

**MINUTES OF THE ORGANIZATION MEETING  
OF MAYOR AND COUNCIL OF THE BOROUGH  
OF STONE HARBOR HELD IN THE MUNICIPAL  
BUILDING, JANUARY 4, 2011**

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  
Judith Davies-Dunhour  
Joanne Vault  
Thomas Cope  
Joan Kramar

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 January 6, 2010.

Monsignor Frey conducted the invocation.

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 2, 2010:

Albert J. Carusi	263 + 78 = 341
Barry D. Mastrangelo	257 + 74 = 331

Mayor Walters requested Albert J. Carusi to come forward and be sworn in as a Councilmember.

Mayor Walters requested Barry D. Mastrangelo to come forward and be sworn in as Councilmember.

As Per Resolution 2010-S-180 passed on December 21, 2010, the Mayor requested Officer Joseph Bartolone come forward to be sworn in as Police Officer.

**NOMINATIONS, PRESIDENT OF COUNCIL**

Upon motion of	Councilmember Thomas Cope
Seconded by	Councilmember Joanne Vault

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

Upon motion of	Councilmember Thomas Cope
Seconded by	Councilmember Joanne Vault

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 2011.

**ROBERT'S RULES OF ORDER**

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

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That Robert's Rules of Order, as revised, shall apply to governing the Borough Council of the Borough of Stone Harbor for the year 2011.

**Vote** **6 Councilmembers AYE**

**At this time the Mayor announced the Standing Committees for 2011.**

ADMIN & FINANCE	Joanne Vaul, Chairman Barry D. Mastrangelo Thomas Cope
PUBLIC WORKS	Barry D. Mastrangelo, Chairman Albert Carusi Joan Kramar
BEACH & RECREATION	Judy Davies-Dunhour, Chairman Joan Kramar Joanne Vaul
PUBLIC SAFETY	Thomas Cope, Chairman Judy Davies-Dunhour Barry D. Mastrangelo
NATURAL RESOURCES	Albert Carusi, Chairman Judith Davies-Dunhour Joanne Vaul
UTILITIES	Joan Kramar, Chairman Albert Carusi Thomas Cope

Upon motion of Councilmember Thomas Cope  
Seconded by Councilmember Joan Kramar

That the Standing Committees for the year 2011 be confirmed.

**Vote** **6 Councilmembers AYE**

**Non-Board Appointments**

Mayor Walters announced her non-board appointments for 2011:

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
Uniform Fire Code Official	Roger Stanford
Fire Inspector	Roger Stanford
Fire Inspector	Michael R. Scheeler
Registrar of Vital Statistics	Suzanne C. Stanford
Deputy Registrar	Lisa Stafankiewicz
Beach Patrol Captain	Stephen Bosacco

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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 Joanne Vaul  
Seconded by Councilmember Thomas Cope

That the Non-Board Appointments be confirmed.

**Vote** **6 Councilmembers AYE**

**BOARD APPOINTMENT LIST 2011**

The Mayor announced that she would not be making appointments to the Planning and/or Zoning Board of Adjustments because Council is considering combining both Boards into a Planning and Zoning Board of Adjustment. Therefore, the Mayor requested members to be held over until this decision is made.

**RECREATION ADVISORY BOARD**

Marti Conlin	4 year term	1/4/2011 - 12/31/2014
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**PLANNING BOARD**

Mayor (Class I)	1 year term	1/4/2011 - 12/31/2011
Councilmember (Class II)	1 year term	1/4/2011 - 12/31/2011
Kenneth Hawk (Employee)	1 year term	1/4/2011 - 12/31/2011

**BOARD OF HEALTH**

Robert Speer	3 year term	1/4/2011 - 12/31/2013
Jean Tribulski	3 year term	1/4/2011 - 12/31/2013
Alan Kaplan	3 year term	1/4/2011 - 12/31/2013

**AMUSEMENT LICENSING**

Kenneth J. Hawk	1 year term	1/4/2011 - 12/31/2011
Patti Wagner	1 year term	1/4/2011 - 12/31/2011
Debbie Scott	1 year term	1/4/2011 - 12/31/2011

**BIRD SANCTUARY COMMITTEE**

John Flynn	3 year term	1/4/2011 - 12/31/2013
Michael Runyon (Employee)	1 year term	1/4/2011 - 12/31/2011
Albert Carusi (Council)	1 year term	1/4/2011 - 12/31/2011

**BUSINESS AND TOURISM ADVISORY COMMITTEE**

Lynn Mocerri	3 year term	1/4/2011 - 12/31/2013
Deborah Orzech	3 year term	1/4/2011 - 12/31/2013
Barry D. Mastrangelo (Council)	1 year term	1/4/2011 - 12/31/2011

**SHADE TREE COMMITTEE**

Karen Lane	4 year term	1/4/2011 - 12/31/2014
Joan Kramar	1 year term	1/4/2011 - 12/31/2011

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

That the Board Appointments for 2011 be confirmed.

**Vote** **6 Councilmembers AYE**

**NOMINATIONS FOR COUNCIL REPRESENTATIVE TO PLANNING BOARD**

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

That Councilmember Albert Carusi be nominated as Council representative to the Planning Board for the year 2011.

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

Vote on Councilmember Albert Carusi as representative to the Planning Board.

**Vote 6 Councilmembers AYE**

Councilmember Albert Carusi will be the Council Representative to the Planning Board for the year 2011.

**ORDINANCE 1367 (Salary Ordinance)**

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

That Ordinance 1367 be taken up on first reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1367 on first reading.

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

That Ordinance 1367 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 1<sup>st</sup> day of February, 2011.

**Vote 6 Councilmembers AYE**

**RESOLUTION 2011-A-1 (Temporary Budget)**

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

**A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS  
FOR THE YEAR 2011**

**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 2011 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, 2011 and

**WHEREAS**, 26.25% of the total appropriations in the year 2010 budget, exclusive of any appropriation made for the relief of the poor and interest and redemption charges in the 2010 budget, if the sum of \$2,530,300.00 for current expenses; and the sum of \$624,000.00 for the dedicated section of the Water and Sewer Budge.

**BE IT RESOLVED** that the following appropriations be made and that a certified copy

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of this Resolution be transmitted to the Chief Financial Officer for his records:

1. GENERAL GOVERNMENT

General Administration	
Salaries & Wages	21,000
Other Expense	10,000
Mayor and Council	
Salaries & Wages	11,000
Other Expenses	4,000
Municipal Clerk	
Salaries & Wages	44,500
Other Expenses	5,000
Financial Administration	
Salaries & Wages	34,500
Other Expenses	12,000
Assessment of Taxes	
Salaries & Wages	12,500
Other Expense	4,500
Collection of Taxes	
Salaries & Wages	12,000
Other Expense	2,500
Legal Services & Costs	
Salaries & Wages	11,000
Other Expense	20,000
Engineering Services	
Other Expenses	7,000
Construction Code Official	
Salaries & Wages	44,000
Other Expenses	3,000
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	100,000
2. PUBLIC SAFETY	
Fire	
Other Expense	52,000
Police	
Salaries & Wages	400,000
Other Expense	25,000

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Prosecutor		
Salaries & Wages		5,000
Uniform Fire Code Official		
Salaries & Wages		22,300
Other Expenses		3,100
Office of Emergency Management		
Salaries & Wages		2,000
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		200,000
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
Dog Regulation by Contract		5,000
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		15,000
Arts & Craft Show		
Salaries & Wages		5,000
Other Expenses		10,000
Special Events		
Salaries & Wages		4,000
Tourism		
Salaries & Wages		9,000



**RESOLUTION 2011-A-3 (Official Publications)**

Upon motion of  
Seconded by

Councilmember Barry. D. Mastrangelo  
Councilmember Albert Carusi

**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 2011.

**Vote** **6 Councilmembers AYE**

**RESOLUTION 2011-A-4 (Certifications of Receipt of Materials)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Thomas Cope

**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 2011-A-5 (Appoint an Auditor)**

Upon motion of  
Seconded by

Councilmember Joanne Vault  
Councilmember Barry D. Mastrangelo

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

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

**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 as 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 play-to-play disclosures are on file with the Borough Clerk as required by law;

**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:

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, 2011.
2. That the Mayor is authorized and directed for forthwith execute on behalf of the Borough of Stone Harbor a 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 and that the Auditor be paid for his

services at a fair and reasonable amount, said amount not to exceed \$40,000 as evidenced by a Certification from the Chief Financial Officer attached hereto.

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 2011-A-6 (Appoint a Municipal Attorney/Prosecutor)**

Upon motion of  
Seconded by

Councilmember Judith Davies-Dunhour  
Councilmember Barry D. Mastrangelo

**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:

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, 2011 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 2011-A-7 (Concerning Tax Appeals)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

**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 2011; 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 2011-A-8 (Meeting Dates)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Albert Carusi

**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 2011. Legal action may be taken at these published meetings.

January	4 <sup>th</sup>	(7:00 pm)	July	5 <sup>th</sup>	(4:30 pm)
	18 <sup>th</sup>	(4:30 pm)		19 <sup>th</sup>	(4:30 pm)

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February	1 <sup>st</sup>	(4:30 pm)	August	2 <sup>nd</sup>	(4:30 pm)
	15 <sup>th</sup>	(4:30 pm)		16 <sup>th</sup>	(4:30 pm)
March	1 <sup>st</sup>	(4:30 pm)	September	6 <sup>th</sup>	(4:30 pm)
	15 <sup>th</sup>	(4:30 pm)		17 <sup>th</sup>	SAT (9:45 am)
April	5 <sup>th</sup>	(4:30 pm)	October	4 <sup>th</sup>	(4:30 pm)
	19 <sup>th</sup>	(4:30 pm)		18 <sup>th</sup>	(4:30 pm)
May	3 <sup>rd</sup>	(4:30 pm)	November	1 <sup>st</sup>	(4:30 pm)
	17 <sup>th</sup>	(4:30 pm)		14 <sup>th</sup>	MON (4:30 pm)
June	7 <sup>th</sup>	(4:30 pm)	December	6 <sup>th</sup>	(4:30 pm)
	21 <sup>st</sup>	(4:30 pm)		20 <sup>th</sup>	(4:30 pm)
			January 3, 2012		(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 2011-A-9 (Public Defender)**

Upon motion of  
Seconded by

Councilmember Thomas Cope  
Councilmember Barry D. Mastrangelo

**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 2011, 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 2011-A-10 (Interest on Delinquent Taxes)**

Upon motion of  
Seconded by

Councilmember Joanne Vaul  
Councilmember Barry D. Mastrangelo

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, County of

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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 2011-A-11 (Exempting Water Charges)**

Upon motion of Councilmember Joan Kramar  
Seconded by Councilmember Albert Carusi

**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, 2011, 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
	<b>TOTAL</b>	<b>\$ 9,477.00</b>

**Vote** **6 Councilmembers AYE**

**RESOLUTION 2011-A-12 (Authorizing Contracts Below Bid Limit Without Public Advertising)**

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

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**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 for the year 2011, without the necessity of public bidding, in accordance with the Borough's regulations and guidelines.

**Vote** **6 Councilmembers AYE**

**RESOLUTION 2011-A-13 (Small Contracts without soliciting Competitive Quotations)**

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** 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 \$5,400.00 or less may be awarded by the contracting agent without obtaining competitive quotations.

**Vote** **6 Councilmembers AYE**

**RESOLUTION 2011-A-14 (Litter Abatement Partnership Program 2011)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Judith Davies-Dunhour

**AUTHORIZING PARTICIPATION IN CAPE MAY COUNTY  
LITTER ABATEMENT PARTNERSHIP PROGRAM  
FOR 2011**

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**WHEREAS**, the Cape May County Municipal Utilities Authority has adopted a Litter Abatement Partnership Program for 2011; 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 2011 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 2011 have been set for Monday, March 21<sup>st</sup>, Monday, May 9<sup>th</sup>, Monday, September 19<sup>th</sup>, and Monday, November 14<sup>th</sup>.

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 2011 during the period of January 1, 2011 to December 31, 2011.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2011-A-15 (Appoint and Award Contract Risk Management Consultant)**

Upon motion of  
Seconded by

Councilmember Judith Davies-Dunhour  
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

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**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 2011-A-16 (Appoint Fund Commissioner JIF)**

Upon motion of Councilmember Thomas Cope  
Seconded by 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 2011-A-17 (Public Agency Compliance Officer)**

Upon motion of Councilmember Barry D. Mastrangelo  
Seconded by Councilmember Joan Kramar

**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;

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**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 2011-A-18 (Appoint Labor Relations Counsel)**

Upon motion of  
Seconded by

Councilmember Thomas Cope  
Councilmember Albert Carusi

**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 where the need arises and as 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 appoints is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300.00 to any local political party of campaign; and

**WHEREAS**, the required play-to-play disclosures are on file with the Borough Clerk as required by law.

**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.

2. 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 N.J.S.A. 40A:11-5 and that the Labor Counsel be compensated as detailed in the contract for professional services at an hourly rate of One Hundred Thirty Five Dollars (\$135.00) per hour and in an amount not to exceed \$50,000.00 and funds are available as evidenced by the Certification of the Chief Financial Officer attached hereto.

3. 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 a term commencing upon the date of execution of the contract, a copy of which is attached hereto, and expiring on January 1, 2012. This Resolution and a copy of the contract for professional services shall be maintained on file in the Office of the Borough Clerk for public inspection.

4. Notice of the letting of the within contract s shall be published in accordance with the law within ten (10) days of its passage in the official newspaper.

Vote

6 Councilmembers AYE

**RESOLUTION 2011-A-19 (Network Engineer)**

Upon motion of  
Seconded by

Councilmember Albert Carusi  
Councilmember Joan Kramar

**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 \$4,320.00, which amount is less than the threshold which would require public bidding, subject to adjustment at the rate of \$120.00 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 4<sup>th</sup> day of January, 2011, as follows:

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 2011-A-20 (Appoint Bond Counsel)**

Upon motion of  
Seconded by

Councilmember Joanne Vaul  
Councilmember Barry D. Mastrangelo

**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," including legal services, without competitive

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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

**WHEREAS**, the Borough 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 projects 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; and

**WHEREAS**, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and "nonfair and open" process prevents any professional from contributing more than \$300.00 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.

**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 22, 2010, 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 its passage in an official paper of the Borough as designated in accordance with law.

**Vote**

**6 Councilmembers AYE**

**COMMUNICATIONS**

None

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

Marti Conlin – 301 84<sup>th</sup> Street – publicly thanked the Public Works Department and the Police Department for doing such a wonderful job during this past snow storm.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Albert Carusi – thanked everyone for coming this evening and stated that he has many expectations and looks forward to serving the people of Stone Harbor.

Councilmember Joan Kramar – thanked the public for coming out this evening and stated that having served as a Councilmember for one year, she has learned quite a lot and that she has much respect for her colleagues and looks forward to serving the Borough of Stone Harbor.

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Councilmember Judy Davies-Dunhour – welcomed Councilmember Carusi and congratulated Councilmember Mastrangelo on his re-election. Councilmember Davies-Dunhour thanked the Borough employees and Administration for all their hard work and thanked her husband for his support and understanding.

Councilmember Joanne Vaul – echoed everyone’s comments and stated that there is a lot of work to be done in 2011 and looks forward to serving the public.

Councilmember Thomas Cope – congratulated Councilmember Mastrangelo and welcomed Councilmember Carusi and stated that are many projects and challenges ahead in 2011 and that he looks forward to accomplishing a lot.

Councilmember Barry D. Mastrangelo - also echoed everyone’s comments and thanked his wife and family for all the sacrifices they have made so that he can serve the Borough of Stone Harbor.

Mayor Suzanne M. Walters – thanked everyone for coming including County Clerk Rita Fulginiti, the Boy Scout Troop, County Sheriff Gary Schaffer and invited everyone to the Bellevue for the County Republican Party. Mayor Walters expressed her thanks to all the Borough staff, volunteers, etc for al their hard work and dedication. Mayor Walters stated that she looks forward to 2011 and accomplishing great things.

All members of Council and the Mayor expressed their gratitude to all Borough employees and volunteers for all their hard work and dedication and that they look forward to 2011.

The following bills were presented to Council for their approval:

Bill list will be included in January 18, 2011 Council Meeting.

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

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 Barry D. Mastrangelo  
Seconded by Councilmember Joan Kramar

That the Reorganization Meeting of Mayor and Council be adjourned at 7:49 p.m.

**VOTE 6 Councilmembers AYE**

APPROVED: \_\_\_\_\_, 2011

\_\_\_\_\_, Mayor

ATTEST: \_\_\_\_\_, Borough Clerk