

**MINUTES OF THE WORK SESSION OF
MAYOR AND COUNCIL OF THE BOROUGH
OF STONE HARBOR HELD IN THE
MUNICIPAL BUILDING, AUGUST 3, 2010**

The meeting was called to order by Mayor Walters at 4:30 p.m.

ROLL CALL

Suzanne M. Walters, Mayor
Suzanne C. Stanford, Borough Clerk
Michael J. Donohue, Attorney
Kenneth J. Hawk, Borough Administrator
James Nicola, CFO

PRESENT

Councilmembers
Barry D. Mastrangelo, President
Judy Davies-Dunhour
Joan Kramar
Thomas Cope
Joanne Vaul
Randall S. Bauer

Mayor Walters announced that the meeting was 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 and the Cape May County Herald on January 6, 2010.

COMMUNICATIONS

None.

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

Bob Ashman – 10301 First Avenue – inquired about the status of the library. Mr. Ashman was advised that the Department of Environmental Protection met to discuss their rules and regulations, but have not issued a report outlining their possible amendments to current rules and regulations. Mr. Ashman was advised that it is this Councils desire to have a concrete plan concerning the library at the next meeting.

OLD BUSINESS

ORDINANCE 1362 (Changes in Fees – Fire Official)

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

That Ordinance 1362 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1362 on second reading because a copy of said Ordinance was posted on the Clerk’s bulletin board.

The Public Hearing is now open.

No one from the public spoke.

The Public Hearing was closed.

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

That Ordinance 1362 be passed on second reading and advance to third and final reading.

Vote 6 Councilmembers AYE

Upon Motion of
Seconded by

Councilmember Thomas Cope
Councilmember Barry D. Mastrangelo

That Ordinance 1362 be passed on third and final reading, adopted and published according to law.

Vote **6 Councilmembers AYE**

NEW BUSINESS:

ORDINANCE 1363 (Fee Changes – OPRA)

Upon Motion of
Seconded by

Councilmember Joanne Vault
Councilmember Thomas Cope

That Ordinance No. 1363 be taken up on first reading.

Vote **6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1363 on first reading.

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Thomas Cope

That Ordinance 1363 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 7th day of September, 2010.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-139 – (Small Contracts without Soliciting Bids)

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Joanne Vault

**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 \$36,000.00, so that 15% thereof is \$5,400.00; 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 on Tuesday, August 3, 2010 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 \$5,450.00 or less may be awarded by the contracting agent without obtaining competitive quotations.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-140 – (Contracts Below Bid Limit Without Advertising)

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
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 as of this date is \$36,000.00, need not be publicly bid; and

WHEREAS, from time to time the Borough will desire to enter into contracts less than \$36,000.00; 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 \$36,000.00 as of this date, without the necessity of public bidding, in accordance with the Borough's regulations and guidelines.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-141 – (Professional Services Contract – Duffield Associates – Phase VII – Bird Sanctuary)

Upon motion of
Seconded by

Councilmember Randall S. Bauer
Councilmember Barry B. Mastrangelo

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH DUFFIELD ASSOCIATES FOR
PHASE VII OF THE BIRD SANCTUARY RESTORATION/
REJUVENATION PROJECT
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 is in need of an expert in connection with Phase VII of the Bird Sanctuary Restoration/Rejuvenation project; and

WHEREAS, Duffield Associates are geoscientific experts consisting of professional engineers and other professionals with experience in consulting with regard to such projects; and

WHEREAS, in accordance with the attached proposal dated June 9, 2010 and Revised July 16, 2010 for project No. 5976.WM, which is hereby incorporated by reference and made a part hereof, Duffield Associates will provide professional consulting services to the Borough in connection with Phase VII of the Bird Sanctuary Restoration/Rejuvenation project as detailed in the proposal an estimated total fee of forty-nine thousand seven hundred and fifty dollars (\$49,750.00); and

WHEREAS, funds are available as evidenced by the Chief Financial Officer's Certification attached hereto and the contractor has executed all required disclosures;

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 3rd day of August, 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 Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached proposal bearing Project No. 5976.WM and dated June 9, 2010 and revised July 16, 2010, as the contract for professional services for the purposes stated herein above;
3. That the aforementioned contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law, Duffield having previously submitted all documents required under the “non-fair and open” requirements;
4. That the aforementioned contract 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 and the contractor shall execute an appropriate acknowledgment of same which shall also be a part of and incorporated into this contract;
5. That a notice of the letting of this Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Vote

6 Councilmembers AYE

RESOLUTION 2010-S-142 – (Refund Escrow – Zoning Board of Adjustment)

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry D. Mastrangelo

WHEREAS, Mr. & Mrs. Joseph Ragonese of 152 D. Street SSE, Washington, DC 20003 deposited \$ 500 as an escrow fee for a Zoning Board of Adjustment hearing for the property known as 2 – 88th Street, Block 87.01, Lots 130.01, 15.01 and 17.01; and

WHEREAS, \$112.50 of the fee was used for Legal Fees, leaving \$387.50 in the account; and

WHEREAS, the Zoning Officer has requested and approved the return of this unused escrow fee.

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

1. That the sum of \$ 387.50 be refunded to Mr. & Mrs. Joseph Ragonese at the above address.
2. That the Chief Financial Officer shall take any and all steps necessary to effectuate such refunds and shall make the proper adjustments to the financial records of the Borough.

Vote

6 Councilmembers AYE

RESOLUTION 2010-S-143 - (Change Regular Meeting Date in September, 2010)

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Joanne Vaul

CHANGE OF MEETING DATE SEPTEMBER 2010

WHEREAS, Borough Council of the Borough of Stone Harbor in the County of Cape May, New Jersey may hold Council Meetings as directed by Resolution; and

WHEREAS, Resolution 2010-A-8 adopted by Council on January 5, 2010 directed that Council Meetings be held on certain published dates; and

WHEREAS, there has been a request for the Regular Council Meeting scheduled for Tuesday, September 21, 2010 at 4:30 be changed to Saturday, September 25, 2010 at 9:45 AM.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Stone Harbor, duly assembled in public session this 3rd day of August, 2010, that the request for a change in the time and date of the Regular Council meeting of September 21, 2010 to Saturday, September 25, 2010 at 9:45 AM be approved and that the Borough Clerk make the proper notification to the newspapers.

Vote **6 Councilmembers AYE**

RESOLUTION 2010-S-144 - (Grant Application – NJDOT – First Avenue Reconstruction)

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

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the FY 2011 NJDOT Transportation Trust Fund - First Avenue Road Reconstruction project.

NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Stone Harbor formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011 Stone Harbor Borough - 00427 to the New Jersey Department of Transportation on behalf of Borough of Stone Harbor.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Stone Harbor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Vote **6 Councilmembers AYE**

MOTION: - To authorize the use of the Fire House Parking Lot and water for a car wash on Saturday, August 28, 2010 with the proceeds to benefit the Junior and Sophomore classes of Middle Township High School.

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

Vote **6 Councilmembers AYE**

MOTION: - To authorize a sign on public property at the 80th Street Tennis Courts from August 4, 2010 to August 15, 2010 requested by Cape Regional Medical Center advertising their Home and Health Show on August 14, 2010.

Motion of Councilmember Joanne Vault
Seconded by Councilmember Thomas Vault

Vote **6 Councilmembers AYE**

The following bills were presented to Council for payment:

Check #	Check Date	Vendor	Amount Paid
26417	08/04/10	34489ASS 34489 ASSOCIATES, LLC.	23.75
26418	08/04/10	ACESTLIG ATLANTIC CITY ELECTRIC	6,461.68
26419	08/04/10	ACMEM ALBERTSONS	77.65
26420	08/04/10	ACTRU ACTION RUBBER & INDUSTRIAL	182.98
26421	08/04/10	ALLST ALL STATE LEGAL	147.00

26422	08/04/10	AMPMS	A.M./P.M. SERVICES	368.00
26423	08/04/10	ANDRLAND	ANDREW'S LANDSCAPING SERVICE	3,900.00
26424	08/04/10	AVAPR	AVALON PRINTING & PROMOTIONS	684.13
26425	08/04/10	BARBERSL	BARBER'S PROF. LANDSCAPING	500.00
26426	08/04/10	BELLV	BELLA VISTA GRAPHICS	851.00
26427	08/04/10	BERKEYLU	LUCAS BERKEY	75.00
26428	08/04/10	BESTU	BEST UNIFORM	337.05
26429	08/04/10	BORSH	BOROUGH OF STONE HARBOR	312,164.37
26430	08/04/10	BOSACCOD	DAVID C. BOSACCO	250.00
26431	08/04/10	BROWS	BROWN, SUZANNE	95.00
26432	08/04/10	BURNERRO	ROBERT M. BURNER	400.00
26433	08/04/10	CASAP	CASA PAYROLL SERVICES	676.00
26434	08/04/10	CLEVERBR	CLEVERBRIDGE, INC.	518.00
26435	08/04/10	CMCCL	CAPE MAY COUNTY CLERK	365.64
26436	08/04/10	CMCLM	C.M.C.LEAGUE OF MUNICIPALITIES	400.00
26437	08/04/10	CMCTO	C.M.C. TREASURER'S OFFICE	2,463,596.65
26438	08/04/10	CMCTOANI	C.M.C.TREASURER'S OFFICE	1,016.75
26439	08/04/10	COLLETT	CHRIS COLLETT	250.00
26440	08/04/10	COMCA	COMCAST	100.24
26441	08/04/10	CONLINJE	JEFFREY P. CONLIN	50.00
26442	08/04/10	CUEVASRY	RYAN CUEVAS	1,562.40
26443	08/04/10	CURRIERS	CURRIER'S MAGICAL MANIA, LLC	475.00
26444	08/04/10	DAVID	DAVIDSON, PAMELA G.	80.00
26445	08/04/10	DAVISBEN	BENJAMIN DAVIS	75.00
26446	08/04/10	DEROSEMA	MATTHEW DEROSE	250.00
26447	08/04/10	DIGIOVAN	HEATHER M. DIGIOVANNI	400.00
26448	08/04/10	DUNCANLE	LEE & JUNE DUNCAN	290.00
26449	08/04/10	FINNEGAN	JACQUELINE FINNEGAN	400.00
26450	08/04/10	FORTDEAR	FORT DEARBORN LIFE INSURANCE	226.50
26451	08/04/10	FUNFLICK	FUNFLICKS OUTDOOR MOVIES	705.42
26452	08/04/10	GALLAGHE	KEVIN GALLAGHER	75.00
26453	08/04/10	GALLS	GALL'S, INC.	945.00
26454	08/04/10	GENER	GENERAL CODE PUBLISHERS	670.86
26455	08/04/10	GIULIANK	KARL GIULIAN	250.00
26456	08/04/10	HAFELERO	ROBERT G. HAFELE	50.00
26457	08/04/10	HARDIN	MIKHAILA HARDIN	400.00
26458	08/04/10	HARRI	HARRIS COMPUTER SYSTEMS	172.76
26459	08/04/10	HAUGEND	DONNA HAUGEN	400.00
26460	08/04/10	HAWKFIRE	KENNETH J. HAWK	250.00
26461	08/04/10	HERMA	HERMAN, JR., NICHOLAS J.	344.00
26462	08/04/10	HILESNIC	NICOLE HILES	69.99
26463	08/04/10	HILLLIZA	LIZABETH HILL	335.00
26464	08/04/10	HOMED	HOME DEPOT CREDIT SERVICES	92.78
26465	08/04/10	HORIZ	HORIZON BLUE CROSS/BLUE SHIELD	113,580.93
26466	08/04/10	HOYS5	HOY'S FIVE & TEN	3,022.72
26467	08/04/10	HUDAKAND	ANDREW M. HUDAK	1,300.00
26468	08/04/10	ISLANDAE	ISLAND AEROBICS	384.00
26469	08/04/10	JBYRN	J. BYRNE AGENCY INC.	4,126.81
26470	08/04/10	JESCOJOH	JESCO, INC.	68,925.00
26471	08/04/10	JUSTS	JUST SPORTS, INC.	120.12
26472	08/04/10	KINDL	KINDLE FORD MERCURY LINCOLN	191.50
26473	08/04/10	LAMACH	JAMES LAMACH, JR.	220.00
26474	08/04/10	LANSINGE	WILLIAM & CHARLOTTE LANSINGER	425.00
26475	08/04/10	LAWSO	LAWSON PRODUCTS, INC.	64.52
26476	08/04/10	LEICHLIT	IRENE LEICHLITER	50.00
26477	08/04/10	LINDHOLM	KYLE LINDHOLM	400.00
26478	08/04/10	LINZM	MICHAEL LINZ	400.00
26479	08/04/10	LOEFFLAD	JACOB LOEFFLAD	150.00
26480	08/04/10	LOWES	LOWE'S	533.53
26481	08/04/10	MARRIII	CHARLES MARRINER III	75.00
26482	08/04/10	MARRINER	CHARLES MARRINER JR.	75.00
26483	08/04/10	MASCI	MASCIA, JOANNE	234.00
26484	08/04/10	MCCLURER	ROBERT C. MCCLURE	250.00
26485	08/04/10	MCCLURJR	ROBERT MCCLURE JR	150.00
26486	08/04/10	MCDEVITT	SEAN B. MCDEVITT	400.00
26487	08/04/10	MCDEVNAN	NANCY MCDEVITT	400.00
26488	08/04/10	MCGONAGL	KATHERINE MC GONAGLE	90.00
26489	08/04/10	NEWDECKC	CHRISTINA NEWDECK	1,044.00
26490	08/04/10	NEXT1	NEXTEL COMMUNICATIONS	185.61
26491	08/04/10	NIELSONK	KEITH NIELSON	450.00
26492	08/04/10	NJLOMDUE	NJ ST LEAGUE OF MUNICIPALITIES	28.00
26493	08/04/10	NJLOMUNI	NJ ST LEAGUE MUNICIPALITIES	112.00
26494	08/04/10	OARHOUSE	OAR HOUSE, LLC	1,590.00
26495	08/04/10	ORMRODST	STEVEN M. ORMROD	75.00
26496	08/04/10	ORZECHE	EDWARD ORZECZ	250.00
26497	08/04/10	PANNIERG	PANNIER GRAPHICS	2,121.00
26498	08/04/10	PARAM	PARAMOUNT CHEMICAL & PAPER CO.	1,518.44
26499	08/04/10	PASTORE	MICHAEL PASTORE	450.00
26500	08/04/10	PERFORMA	PERFORMANCE ATHLETIC CTR., LLC	4,046.40
26501	08/04/10	PRESS	PRESS, THE	236.53

26502	08/04/10	RADEC	RADECKI, ELLA	93.35
26503	08/04/10	REMIN	REMINGTON, VERNICK & WALBERG	0.00
26504	08/04/10	REMIN	REMINGTON, VERNICK & WALBERG	35,215.45
26505	08/04/10	RENTA	RENTAL COUNTRY	412.14
26506	08/04/10	ROSELLEH	HERBERT G. ROSELLE	525.00
26507	08/04/10	RUSSGRAN	GRANT RUSS	475.00
26508	08/04/10	SAMPSONJ	JAMES SAMPSON	400.00
26509	08/04/10	SCHAFFER	MELLISSA SCHAFFER	400.00
26510	08/04/10	SCHEELER	MICHAEL R. SCHEELER	250.00
26511	08/04/10	SCHWARTZ	JONATHAN SCHWARTZ	75.00
26512	08/04/10	SCOTT	SCOTT, DEBORAH	235.00
26513	08/04/10	SHBED	STONE HARBOR BD OF EDUCATION	553,775.75
26514	08/04/10	SHTIT	SHORE TITLE AGENCY, INC.	201.50
26515	08/04/10	SJAUT	SOUTH JERSEY AUTO SUPPLY	102.43
26516	08/04/10	SLAVI	MARGARET SLAVIN	285.00
26517	08/04/10	SMUGG	SMUGGLERS COVE	63.95
26518	08/04/10	SSAR	S&S WORLDWIDE, INC.	677.58
26519	08/04/10	STANFORD	ROGER W. STANFORD	250.00
26520	08/04/10	STANL	STANLEY ACCESS TECH	493.92
26521	08/04/10	STAUFFER	DOUG STAUFFER	400.00
26522	08/04/10	STERCULA	STEPHAN STERCULA	400.00
26523	08/04/10	STEWARTD	WET SUIT WORLD, LLC	1,440.00
26524	08/04/10	SUNSH	SUNSHINE ARTISTS MAGAZINE	90.00
26525	08/04/10	TEASENFI	JEN TEASENFITZ	400.00
26526	08/04/10	TOSHI	TOSHIBA BUSINESS SOLUTIONS	119.51
26527	08/04/10	TOZER	TOZER, MICHELLE	66.39
26528	08/04/10	TRCOU	TRI COUNTY BUILDING SUPPLIES	377.36
26529	08/04/10	TRES2	TREASURER, STATE OF NJ	720.00
26530	08/04/10	VADENJOH	JOHN G. VANDENBRAAK, JR.	150.00
26531	08/04/10	VANDU	VAN DUYNE BROTHERS, INC.	8,000.00
26532	08/04/10	VAULFRAN	FRANK VAUL	75.00
26533	08/04/10	VERRA	VE RALPH	60.00
26534	08/04/10	VERWI	VERIZON WIRELESS	144.03
26535	08/04/10	VITAL	VITAL SERVICES GROUP	500.00
26536	08/04/10	WIERMANS	SAMUEL A. WIERMAN	250.00
26537	08/04/10	WORKMIKE	MICHAEL T. WORKMAN	400.00
26538	08/04/10	XTELC	XTEL COMMUNICATIONS, INC.	413.15
26539	08/04/10	YAMPOL	MICHAEL YAMPOLSKY	250.00

Checks: 122

3,617,872.22

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joanne Vaul

That we pay the bills provided the vouchers are properly completed and sufficient funds exist.

Vote

6 Councilmembers AYE

MOTION TO ADJOURN

Upon motion of
Seconded by
Vaul

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

That the Work Session Meeting of Mayor and Council be adjourned at 4:50 p.m.

Vote

6 Councilmembers AYE

APPROVED _____, 2010

_____, Mayor

ATTEST: _____, Borough Clerk