MINUTES OF THE REGULAR MEETING OF MAYOR AND COUNCIL OF THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING, SEPTEMBER 25, 2010

The meeting was called to order by Mayor Walters at 9:45 a.m.

#### **ROLL CALL**

#### **PRESENT**

Suzanne M. Walters, Mayor Suzanne C. Stanford, Borough Clerk Michael J. Donohue, Attorney Kenneth Hawk, Borough Administrator James Nicola, CFO Councilmembers
Barry D. Mastrangelo, Council President
Judith Davies-Dunhour
Joann Kramar
Thomas Cope, Jr.
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, Cape May County Herald and the Cape May County Gazette on August 4, 2010.

#### **SALUTE TO THE FLAG**

#### **MOTION CONCERNING THE MINUTES**

Upon motion of Seconded by

Councilmember Barry D. Mastrangelo Councilmember Joanne Vaul

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of August 17, 2010 and the Work Session Meeting of September 7, 2010 if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Vote

#### 6 Councilmembers AYE

#### REPORTS OF COMMITTEES AND OFFICERS

<u>PUBLIC WORKS</u> – Councilmember Mastrangelo reported that the Public Works is responsible for a large fleet of trucks of all sizes, police cars, emergency equipment, tractors, loaders, lawn mowers and more and are capable of repairing and servicing all of our equipment from a simple oil change to rebuilding just about anything. Councilmember Mastrangelo reported that Public Works perform all of the maintenance for all Borough properties including all the landscaping, recreation areas, building and maintaining our beach crossovers, minor repair to building as well as responding to request for various departments for repairs. Councilmember Mastrangelo reported that Public Works is also responsible for all trash and recycling collection and that all Public Works employees are cross-trained. Councilmember Mastrangelo reported that additional sand fence will be installed along the dune face and that daily raking of the beach has discontinued. Councilmember Mastrangelo reported that due to Hurricane Earl, the boardwalk access areas from the beach were removed. Councilmember Mastrangelo reported that a total of 491.75 man hours were performed for Special Events including the Arts and Crafts Show and the Lion's Club Run. Councilmember Mastrangelo reported that the solid waste tipping fees for the month of August were \$27,875.83 up \$1,529.65 from 2009, that the Litter Patrol picked up 90 bags of trash in the month of August and there were 484 citizen contracts and work orders processed in August. Councilmember Mastrangelo reported that the 3<sup>rd</sup> Bulk Trash pick-up day was Monday, September 20, 2010 and that the fourth and final Bulk Trash day will be November 15, 2010. Councilmember Mastrangelo introduced Mark DeBlasio and Ray Roberts of Remington and Vernick Engineers who presented a power point presentation for the proposed Phase II and Phase III of the Beach Outfall Pipe Removal Project.

Mr. DeBlasio and Mr. Roberts provided this power point presentation which proposes the removal of 5 beach outfall pipes, reconstructing water and sewer, road reconstruction as well as many other aspects of the proposed project.

**PUBLIC SAFETY** – Councilmember Cope provided the statistical police report for the month of August and Year to Date – 66 moving violations and 355 YTD; 746 parking violation and 1899 YTD; and 440 motor vehicle stops and 2096 YTD. Mr. Cope stated that there were 38 ordinance violations; 20 adult arrests; 0 driving while intoxicated and 17 juvenile arrests; 38 medical calls; 12 fire calls; 12 alarms; 41 open doors/windows; 4 domestic violence; 13 noise complaints and 33 animal complaints. Mr. Cope invited Police Chief Toland to the podium. Chief Toland reported that the Department is starting a bike registration online and will be available shortly, encouraged everyone to lock their doors and cars; as well as the Senior Call In Program. Mr. Cope invited Fire Chief Roger Stanford to the podium. Chief Stanford reported that the Fire Safety Day is scheduled at the Fire House today; reported on the Rental Registrations; the new ladder truck and how well it performed in recent fires; the Fire Department recently held a surf/rescue drill at 96<sup>th</sup> and the Beach with the Borough of Avalon; and reported that 998 registered properties will be receiving their annual bill for inspection and that the Bureau no longer requires decals on houses and there is no longer an exemption for condos. Councilmember Cope introduced Ken Hawk, the Coordinator of Emergency Management. Mr. Hawk explained that the Coordinator needs to make sure the Borough is prepared for any type of emergency or crisis. Mr. Hawk reported that the Borough has several programs in place including a Warning Program – the Borough has a siren with voice capability, reverse 991 system, and recently got licensed for an am radio station – 1670 am dial. Mr. Hawk provided an update of the FEMA process and where the Borough is in its efforts to get reimbursed for last year's storms.

**NATURAL RESOURCES** - Councilmember Bauer reported that in response to questions asked by the ROA regarding public access to waterways and how it will affect waterfront property owners and asked the Borough Solicitor to respond to this issue. Mr. Donohue stated that the NJ DEP, under Governor Corzine, established public access rules that were extremely onerous and if municipalities did not conform to the new rules and regulations, they would be prohibited from receiving any type of State funding. Mr. Donohue explained that in response to these regulations, the Borough of Avalon sued the State and the Borough of Stone Harbor joined in the lawsuit. The Borough of Avalon's lawsuit was successful and the Court struck down a large part of the rules and regulations and required the DEP to amend their rules and regulations. Mr. Donohue explained that the new Governor, Christie, issued Executive Order #2 which is known as the Common Sense Principles Executive Order and requires any regulatory agency to adopt "Common Sense" rules and regulations. Mr. Donohue stated that as a result of this Order, the DEP re-crafted its rules and regulations and published them and is in the middle of a 60 day comment period. Mr. Donohue stated that the new rules and regulations provide that each municipality will create a public plan to demonstrate the amount of public access. Mr. Donohue stated that he is confident that the facilities that Stone Harbor currently offer meet or exceed what any public plan would require. Mr. Donohue stated that single family homes, duplexes, and small commercial development are exempted from the public access portion. Mayor Walters stated that the DEP Stakeholders Committee is considering making the Borough of Stone Harbor their "model" public access plans. Councilmember Bauer provided an update on Site 103, offloading spoils, and dredging issues. Councilmember Bauer reported on the property at 96<sup>th</sup> and Third, the Sprandio property, and stated that he has all the permits and the ball is in his court to proceed with the project. Councilmember Bauer reported that the Sanctuary had over 700 visitors this season on the guided tours, 14 herons nesting, resting and roosting and have since flown the coop, so now the Holly Path is open to the public without having a tour. Councilmember Bauer reported that this is the first year that Stone Harbor's Bird Sanctuary was included in the Wings n Water itinerary and approximately 109 people came for the tour during this festival.

<u>BEACH & RECREATION</u> – Councilmember Davies-Dunhour provided a summary report for the beach tag revenue – beach tag revenue has increased \$43,080 from 2009 with following breakdown – seasonal tags, as of July 18 is \$307,199 vs. \$284,304 in 2009 with a pre-season, seasonal, weekly and daily tag breakdown. Councilmember Davies-Dunhour stated that the total seasonal tags sold for 2010 was 25,265 and the last time the Borough sold over 25,000 of seasonal tags was in 2006. Councilmember Davies-Dunhour stated that Beach Captain, Sandy Bosacco, was unable to attend today's meeting, but provided the following year-end report – 89 rescues, 19 EMS calls, 5 police calls, 5 assisted boats, and 43 lost children were found. Van Cathcart, Recreation Director, thanked

Mayor, Council, Police and Public Works for all their support. Mr. Cathcart reported that all Rec programs were busier that ever and include Arts & Crafts, morning clinics consisting of basketball, baseball, tee ball, soccer, lacrosse, fishing and crabbing; evening basketball leagues; surf, yoga, and tennis; the boot camp; cardio corps; soccer camps, lacrosse camps; and move and music on Wednesdays, and the boat ramp. Mr. Cathcart reported that amount of people that the Department can handle has been maxed out, and unfortunately, some people are turned away. Mr. Cathcart reported that the Rec Department has an abbreviated schedule and includes after school activities, bus trips, bowling trips, dances, etc. Joann DelVescio, Tourism Director, reported that Channel 2 is continually updated as well as Facebook and Twitter pages and are now on the Borough's homepage; press releases on activities and events in the Borough continue to be sent out; the Public Safety brochure is complete; the Turtle Trot; Jaws Fitness Festival; the Tennis Channel was in Stone Harbor to film their "Destination Tennis" segment; Trial on the Isle Event with the Philadelphia Flyers was a great success; Channel 3's Orr at the Shore was broadcasted on July 15; Channel 4 covered the Baby parade; the Blues and Barbecue Festival – Stone Harbor Style was so successful that we ran out of food; still coordinating Art and Music Weekend in October; coordinating the Polar Bear Plunge – The Stone Harbor Shiver; completed the submission to the County Chamber for its Beautification Award; worked with Adam Joseph – Channel 6 meteorologist - who filmed from Stone Harbor; and working on the Christmas Parade. Mrs. DelVescio stated that every effort is being made to get Stone Harbor free advertising and that Stone Harbor has received a great amount of coverage this year. Mrs. DelVescio stated that the current campaign is "Fall In Love With Stone Harbor." Councilmember Davies-Dunhour stated that the Rec Advisory Committee is working on ideas for redoing the playground and invited anyone to offer suggestions or participate in the discussions.

<u>UTILITIES</u> - Councilmember Kramar thanked Mayor and Council for changing the date of this meeting to a Saturday so that the ROA and summer residents could attend and thanked the public for a great turnout. Councilmember Kramar thanked Marc DeBlasio and Ray Roberts for their incredible report. Councilmember Kramar reported that the water rates have not been increased in 4 years and that based upon an extensive analysis, the Utilities Committee recommended that the rates be increased \$25.00 per quarter. Councilmember Kramar reported that the Borough has spent over \$5 million in infrastructure upgrades and stated that this is where the taxpayers money goes – water, sewer pipes replacements, outfall pipes, resurfacing, etc. Councilmember Kramar reported that 24% of our people are using 51% of our water -- which is used by the exemption meters for irrigation systems. Councilmember Kramar stated that the Borough came very close to hitting its allotment of water this summer. Councilmember Kramar reported that the Utility Department is in place to provide an equitable costs to its users not to make money.

ADMINISTRATIVE & FINANCE – Councilmember Vaul expressed her gratitude to Van, Joann, Public Works, Sandy, Public Safety and all the other Borough employees for such a spectacular summer. Councilmember Vaul reported that the A & F Committee met several times this past month and some of the meetings included a meeting with an ROA member who specializes in health care benefits and discussed possible cost savings; compensation study team, and with County Administration regarding the library. Councilmember Vaul stated that the Borough continues to wait for news from Trenton in response to 2 letters the County's attorney sent regarding changes that would need to be made to the DEP regulations in order to advance this project. Councilmember Vaul reported the financial results for August and include – a significant decrease in Municipal Court fees collected, parking meter revenue has increased significantly, beach tag fees has increased, and Construction Code fees have increased. Councilmember Vaul reported that the non-tax revenue dollars have increased approximately \$400,000 from last year and spending is even. Councilmember Vaul reported that the budgeting process for 2011 has officially begun and the 2011 Capital Budget will be on the October 19, 2010 Agenda.

**ENGINEER'S REPORT** - Mark DeBlasio, Borough Engineer, provided the Engineer's report as follows:

#### **Beach Outfall Elimination-Phase 1**

• The contractor will return to the job site in the Fall to install stormwater quality tanks in Chelsea Place and perform punchlist activities.

Public Works Building Repainting (81st and Third)

- Proposals were received June 29, 2010.
- Council has awarded project to Pro-Spec Painting, Inc. of Vineland, NJ for \$24,580.00.
- Contractor has begun work the week of August 23, 2010.
- The time of completion will be 40 calendar days.

#### **Water Plant Roof Replacement and Mechanical Renovations**

 The Contractor has completed all the original contract work and punchlist items

#### **Exterior Restorations of Municipal Building**

- RV & W is preparing bid documents.
- RV & W, in conjunction with Chief Stanford, conducted water test on Wednesday, June 16<sup>th</sup> from 7:00 AM to 9:00 AM.
- RV & W analyzed test results and submitted a recommended scope of construction for Borough consideration.
- RV & W awaiting confirmation of the scope of construction.

#### <u>Beach Outfall Elimination Project – Phase 2 Preliminary</u>

#### **Assessment**

- RV & W has commenced field investigations, data gathering and preliminary layout.
- We will be prepared to make a presentation of our report and assessment to the Borough in mid-September.

#### 99th Street Bulkhead Replacement

- The bid opening occurred on March 25, 2010. The apparent low bidder is M.G. Lindemon Trucking in the amount of \$94,385.00.
- The contractor is scheduled to begin work in September.

#### **FY 2009 NJEIT Sanitary Sewer and Water Main Improvements**

- The bid opening occurred on December 29, 2009. The apparent low bidder is Asphalt Paving Systems in the amount of \$2,225,000.00.
- 84<sup>th</sup> Street is complete.
- A punchlist has been generated.
- The contractor will return in the Fall to complete the project.

#### **FY 2010 NJEIT Sanitary Sewer and Water Main Improvements**

- We have secured verbal "authorization" to bid this project.
- We anticipate that we will be requesting a motion to bid at the next Council meeting

#### Public Works Solar Energy Project and Structural Upgrades

- The project is 100% complete.
- The contractor is in the process of coordinating the integration of the solar array with Atlantic City Electric Company, as well as the final inspection with the New Jersey Board of Public Utilities.

#### **Furnishing Water and Sewer Supplies**

- Public notice will be advertised on August 20, 2010.
- The bid opening is scheduled for September 9, 2010.

#### **Structural Investigation of the Fire House**

• The structural report has been transmitted to the Borough on August 27, 2010.

#### TREASURER'S REPORT

Current Receipts	52,902,648.04
Current Disbursements	
Utility Receipts	51,632,005.95
Utility Disbursements	

#### **BOROUGH CLERK'S REPORT**

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>

0	Boat Slips	0.00
0	Use of Fields	0.00
0	Business Registrations	0.00
20	Certified Copies	\$200.00
0	Parking Permits	0.00
1	OPRA Request	\$1.35
0	Special Events Permits	0.00
6	Marriage Licenses	\$196.00
0	Liquor Licenses	0.00
3	Use of Fire House	\$24.00
5	Farmers Market	\$1,000.00
	SUBTOTAL	\$12,748.00
0	Dogs	\$
1	Cats	<u>\$5.50</u>
	TOTAL	\$1,426.85

#### **CONSTRUCTION OFFICE**

PERMIT	NO. OF PERMITS	FEES COLLECTED
	ISSUED	
Building Permits	24	7,512.00
Electrical Permits	8	3,020.00
Plumbing Permits	5	4,320.00
Fire Permits	6	1,0335.00
DCA Permits	28	845.00
Zoning Permits	13	12,467.00
CTT's	6	300.00
Violations	0	0.00
Certificate of Occupancy	21	1,731.00
Other Miscellaneous	0	0.00
Contractor's License	0	0.00
Public Records	0	0.00
Dumpster/Semi Trailer	0	0.00
Utility Street Openings	5	900.00
TOTAL FEES COLLECTED		\$32,130.00

Upon motion of Councilmember Joanne Vaul
Seconded by Councilmember Judy Davies-Dunhour

That the reports of committees and officers be received and filed.

Vote 6 Councilmembers AYE

#### **COMMUNICATIONS**

None.

## $\frac{\text{HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS \& }{\text{COMPLAINTS}}$

Sandy Slabik -8318 Sunset Drive and ROA - publically thanked the Mayor, Council and staff for coming in on a Saturday morning. Mrs. Slabik stated that as we can see by the attendance that it was a very welcomed activity.

Alice Scandura – 413 Golden Shore Condominiums – stated that she has a petition which is requesting that the Borough provide some type of shields over the sodium lights in the municipal facilities just west of the Condos. Mrs. Scandura said the lights are extremely garish and make it difficult for residents to sit on their porches at night. Ms. Scandura was assured that Public Works would address this situation.

Jean Tribulski – 114 109<sup>th</sup> Street – expressed a personal thank you to Joann DelVescio for all her hard work.

#### **OLD BUSINESS:**

None.

**NEW BUSINESS:** 

<u>RESOLUTION 2010-S-148</u> – Disposal of Borough Surplus Property Online with GovDeals Report

Upon motion of Seconded by

Councilmember Randall S. Bauer Councilmember Barry D. Mastrangelo

#### **Authorizing Disposal of Surplus Property**

**WHEREAS,** the Borough of Stone Harbor is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, Cape May County, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Public Works Department of the Borough.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
  - (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
  - (4) A list of the surplus property to be sold is attached.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Stone Harbor reserves the right to accept or reject any bid submitted.

September 25, 2010

Vote 6 Councilmembers AYE

#### **RESOLUTION 2010-S-149** – Chapter 159 – Clean Communities Grant

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

**WHEREAS,** NJS 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, the Director may also approve the insertion of an appropriation for the equal amount;

#### **SECTION I**

**NOW THEREFORE, BE IT RESOLVED,** that the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$13,174.87, which is now available as a revenue from the State of New Jersey, And

#### **SECTION II**

**BE IT FURTHER RESOLVED** that a like sum of \$13,174.87 is hereby appropriated under the caption of Clean Communities; and

#### **SECTION III**

**BE IT FURTHER RESOLVED** that the above is a result of a grant of \$13,174.87 from the New Jersey Department of Environmental Protection.

#### Vote

#### **6 Councilmembers AYE**

**RESOLUTION 2010-S-150** – Award Water & Sewer Supply Bid to HD Supply Waterworks

Upon motion of Seconded by

Councilmember Joan Kramar Councilmember Barry D. Mastrangelo

#### AWARDING A CONTRACT FOR FURNISHING WATER & SEWER SUPPLIES

**WHEREAS,** one (1) bid was received by the Stone Harbor Municipal Clerk on September 9, 2010, 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-T-105, 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,** HD Supply Waterworks, Ltd of 228 Williamstown Road, Berlin, N.J. 08009, submitted the lowest responsible and conforming bid in an amount of not to exceed \$20,288.47; and

WHEREAS, the Borough Engineer has recommended that the contract be awarded to HD Supply Waterworks, L.T.D. 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.

**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 25<sup>th</sup> day of September, 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-T-105 be and the same is hereby awarded to HD Supply Waterworks, L.T.D. in an amount not to exceed \$20,288.47;
- 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.
- 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

<u>RESOLUTION 2010-S-151</u> – Calling on State Legislature to Enact Property Tax Reform with Passage of "Municipal Toolkit" and Mandate Relief

Upon motion of Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

# RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE "MUNICIPAL TOOLKIT" AND MANDATES RELIEF

**WHEREAS**, difficult times demand difficult choices, and facing an unprecedented revenue gap this year, Governor Christie introduced, and the Legislature passed, a budget that cut municipal property tax relief funding by about \$450 million, from last year's already reduced totals; and

**WHEREAS,** realizing that a 20% cut in revenue replacement funding, instead of the statutorily required increase, would present a serious challenge to local budget makers, Governor Christie intended to provide local officials with meaningful tools to limit the, otherwise devastating, impact of the cuts; and

**WHEREAS,** the Governor's "Tool Kit to Meet Today's Fiscal Challenges" was supposed to accomplish six objectives: collective bargaining reform; pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State government services; and a constitutional cap on property tax increases; and

**WHEREAS**, Governor Christopher Christie and the State Legislature have agreed on and enacted a 2% statutory cap for annual property tax levy increases; and

**WHEREAS**, the Governor was correct when he said, 'New caps without the toolkit are unworkable.' and

**WHEREAS,** with the cuts assured in the State's new budget and with bi-partisan agreement reached on new property tax caps, New Jersey Mayors - from municipalities, large and small, and from all around our Garden State – still wait for Trenton policy makers to enact meaningful local government cost containment reforms; now therefore be it

**RESOLVED**, by the Mayor and Borough Council of the Borough of Stone Harbor calls for immediate passage of the "Toolkit" reforms and mandates relief, including, but not limited to interest arbitration reform, civil service reforms, public employee pension and benefits, disciplinary procedures, school and special district elections, reforms to the Fair Housing Act and the Council on Affordable Housing and mandates relief; and

**BE IT FURTHER RESOLVED**, that statutory arbitration reforms must limit the full economic impact of awards to conform to the 2% cap; and

**BE IT FURTHER RESOLVED**, that statutory Health benefit reforms must conform

future health benefit costs to the 2% cap; and

**BE IT FURTHER RESOLVED,** that municipal revenues, such as the Energy Tax, which are now collected by, and diverted to, the State, but which are legally intended for municipal property tax relief, must be constitutionally dedicated for their original purpose; or in the alternative, those taxes should be reformed to allow collection directly by municipalities; and

**BE IT FURTHER RESOLVED,** that the Administration and Legislature must advance immediate mandates relief initiatives to assist municipalities in managing within the 2% cap; and

**BE IT FURTHER RESOLVED**, that the Administration and Legislature must advance reforms to the Fair Housing Act and the Council on Affordable Housing (COAH); and

**BE IT FURTHER RESOLVED**, that a cap exception for the costs associated with tax appeals should be included, and costs mandated by the Administrative Office of the Courts (AOC) should be excepted from the 2% cap or the costs of new AOC mandates should be capped at 2%; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

Vote

#### 6 Councilmembers AYE

<u>RESOLUTION 2010-S-152</u> – Authorizing Application to NJEIT Financing Program – Beach Outfall Elimination Project – Phases II and III

Upon motion of Seconded by

Councilmember Barry D. Mastrangelo Councilmember Joan Kramar

### Authorizing Application for a Loan from the New Jersey Environmental Infrastructure Financing Program

**WHEREAS**, the Borough of Stone Harbor intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the sanitary sewer, storm sewer and water system improvements as part of the Beach Outfall Elimination Project Phases 2 and 3.

**NOW THEREFORE, BE IT RESOLVED** that Kenneth Hawk, Borough Administrator of the Borough of Stone Harbor, be authorized to act as the Authorized Representative to represent the Borough of Stone Harbor in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at:

Stone Harbor Borough Hall 9508 Second Avenue Stone Harbor, New Jersey 08247 Phone: 609-368-5102

Phone: 609-368-310.

6 Councilmembers AYE

#### **RESOLUTION 2010-S-153** – Extend Summer Officers

Upon motion of Seconded by

Vote

Councilmember Thomas Cope Councilmember Barry D. Mastrangelo

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that SLEO II Officers Joseph Bartolone, George Kosanovich and Brent Grunow's employment with the Stone Harbor Police Department be extended until December 31, 2010.

#### Vote

#### 6 Councilmembers AYE

**MOTION:** To authorize the Borough Engineer to advertise a Notice to Bidders for the 96<sup>th</sup> Street Tennis Courts Resurfacing and Fence Replacement on September 29<sup>th</sup> and receive bids on October 13, 2010 at 10 am.

Upon motion of Seconded by

Councilmember Judy Davies-Dunhour Councilmember Joanne Vaul

#### Vote

#### 6 Councilmembers AYE

The following bills were presented to Council for their approval:

Check	# Check Dat	e Vendor	BOROUGH OF STONE HARBOR ATLANTIC CITY ELECTRIC CO. ALEXANDER & CO., NAT ALLEGRA MARKETING, PRINT, MAIL ALL INDUSTRIAL SAFETY PRODUCTS ARBOR DAY FOUNDATION AT & T MOBILITY AVAYA, INC. BEST UNIFORM BOSACCO, CARRIE M. BROWN & KEENER URBAN DESIGN PC BURKE MOTORS CAPE 47 LUMBER CO. CAPRIONI PORTABLE TOILETS CASA PAYROLL SERVICES CATERINA SUPPLY, INC. CHRISTMAN, H.B. C.M.C. CHAMBER OF COMMERCE C.M.C. MUNICIPAL UTILITY AUTHO COMCAST CONNEY SAFETY PRODUCTS COYNE CHEMICAL H.A. DEHART & SONS DELL MARKETING L.P. DENNIS SALES & SERVICE, INC. EXPERIENCE HR, INC. SCOTT FOSTER FUTURE MINING & RECYCLING, INC GARDEN GREEHOUSE NURSERY GARY'S AUTOMOTIVE SERVICE GENERAL CODE PUBLISHERS GARY M. GLASS, MD GLOBAL CONNECT GRAINGER, INC. W.W. HARRIS COMPUTER SYSTEMS HERALD NEWSPAPERS HESS CORPORATION HOME DEPOT CREDIT SERVICES HORIZON BLUE CROSS SHIELD NJ HORNBECK, DIANE HUGHES, JOSEPH INFORMATION STATION SPECIALIST	Amount Paid
26822	09/15/10	BORSH	BOROUGH OF STONE HARBOR	249,807.21
26823	09/24/10	ACELE	ATLANTIC CITY ELECTRIC CO.	534.61
26824	09/24/10	ALEXA	ALEXANDER & CO., NAT	1,197.80
26825	09/24/10	ALLEGRAM	ALLEGRA MARKETING, PRINT, MAIL	225.44
26826	09/24/10	ALLIN	ALL INDUSTRIAL SAFETY PRODUCTS	836.09
26827	09/24/10	ARBORDAY	ARBOR DAY FOUNDATION	50.00
26828	09/24/10	ATTMOBIL	AT & T MOBILITY	124.50
26829	09/24/10	AVAYA	AVAYA, INC.	650.95
26830	09/24/10	BESTU	BEST UNIFORM	168.52
26831	09/24/10	BOSACCOC	BOSACCO, CARRIE M.	165.00
26832	09/24/10	BROWNKEE	BROWN & KEENER URBAN DESIGN PC	799.25
26833	09/24/10	BURKE	BURKE MOTORS	34.32
26834	09/24/10	CAPE4	CAPE 47 LUMBER CO.	822.69
26835	09/24/10	CAPRI	CAPRIONI PORTABLE TOILETS	1,192.00
26836	09/24/10	CASAP	CASA PAYROLL SERVICES	376.35
26837	09/24/10	CATERINA	CATERINA SUPPLY, INC.	5,213.00
26838	09/24/10	CHRIS	CHRISTMAN, H.B.	17.34
26839	09/24/10	CMCCC	C.M.C. CHAMBER OF COMMERCE	44.00
26840	09/24/10	CMCMU	C.M.C. MUNICIPAL UTILITY AUTHO	27,689.98
26841	09/24/10	COMCA	COMCAST	100.21
26842	09/24/10	CONNE	CONNEY SAFETY PRODUCTS	74.03
26843	09/24/10	COYNE	COYNE CHEMICAL	1.375.50
26844	09/24/10	DEHAR	H.A. DEHART & SONS	241.79
26845	09/24/10	DELLC	DELL MARKETING L.P.	135.99
26846	09/24/10	DENNISSA	DENNIS SALES & SERVICE, INC.	1.085.47
26847	09/24/10	EXPERTEN	EXPERIENCE HR. INC.	2.040.00
26848	09/24/10	FOSTER	SCOTT FOSTER	1,000.00
26849	09/24/10	FUTUR	FUTURE MINING & RECYCLING, INC	185.85
26850	09/24/10	GARDENGR	GARDEN GREEHOUSE NURSERY	432.00
26851	09/24/10	GARYS	GARY'S AUTOMOTIVE SERVICE	101.50
26852	09/24/10	GENER	GENERAL CODE PUBLISHERS	1.181.32
26853	09/24/10	GLAS1	GARY M. GLASS, MD	650.00
26854	09/24/10	GLOBAL	GLOBAL CONNECT	12.46
26855	09/24/10	GRAIN	GRAINGER. INC W W	18 25
26856	09/24/10	HARRT	HARRIS COMPUTER SYSTEMS	172 79
26857	09/24/10	HERAL	HERALD NEWSPAPERS	261 27
26858	09/24/10	HESSCORP	HESS CORPORATION	17.149 37
26859	09/24/10	HOMED	HOME DEPOT CREDIT SERVICES	350 64
26860	09/24/10	HORIZRET	HORIZON BLUE CROSS SHIELD NJ	1.407 93
26861	09/21/10	HORNB	HORNBECK DIANE	108 82
26862	09/24/10	HUGHE	HUGHES, JOSEPH	119.99
26863	09/24/10	TNFOSTAT	INFORMATION STATION SPECIALIST	9,190.00
26864	09/24/10	INTER	INTERSTATE BATTERY	87.90
26865	09/24/10		PAMELA KAITHERN	200.00
26866	09/24/10	KEENC	KEEN COMPRESSED GAS	55.91
26867	09/24/10		KEEP AMERICA BEAUTIFUL	224.50
26868	09/24/10	KINDL	KINDLE FORD MERCURY LINCOLN	31.37
26869	09/24/10	LEONA	LEONARD, INC., A.M.	195.77
26870	09/24/10	LEONA	LOWE'S	707.79
26871	09/24/10	MCMAS	MC MASTER CARR SUPPLY CO.	64.14
26871	09/24/10	MIDAT	MID-ATLANTIC WASTE SYSTEM	536.89
20012	07/24/10	MIDAI	TILD WILL OT STEEL	550.09

26873	09/24/10	MOBIL	MOBILE LIFTS, INC.	386.67
26874	09/24/10	MODEL	MODEL CLEANERS, INC.	300.00
26875	09/21/10	MODCDDOM	MODEDN COOLD DOWED CYCTEMS	300.50
20073	00/24/10	MONTO	MONEO CARANECE D C	2.550.00
26876	09/24/10	MONZO	MONZO CATANESE, P.C.	2,550.00
26877	09/24/10	MOSSM	MOSSBROOKS FIRESTONE	462.96
26878	09/24/10	MSINDUST	M.S. INDUSTRIES, INC.	1,668.00
26879	09/24/10	NATURALA	NATURAL ACCESS	185.00
26880	09/24/10	NEXTCOMM	NEXTEL COMMUNICATIONS	782.00
26881	09/24/10	N.TT.M	N.TT.M	450 00
26001	09/21/10	NITIOMDITE	NI OF IEACHE OF MINICIPALITHES	95 00
20002	09/24/10	NOTOWDOF	NU SI LEAGUE OF MUNICIPALITIES	05.00
26883	09/24/10	ONECA	ONE CALL CONCEPTS, INC.	30.32
26884	09/24/10	ORCHARDH	ORCHARD HYDRAULICS, INC.	450.00
26885	09/24/10	PARAM	PARAMOUNT CHEMICAL & PAPER CO.	842.19
26886	09/24/10	PARAMAIR	PARAMOUNT AIR SERVICE	9,452.50
26887	09/24/10	PARKER	PARKER & PARTNERS	19,474.50
26888	09/24/10	PEDRO	PEDRONT FILET COMPANY	9.492 56
26889	09/21/10	DDFCC	DDFQQ THF	207 96
20009	09/24/10	LUDIT	DIDITO WODEO ACON OF MI	207.90
26890	09/24/10	PUBLI	PUBLIC WORKS ASSN. OF NO	80.00
26891	09/24/10	RADIO	RADIO SHACK	55.88
26892	09/24/10	RENTA	RENTAL COUNTRY	2,244.49
26893	09/24/10	RIGGI	RIGGINS, INC.	9,137.00
26894	09/24/10	RILEI	RILEIGHS OUTDOOR DECOR	883.64
26895	09/24/10	SCHUYMOB	SCHUYLKILL MOBILLE FONE	90.00
26896	09/24/10	SCOTT	SCOTT DEBORAH	1 201 00
26000	00/24/10	CENTMACE	CEAL MACTED	1 140 64
20097	09/24/10	SEATMASI	CENCIONE ACDUATE CODD	1,140.04
26898	09/24/10	SEASHASP	SEASHORE ASPHALT CORP.	103.55
26899	09/24/10	SERVI	SERVICE TIRE TRUCK CENTERS	3,316.02
26900	09/24/10	SJAUT	SOUTH JERSEY AUTO SUPPLY	718.70
26901	09/24/10	SJGAB	SOUTH JERSEY GAS CO.	243.22
26902	09/24/10	SJGAW	SOUTH JERSEY GAS CO.	65.99
26903	09/24/10	SMUGG	SMUGGLERS COVE	199.60
26904	09/24/10	SNAPO	SNAP ON INDUSTRIAL	489 17
26905	09/24/10	SORENSEN	MICHAEL A SORENSEN ESCUIRE	875 00
26906	00/24/10	CHAND	CTANEODD CUZANNE	200 00
20900	09/24/10	SIANZ	STANFORD, SUZANNE	1 102 04
26907	09/24/10	STAPL	STAPLES CREDIT PLAN	1,103.94
26908	09/24/10	STRUE	SEASHORE ACE HARDWARE	1,385.75
26909	09/24/10	SWANSONH	SWANSON HARDWARE SUPPLY	265.37
26910	09/24/10	TENNANTS	TENNANT SALES & SERVICE CO.	1,253.90
26911	09/24/10	TOSHI	TOSHIBA BUSINESS SOLUTIONS	174.43
26912	09/24/10	TRCOU	TRI COUNTY BUILDING SUPPLIES	151.56
26913	09/24/10	TWPMT	TOWNSHIP OF MIDDLE	124 58
26914	09/21/10	MANDII	VAN DIVNE REOTHERS INC	1 600 00
26915	09/24/10	VANDO	TORNIE WALL	1,000.00
20010	09/24/10	VAULUUAN	MOBILE LIFTS, INC. MODEL CLEANERS, INC. MODERN GROUP POWER SYSTEMS MONZO CATANESE, P.C. MOSSBROOKS FIRESTONE M.S. INDUSTRIES, INC. NATURAL ACCESS NEXTEL COMMUNICATIONS NJLM NJ ST LEAGUE OF MUNICIPALITIES ONE CALL CONCEPTS, INC. ORCHARD HYDRAULICS, INC. PARAMOUNT CHEMICAL & PAPER CO. PARAMOUNT AIR SERVICE PARKER & PARTNERS PEDRONI FUEL COMPANY PRESS, THE PUBLIC WORKS ASSN. OF NJ RADIO SHACK RENTAL COUNTRY RIGGINS, INC. RILEIGHS OUTDOOR DECOR SCHUYLKILL MOBILLE FONE SCOTT, DEBORAH SEAL MASTER SEASHORE ASPHALT CORP. SERVICE TIRE TRUCK CENTERS SOUTH JERSEY GAS CO. SOUTH JER	1,557.00
26916	09/24/10	VCABS	VERIZON	525.95
20011	03/24/10	V 11(1 Z)	VERTER	2,002.00
	09/24/10	VINAU	VINELAND AUTO ELECTRIC	254.70
26919	09/24/10	WAGNE	WAGNER, PATRICIA H.	195.00
26920	09/24/10	WESTE	WESTERN PEST CONTROL	118.00

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

0.00

That we pay the bills provided the vouchers are in proper order and sufficient funds exist.

#### Vote 6 Councilmembers AYE

At this time we are about to consider a Resolution to go into private session. We would appreciate it if you would all remain seated until the Resolution has been acted upon. At the conclusion of the private session we will come back into public session for the purpose of either taking action as a result of our discussion in private session or to simply adjourn. It is also possible that someone might bring up some other item of business in public session after we come back from private session.

#### <u>RESOLUTION 2010-S-154</u> - (Closed Session)

99

Upon motion of Seconded by

Checks:

Councilmember Judith Davies-Dunhour Councilmember Thomas Cope

409,069.832

# A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4–12

**WHEREAS,** the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A.* 10:4–6, et seq., and

**WHEREAS,** the *Open Public Meetings Act, N.J.S.A.* 10:4–12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

**WHEREAS,** it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4–12b and designated below:

1. Matters Relating to Litigation, Negotiations and/or the Attorney-Client Privilege

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on September 25, 2010, that an Executive Session closed to the public shall be held on September 25, 2010 at or about 10:00 A.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

Official action may be taken as a result of said executive session.

It is anticipated that, in accordance with law and in a timely manner, the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Vote 6 Councilmembers AYE

#### MOTION TO RETURN TO OPEN SESSION

Upon motion of Councilmember Judy Davies-Dunhour Seconded by Councilmember Tom Cope

Vote 6 Councilmembers AYE

#### **MOTION**

Upon motion of Councilmember Tom Cope

Seconded by Councilmember Barry D. Mastrangelo

To authorize the Solicitor to proceed for the settlement of litigation, approval of an appropriate P.O. and preparation of a contract all as discussed in closed session.

Vote 5 Councilmembers AYE Bauer NAY

#### MOTION TO ADJOURN

Upon motion of Seconded by	Councilmember Barry D. Mastrangelo Councilmember Joan Kramar
That the Regular Meeting	g of Mayor and Council be adjourned at 12:00 noon.
Vote	6 Councilmembers AYE
APPROVED	
	, Mayor
ATTEST:	, Borough Clerk