilmember Mastrangelo stated that Spring will be very busy trying to get the beaches and all of the crossovers repaired after this year’s intense beach storms. Councilmember Mastrangelo stated that this Council’s budgetary efforts will be put to the test this year and must realize the necessity to scrutinize and prioritize capital programs. Councilmember Mastrangelo expressed his excitement about the coming year and sharing the challenges ahead with new Councilmembers Kramar and Davies-Dunhour. Councilmember Mastrangelo wished everyone a happy, healthy and prosperous New Year.

Mayor Suzanne Walters – acknowledged Monsignor Quinn, and David Von Savage of Troup 73, Sheriff Gary Schaffer, County Clerk Rite Fulginiti, Freeholder Director Dan Beyel and the first lady of Avalon. Mayor Walters congratulated new Councilmembers Kramar and Davies-Dunhour and thanked both Brian Levinson and Karl Giulian for their service and dedication. Mayor Walters also thanked all of the employees of the Borough for all their hard work and dedication as well as the volunteers who serve on the different committees and boards, the Garden Club, the Women’s Civic Club, American Legion, etc. – and stated that they are the essence of Stone Harbor. Mayor Walters stated that she is looking forward to 2010 and projects that lie ahead such as the FEMA \$5 million claim for loss of beaches, fences, crossovers, as a result of the intense storms this year. Mayor Walters reported that we just received a \$330,000 grant to look into off-loading Site 103 and moving it actually closer to the road so that it could be a renewable disposal site and this grant should take us all the way to the permitting process. Mayor Walters reported that work has begun on the outfall pipe removal; that we have a new Tourism Director, Joann DelVescio, and she is very excited about working with her this year; and that new programs and events are being planned. Mayor Walters reported that she is hopeful that Shelter Haven will have a ground breaking in 2010; that work is underway on forming a Committee for the Borough’s 100th Anniversary in 2014; and hopefully revitalizing the Shade Tree Committee to develop a tree ordinance; as well as a historic preservation committee. Mayor Walters stated that she looks forward to working with everyone this year and wished them all a happy and healthy New Year and invited everyone to a reception at Harbor Bizarre.

The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
24613	12/17/09	SHEE2 SHEERAN, GREGORY	500.00
24614	12/17/09	SHEE3 SHEERAN, GREGORY (PETTY CASH)	68.03
24615	12/22/09	BORSH BOROUGH OF STONE HARBOR	160,199.07
24616	01/07/10	BORSH BOROUGH OF STONE HARBOR	175,598.48
24617	01/07/10	ROYALTAX ROYAL TAX LIEN SERVICES, LLC	29,811.01
24618	01/08/10	ACECO ATLANTIC CITY ELECTRIC	2,207.70
24619	01/08/10	ACELE ATLANTIC CITY ELECTRIC CO.	9,313.21
24620	01/08/10	ACESEWER ATLANTIC CITY ELECTRIC	940.69
24621	01/08/10	ACESTLIG ATLANTIC CITY ELECTRIC	10,222.50
24622	01/08/10	ACEWATER ATLANTIC CITY ELECTRIC	4,341.26
24623	01/08/10	ACMEM ALBERTSONS	64.78
24624	01/08/10	ACMJI A.C.M.J.I.F.	86,129.00
24625	01/08/10	ADVAN ADVANTAGE RENTAL & SALES	44.53
24626	01/08/10	BELLESFI WILLIAM BELLES, IV	50.00
24627	01/08/10	BERKEYGA GABRIEL F. BERKEY	400.00
24628	01/08/10	BERKEYLU LUCAS BERKEY	50.00
24629	01/08/10	BURNERRO ROBERT M. BURNER	500.00
24630	01/08/10	CANDE CANDELORE, DEBORAH A.	576.00
24631	01/08/10	CASAP CASA PAYROLL SERVICES	1,734.95
24632	01/08/10	CHOFF COURT HOUSE OFFICE SUPPLIES	19.90
24633	01/08/10	CHRIS CHRISTMAN, H.B.	181.20
24634	01/08/10	CMCTO C.M.C. TREASURER'S OFFICE	17,343.51
24635	01/08/10	COLLETT CHRIS COLLETT	250.00
24636	01/08/10	COMCA COMCAST	100.10
24637	01/08/10	CONLINJE JEFFREY P. CONLIN	100.00
24638	01/08/10	CROPPERA ALLAN W. CROPPER	500.00
24639	01/08/10	DAVID DAVIDSON, PAMELA G.	186.30
24640	01/08/10	DAVIS DAVIS INSTRUMENTS	502.00
24641	01/08/10	DELTR DELTRONICS CORPORATION	1,657.50
24642	01/08/10	DILLY DILLYN, IRA W.	500.00
24643	01/08/10	DONOFRIO LEWIS T. DONOFRIO, JR.	150.00
24644	01/08/10	EDMUN EDMUNDS & ASSOCIATES, INC.	3,308.00
24645	01/08/10	FAZZJ JOSEPH FAZZIO, INC.	790.30

Organization Meeting, January 5, 2010

24646	01/08/10	FORDMOTO	FORD CREDIT MUNICIPAL FINANCE	6,927.10
24647	01/08/10	FORTDEAR	FORT DEARBORN LIFE INSURANCE	238.40
24648	01/08/10	FUTUR	FUTURE MINING & RECYCLING, INC	464.55
24649	01/08/10	FWRTESTI	FWR TESTING SERVICES, LLC	800.00
24650	01/08/10	GASKI	GASKILL, JAMES	120.00
24651	01/08/10	GEMPL	GEMPLERS	204.55
24652	01/08/10	GENER	GENERAL CODE PUBLISHERS	286.97
24653	01/08/10	GIULI	GIULIAN, KARL	1,300.00
24654	01/08/10	GRIESBAC	JOSEPH H. GRIESBACH JR.	100.00
24655	01/08/10	HAWKFIRE	KENNETH J. HAWK	250.00
24656	01/08/10	HAWKI	HAWKINS, DELAFIELD & WOOD	6,440.14
24657	01/08/10	HERAL	HERALD NEWSPAPERS	44.16
24658	01/08/10	HOMED	HOME DEPOT CREDIT SERVICES	978.57
24659	01/08/10	HOMERUN	HOME RUN DERBY LLC	1,850.00
24660	01/08/10	HORIZ	HORIZON BLUE CROSS/BLUE SHIELD	661.59
24661	01/08/10	HORIZ	HORIZON BLUE CROSS/BLUE SHIELD	90,465.58
24662	01/08/10	HORIZRET	HORIZON BLUE CROSS SHIELD NJ	1,169.68
24663	01/08/10	HORN	HORNBECK, DIANE	320.00
24664	01/08/10	INTER	INTERSTATE BATTERY	653.65
24665	01/08/10	JACKS	JACKSON, GREG	127.00
24666	01/08/10	JERSC	JERSEY CAPE DOOR	4,160.00
24667	01/08/10	JOHN2	JOHNSTONE SUPPLY	227.90
24668	01/08/10	JSECO	JSE COMPUTERS	38.40
24669	01/08/10	KINDL	KINDLE FORD MERCURY LINCOLN	2,074.15
24670	01/08/10	LANDS	LANDSMAN UNIFORMS INC.	465.50
24671	01/08/10	LATTOUF	MATTHEW LATTOUF	650.00
24672	01/08/10	LAWYE	LAWYERS DIARY & MANUAL	90.25
24673	01/08/10	LINZM	MICHAEL LINZ	650.00
24674	01/08/10	LOEFFLAD	JACOB LOEFFLAD	500.00
24675	01/08/10	LOEFFP	PAUL LOEFFLAD	100.00
24676	01/08/10	MARRIII	CHARLES MARRINER III	150.00
24677	01/08/10	MARRINER	CHARLES MARRINER JR.	100.00
24678	01/08/10	MCCLURER	ROBERT C. MCCLURE	100.00
24679	01/08/10	MCCLURJR	ROBERT MCCLURE JR	150.00
24680	01/08/10	MCDEVITT	SEAN B. MCDEVITT	400.00
24681	01/08/10	MCDEVNAN	NANCY MCDEVITT	400.00
24682	01/08/10	MCGONAGL	KATHERINE MC GONAGLE	190.00
24683	01/08/10	MCMAS	MC MASTER CARR SUPPLY CO.	124.30
24684	01/08/10	MCTOMMON	MCTOMMONEY, CHRISTOPHER	87.20
24685	01/08/10	MEDIA	RICHARD GRAVER	4,560.00
24686	01/08/10	MIXNERST	STEPHEN E. MIXNER	150.00
24687	01/08/10	MODGA	MODERN GAS CO.	43.38
24688	01/08/10	MODGRPOW	MODERN GROUP POWER SYSTEMS	2,353.11
24689	01/08/10	MONZO	MONZO CATANESE, P.C.	413.00
24690	01/08/10	MROINDUS	M-R-O- INDUSTRIAL SUPPLIES, INC	272.00
24691	01/08/10	NEXT1	NEXTEL COMMUNICATIONS	132.63
24692	01/08/10	NICOL	NICOLA, JAMES	115.00
24693	01/08/10	NIELSONK	KEITH NIELSON	400.00
24694	01/08/10	NIMPRINT	NATIONAL IMPRINT CORP.	511.00
24695	01/08/10	NTIME	NATIONAL TIME SYSTEMS	2,095.00
24696	01/08/10	ORMRODST	STEVEN M. ORMROD	150.00
24697	01/08/10	ORZECHE	EDWARD ORZECHE	100.00
24698	01/08/10	PARTYHOP	PARTY HOPPERS, LLC	300.00
24699	01/08/10	PASTORE	MICHAEL PASTORE	400.00
24700	01/08/10	PEDRO	PEDRONI FUEL COMPANY	2,091.33
24701	01/08/10	PESCH	PESCHI, PHILIP	279.99
24702	01/08/10	PRESS	PRESS, THE	239.09
24703	01/08/10	RADEC	RADECKI, ELLA	500.00
24704	01/08/10	REELF	REEL FIRE PROTECTION INC.	1,687.05
24705	01/08/10	REEVE	REEVES, CRAIG	65.01
24706	01/08/10	REMIN	REMINGTON, VERNICK & WALBERG	0.00
01/08/10	VOID	0		
24707	01/08/10	REMIN	REMINGTON, VERNICK & WALBERG	41,547.50
24708	01/08/10	RIGGI	RIGGINS, INC.	4,532.09
24709	01/08/10	ROWELLO	JASON ROWELLO	400.00
24710	01/08/10	RUSSGRAN	GRANT RUSS	475.00
24711	01/08/10	SCHEELER	MICHAEL R. SCHEELER	550.00
24712	01/08/10	SCHWARTZ	JONATHAN SCHWARTZ	650.00
24713	01/08/10	SCOTT	SCOTT, DEBORAH	153.00
24714	01/08/10	SEALMAST	SEAL MASTER	272.98
24715	01/08/10	SEASHASP	SEASHORE ASPHALT CORP.	166.25
24716	01/08/10	SHEE3	SHEERAN, GREGORY (PETTY CASH)	200.00
24717	01/08/10	SHEERANG	GREGORY W. SHEERAN	50.00
24718	01/08/10	SIMPL	SIMPLEX GRINNELL	552.68
24719	01/08/10	SJAUT	SOUTH JERSEY AUTO SUPPLY	228.06
24720	01/08/10	SJGAB	SOUTH JERSEY GAS CO.	2,992.84
24721	01/08/10	SJGAW	SOUTH JERSEY GAS CO.	460.15
24722	01/08/10	SOKOR	MATTHEW SOKORAI	48.65
24723	01/08/10	STAN3	STANFORD, SUZANNE (PETTY CASH)	50.00

Organization Meeting, January 5, 2010

24724	01/08/10	STANFORD	ROGER W. STANFORD	650.00
24725	01/08/10	STAUFFER	DOUG STAUFFER	400.00
24726	01/08/10	STRI	STRI, LLC	452.25
24727	01/08/10	TAYLORLO	LOUIS E. TAYLOR, III	100.00
24728	01/08/10	TOLANDPC	CHIEF WM. TOLAND, PETTY CASH	100.00
24729	01/08/10	TOZER	TOZER, MICHELLE	106.00
24730	01/08/10	TREA3	TREASURER, STATE OF NEW JERSEY	50.00
24731	01/08/10	VALAS	VAL ASSO. LABORATORY INC.	808.00
24732	01/08/10	VANAR	VAN ARTSDALEN, JASON	409.00
24733	01/08/10	VAULFRAN	FRANK VAUL	250.00
24734	01/08/10	VERARTCR	VERIZON	66.01
24735	01/08/10	VERI1	VERIZON	112.97
24736	01/08/10	VERI2	VERIZON	162.54
24737	01/08/10	VERISHBP	VERIZON	54.06
24738	01/08/10	VERIZ	VERIZON	2,633.71
24739	01/08/10	VITAL	VITAL SERVICES GROUP	500.00
24740	01/08/10	WESTE	WESTERN PEST CONTROL	118.00
24741	01/08/10		WIERMANS SAMUEL A. WIERMAN	250.00
24742	01/08/10	WORKMIKE	MICHAEL T. WORKMAN	400.00
24743	01/08/10	XTELC	XTEL COMMUNICATIONS, INC.	366.34

Upon motion of Councilmember Barry D. Mastrangelo
Seconded by Councilmember Tom Cope

That we authorize Mr. Nicola to pay the bills provided the funds are available and the vouchers properly signed.

Vote 6 Councilmembers AYE

Upon motion of Councilmember
Seconded by Councilmember

That the Reorganization Meeting of Mayor and Council be adjourned at 8:00 p.m.

VOTE 6 Councilmembers AYE

APPROVED: _____, 2008

_____, Mayor

ATTEST: _____, Borough Clerk