

**MINUTES OF THE REGULAR MEETING OF
MAYOR AND COUNCIL OF THE BOROUGH
OF STONE HARBOR HELD IN THE
MUNICIPAL BUILDING, JANUARY 18, 2011**

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 Donohue, Attorney
Kenneth J. Hawk, Administrator
James Nicola, CFO

PRESENT

Councilmembers
Barry D. Mastrangelo, President
Judith Davies-Dunhour
Joann Kramar
Thomas Cope, Jr.
Joann Vault
Albert Carusi

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 5, 2011.

SALUTE TO THE FLAG

MOTION CONCERNING THE MINUTES

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

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of December 21, 2010 and the Re-Organization Meeting of January 4, 2011 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

PUBLIC SAFETY – Councilmember Cope provided the police statistical report Year-to-Date (2010) and Year-to-Date (2009) as follows: 445 YTD and 776 YTD (09); 2185 YTD parking violations and 6823 YTD (09); 2668 YTD motor vehicle stops and 3077 YTD (09); 137 YTD ordinance violations and 131 YTD (09); 89 YTD adult arrests and 116 YTD (09), 14 YTD driving while intoxicated and 31 YTD (09); 565 YTD open doors/windows and 408 YTD (09), and all incidents logged 13845 YTD and 12281 YTD (09).

NATURAL RESOURCES - Councilmember Carusi stated that the Natural Resources Committee is responsible for the following areas: beach replenishment, dredging and dredging related issues, Borough waters and bay islands, outfall pipe removal, Site 103, the Bird Sanctuary. Councilmember Carusi stated that the capital improvements to the Bird Sanctuary and nearly complete and the main focus now will be the maintenance thereof. Councilmember Cauris reported that hopefully sometime in early March, the beach replenishment project should begin and that the Borough will be getting 280,000 cubic feet of sand, with an anticipated completion date in early June. Councilmember Carusi reported that he, Mr. Hawk and the Borough Engineer are going to Trenton tomorrow to visit with the DEP and discuss the permits necessary for the beach outfall pipes removal. .

BEACH & RECREATION – Councilmember Davies-Dunhour reported that the winter Recreation activities include after school homework help for the lower grades and on Friday, January 28, the older grades are scheduled to go to Wildwood for a bowling outing. Councilmember Davies-Dunhour reported that work continues on updating the Rec Brochures for 2011. Councilmember Davies-Dunhour reported that the Tourism Director is working on a master calendar for 2011, the 2011 grant application has been submitted to the State, and the next event scheduled is the Stone Harbor Shiver on Saturday, March 19, 2011. Councilmember Davies-Dunhour reminded the public

Regular Meeting, January 18, 2011

that if they purchased Holiday Beach Tags that that would be the tag to be worn in the summer. Councilmember Davies-Dunhour also reported that last night on the Food Network, Quahogs was featured and it was a very nice segment.

UTILITIES - Councilmember Kramar reported that 10 houses were shut off due to water leaks (outside showers); water meters were read; a water leak in the street was repaired at 309 99th Street; assisted with the plowing of snow; there were 17 mark-outs for the months of December and 495 for the year. Councilmember Kramar reported that the total water pumped in December was 3.366 million gallons compared to 3.917 million gallons in 2009.

PUBLIC WORKS – Councilmember Mastrangelo reported that the pedestrian bridge at the Bird Sanctuary Espy Trail is almost complete and weather permitting should be done shortly; the snowstorms of December required 529.25 man-hours and that the total snow preparation and removal for 2010 totaled 1,243.25 man-hours; and we have used 3 truck loads of salt and are working on the 3rd pallet of calcium chloride. Councilmember Mastrangelo reported that in 2010, the Borough used 27,773 gallons of diesel fuel compared to 22,956 gallons in 2009; and we also used 21,463 gallons of no-lead gas in 2010 compared to 20,539 gallons in 2009 and reported that a .50 fluctuation in the price of fuel could impact this line item nearly \$25,000.00. Councilmember Mastrangelo reported that total hours worked for Special Events for 2010 were 1,754.75 compared to 1,631.8 hours in 2009. Councilmember Mastrangelo reported that Public Works has been picking up Christmas trees curbside for recycling and that if you have a tree that needs to be picked up, to contact Public Works; solid waste for 2010 consisted of 816 trips to the MUA generating 3,398.44 tons at a cost of \$131,750.00; the litter patrol worked 1042 hours and collected 580 bags of litter; 161.26 tons of yard debris; and the 4 litter abatement days for 2010 totaled 27 trips generating 133.67 tons for a savings of \$8,825.41. Councilmember Mastrangelo announced the Bulk Trash Days for 2011 are Monday, March 21; Monday, May 9; Monday, September 19; and November, November 14, 2011.

ADMINISTRATIVE & FINANCE – Councilmember Vault provided a detail report on the Health Insurance benefits, a copy of which is on file in the Clerk's Office and is available on the Borough's website.

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

Beach Outfall Elimination-Phase 1

- Concrete storage chambers are installed and functioning.
- Contractor is completing punchlist items.

Exterior Restorations of Municipal Building

- RV & W has prepared bid documents.
- RV & W awaiting Borough confirmation of the scope of construction.

Beach Outfall Elimination Project – Phase 2 & Phase 3 Preliminary Assessment

- Topographic and utility survey is completed for Phase 2 and Phase 3.
- Design underway in preparation to submit CAFRA permit application.
- A pre-application meeting with NJDEP is scheduled for January 19, 2011.

FY 2009 NJEIT Sanitary Sewer and Water Main Improvements

- The contractor has returned to complete the project.
- The pipe work and base paving on 89th Street is completed.
- The pipe work and concrete work on 94th Street is completed.
- The pipe work on 99th Street will be completed the week of January 24, 2011.
- Contractor to begin dewatering on 109th Street.

Painting and Metal Repair – Public Works Building

- A Purchase Order has been issued.
- Design is underway.

Replacement of the Boat Ramp at Bay Marina Park

- A Purchase Order has been issued.
- Design is underway.

Replacement of the Firehouse Roof

- A Purchase Order has been issued.
- Design is underway.

FY 2010 NJEIT Sanitary Sewer and Water Main Improvements

- The project has been awarded to Asphalt Paving Systems in the amount of \$1,834,000.00.
- Contracts have been prepared and forwarded for signatures.

96th Street Tennis Court Fence and Surface Replacement

- The fence installation is completed and the contractor will install the tennis court carpet when the weather permits.
- A change order to include fencing improvements at the 80th Street Recreation Complex has been submitted for Council review.

TREASURER'S REPORT

Current Receipts.....	\$919,040.61
Current Disbursements.....	\$924,633.04
Utility Receipts.....	\$239,701.86
Utility Disbursements.....	\$373,407.91

BOROUGH CLERK'S REPORT

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>
6	Certified Copies	60.00
1	Marriage License	28.00
1	OPRA Request	6.35
0	Special Events Permits	0.00
	SUB-TOTAL	\$94.35
0	Dogs	0.00
0	Cats	00.00
	TOTAL	\$94.35

CONSTRUCTION OFFICE

PERMIT	NO. OF PERMITS ISSUED	FEES COLLECTED
Building Permits	32	\$14,896.00
Electrical Permits	15	3,791.00
Plumbing Permits	13	5,523.00
Fire Permits	10	1,235.00
DCA Permits	33	1,623.00
Zoning Permits	19	9,010.00
CTT's	5	250.00
Violations	0	0.00
Certificate of Occupancy	25	2,228.00
Other Miscellaneous		
Public Records		
Dumpster/Semi Trailer	3	750.00
Utility Street Openings		
TOTAL FEES COLLECTED		\$39,306.00

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Barry D. Mastrangelo

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

Vote **6 Councilmembers AYE**

COMMUNICATIONS

None

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

Josie Rich – 10410 Sunset Drive – congratulated Mayor and Council on making these changes to the Borough’s health insurance benefits and requested a few clarifications. Mrs. Rich stated that health insurance benefits should not be offered to any elected officials and previously elected officials should not be grandfathered.

Charles Koch – 236 85th Street – thanked Mayor and Council for making some changes to the health insurance benefits, but encouraged them to not offer them to elected officials. Mr. Koch requested that the packet provided prior to the meetings could be posted on the website so that concerned citizens could review them before the meetings.

OLD BUSINESS:

ORDINANCE 1367 (Salary Ordinance)

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Barry D. Mastrangelo

That Ordinance 1367 be **Withdrawn.**

Vote **6 Councilmembers AYE**

NEW BUSINESS:

ORDINANCE 1368 (Salary Ordinance – Amended)

Upon motion of
Seconded by

Councilmember Joanne Vault
Councilmember Barry D. Mastrangelo

Regular Meeting, January 18, 2011

That Ordinance 1368 be taken up on first reading.

Vote **6 Councilmembers AYE**

Will the Clerk read the title only of Ordinance 1368 on first reading.

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

That Ordinance 1368 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 1st day of February, 2011.

Vote **6 Councilmembers AYE**

RESOLUTION 2011-S-21 – Change to Personnel Manual – Health Insurance

Upon motion of Councilmember Joann Vaul
Seconded by Councilmember Judith Davies-Dunhour

WHEREAS, the Borough of Stone Harbor maintains a Personnel Manual; and

WHEREAS, from time to time, it becomes necessary to amend said Manual; and

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 following amendment concerning Health Insurance be added to the Personnel Manual be made:

CHANGE UNDERLINED

7.2 HEALTH INSURANCE

Note:

1. All permanent full-time and permanent part-time employees who work at least thirty-two and one-half (32.5) hours per week and 1690 or more hours per year are entitled to health benefits including prescription and dental/visual coverage, as stipulated in the appropriate collective bargaining agreements or Borough Resolution 97-S-23. (amended by Res. 2006-S-50). Elected officials who were elected prior to May 21, 2010 and who remain in office continuously after May 21, 2010 shall be entitled to health benefits including prescriptions but shall contribute 15% of the cost of such benefits.

c. A dental/visual plan as determined by Borough Council. This plan covers all charges by licensed dentists, optometrists, or ophthalmologists. The cost of eyeglasses, contact lenses or other vision aids is reimbursable. The Borough’s Eye/Dental Plan shall reimburse the employee for all costs not recoverable under other insurances that cover the employee or his family. Employees who are members of the immediate family (spouses, civil union partner(s) and/or unemancipated children) and are simultaneously employed by the Borough and eligible for health benefits, shall receive a single dental/visual reimbursement at the levels set by this section. (Res. 2006-S-128) Upon presentation to the Department of Finance a receipted bill and a properly executed Borough voucher, each employee may receive the following maximum total coverage in a calendar year. Unused benefits may be carried over to the next year but have no cash value upon termination of employment. ****modified 1-16-2007*

Resolution 2007-S-28 This plan does not apply to any elected officials.

Single Person	\$500.00 maximum/year
H/W, CU or Parent/Child	\$750.00 “
Family	\$1,000.00 “

An employee must sign a statement on the voucher as follows: I certify that this claim for dental or visual benefits has not been reimbursed and is not reimbursable to me or my family by any other plan or insurance. I

Regular Meeting, January 18, 2011

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-22 – State Health Benefits Plan (SHBP) – Authorize Participation

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry D. Mastrangelo

HB-0077-0510

STATE OF NEW JERSEY — DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
STATE HEALTH BENEFITS PROGRAM
SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM
PO BOX 299 TRENTON, NEW JERSEY 08625-0299

RESOLUTION

A **RESOLUTION to authorize participation** in the State Health Benefits Program and/or School Employees' Health Benefits Program of the State of New Jersey.

BE IT RESOLVED:

1. The Borough of Stone Harbor 21-6001217
CORPORATE NAME OF EMPLOYER STATE SOCIAL SECURITY I.D. NUMBER
 hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
2. A. We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
 B. We will be maintaining _____ as our prescription drug plan.¹
NAME OF PLAN
 C. We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided based on the medical plan chosen by the subscriber.
3. A. We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.
 B. We will be maintaining _____ as our dental plan.¹
NAME OF PLAN
 C. We will not have a dental plan.
4. We elect 32.5 ² hours per week (average) as the minimum requirement for full time status in accordance with N.J.A.C. 17:9-4.6.
5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
6. We hereby appoint James Nicola, CFO _____ to act as
NAME/TITLE
 Certifying Officer in the administration of this program.
7. This resolution shall take effect immediately and coverage shall be effective as of May 1, 2011
DATE
 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).

NOTE: AN INDIVIDUAL IS PERMITTED COVERAGE AS AN EMPLOYEE, RETIREE, OR DEPENDENT. MULTIPLE COVERAGE UNDER THE SHBP OR SEHBP IS PROHIBITED.

¹ If not electing prescription drug coverage and/or dental plan participation through the State Health Benefits Program or School Employees' Health Benefits Program, attach copies of the current prescription drug and dental plan contracts.
² As of 6/1/2010, may not be less than 25 hours per week for employees, or 35 hours per week for elected or appointed officials.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

	<u>73</u> <small>NUMBER OF EMPLOYEES</small>
<u>Borough of Stone Harbor</u> <small>CORPORATE NAME OF EMPLOYER</small>	<u>9508 Second Avenue, Stone Harbor, N.J.</u> <small>STREET ADDRESS</small>
on the _____ day of _____, 20____.	<u>08247</u> <small>ZIP CODE</small>
_____ <small>SIGNATURE</small>	_____ <small>AREA CODE TELEPHONE</small>
_____ <small>OFFICIAL TITLE</small>	<u>21-6001217</u> <small>EMPLOYER'S STATE SOCIAL SECURITY IDENTIFICATION NUMBER</small>

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-23 – SHBP Adopt Provisions for Certain Retirees

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Judith Davies-Dunhour

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS

STATE HEALTH BENEFITS PROGRAM
SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM
PO BOX 299 TRENTON, NEW JERSEY 08625-0299

RESOLUTION

A RESOLUTION to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a public employer may agree to pay for the State Health Benefits Program (SHBP) and/or School Employees' Health Benefits Program (SEHBP) coverage of certain retirees.

BE IT RESOLVED:

- The Borough of Stone Harbor, Cape May County _____
CORPORATE NAME OF EMPLOYER - COUNTY SHBP/SEHBP ID NUMBER
hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
- This resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*. It is effective on the 1st day of May, 2011.
MONTH YEAR
- We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.
- We agree that this *Resolution* will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this *Resolution* is in force.
- We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this *Resolution*.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the

Borough of Stone Harbor 9508 Second Avenue, Stone Harbor, N.J.
CORPORATE NAME OF EMPLOYER ADDRESS **08247**

on the _____ day of _____, 20_____

SIGNATURE CITY STATE ZIP CODE

OFFICIAL TITLE AREA CODE TELEPHONE NUMBER

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-24 – Appoint Labor Counsel - Amended

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Barry D. Mastrangelo

**RESOLUTION AUTHORIZING APPOINTMENT OF LABOR COUNSEL UNDER THE
“NONFAIR AND OPEN” PROCESS**

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

Regular Meeting, January 18, 2011

WHEREAS, the local Public Contracts Law provides for the entering into 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 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 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 Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey as follows:

1. Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth of Vineland, N.J. 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 NJSA 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 Forty Five Dollars (\$145.00) Dollars per hour and in an amount not to exceed \$50,000 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, expiring on January 1, 2012. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough Clerk for public inspection.

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

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-25 – Tax Transfers

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Barry D. Mastrangelo

A RESOLUTION TO TRANSFER 2010 REAL ESTATE TAX PAYMENTS TO 2011

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May and State of New Jersey, that upon recommendation of the Tax Collector, the overpayments for the year 2010 be transferred to 2011 (with the exception of overpayments and underpayments of \$10.00 or less which are hereby cancelled by the authority of State Statute).

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-26 – Refund Utility Overpayment

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry D. Mastrangelo

Regular Meeting, January 18, 2011

AUTHORIZING REFUND OF OVERPAID UTILITY FEES

WHEREAS, Michael S. Fistere sold his property located at 102 – 117th Street, Utility Account #21128, and he and Shore Title Company both paid the December ,2010 4th Quarter Water & Sewer bill in the amount of \$208.25 at settlement, as documented by the Utilities Collector; and

WHEREAS, the Utilities Collector has requested that said amount be refunded to the Michael S. Fistere, P.O. Box 15242, Chevy Chase, MD 20825 , for the property known as 102 – 117th Street, Block 116.02, Lot 109 , Stone Harbor, N.J. 08247.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough Stone Harbor in the County of Cape May, State of New Jersey, duly assembled in public session this 18th day of January, 2011, that the preamble of this Resolution is hereby incorporated by reference as if set forth at length;

BE IT FURTHER RESOLVED that the Chief Financial Officer and all other necessary Borough employees at his direction, are hereby authorized to effectuate a refund in the amount of \$ 208.25 to Michael S. Fistere for the purposes stated herein above.

Vote **6 Councilmembers AYE**

RESOLUTION 2011-S-27 – 2011 Trash Collection Schedule

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

TRASH COLLECTION SCHEDULE 2011

WHEREAS, Section 466-4, Collections – Frequency, of the Revised General Ordinances of the Borough of Stone Harbor 2005 provides that the Borough shall have the right to set the dates for trash collection;

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor that the following schedule will be in effect for the year 2011:

2011 Litter Abatement/Bulk Pickup Days:

Monday, March 21, 2011

Monday, May 9, 2011

Monday, September 19, 2011

Monday, November 14, 2011

Solid Waste/Recycle Winter/Summer Schedule

Winter Schedule January 1, 2011 through June 18, 2011

Summer Schedule June 19, 2011 through September 10, 2011

Back to Winter Schedule September 11, 2011 through December 31, 2011

Vote **6 Councilmembers AYE**

RESOLUTION 2011-S-28 – 2011 Beach Fees

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

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and the State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Administration and Finance Committee of Borough Council has recommended that certain fees be established by Resolution; and

Regular Meeting, January 18, 2011

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Stone Harbor, in the County of Cape May, duly assembled in public session this 18th day of January, 2011, that the following fees be set at the following levels:

Beach Fees	\$21.00 pre-season
	\$26.00 after May 31, 2011
	\$12.00 weekly
	\$ 6.00 daily

Vote **6 Councilmembers AYE**

RESOLUTION 2011-S-29 – Opposing Save Barnegat Bay Act

Upon motion of	Councilmember Albert Carusi
Seconded by	Councilmember Barry D. Mastrangelo

**RESOLUTION OPPOSING LEGISLATION KNOWN AS
“SAVE BARNEGAT BAY ACT”**

WHEREAS, A3548 and S2470 (collectively, the “Bill”), which if enacted will be known as the “Save Barnegat Bay Act,” would establish the “Save Barnegat Bay Fund” to support and help protect, preserve, and remediate the Barnegat Bay estuary and its watershed;

WHEREAS, the Save Barnegat Bay Fund would be supported through: (1) the dedication of a portion of the sales tax on lawn fertilizer; (2) the authorization of special Save Barnegat Bay license plates; (3) donations, including those solicited or paid at the time of application or renewal of a license to operate a power vessel; and (4) the dedication of \$1.00 of each beach tag fee collected anywhere in the State;

WHEREAS, the Save Barnegat Bay Fund would be used exclusively for the purposes of preservation and remediation of the Barnegat Bay estuary watershed, which may include a public education campaign about the importance of protecting the Barnegat Bay and measures and actions that can be taken to preserve it;

WHEREAS, a significant portion of the Save Barnegat Bay Fund will be collected from municipalities charging and collecting a beach badge or tag fee by requiring that \$1.00 of each such fee collected would be forwarded to the State Treasurer to be deposited into the Save Barnegat Bay Fund, and the Bill will prohibit a municipality from increasing the beach badge or tag fee solely for the purpose of offsetting its obligation to contribute to the Save Barnegat Bay Fund;

WHEREAS, while the Borough of Stone Harbor recognizes the importance of Barnegat Bay as a vital estuary and watershed, the pollution is not caused by beach users anywhere in the State and is caused by mainland communities through the use of fertilizers and other agricultural products, stormwater runoff, boaters and other reasons, but it does not emanate from beach users and beach communities;

WHEREAS, the bill would in essence be an unfair and disproportionate tax on beach communities throughout Cape May County and the entire State, and the method of imposing this tax has no rational relationship to its purpose and further taxes different beach communities disproportionately and discriminatorily; and

WHEREAS, in the current economic climate with the newly enacted 2% levy cap, the additional loss of revenue to beach communities would be particularly burdensome.

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

Regular Meeting, January 18, 2011

1. The Borough Council does hereby oppose A3548 and S2470 (the "Bill"), and urges and encourages the New Jersey Senate and Assembly to defeat the Bills.

2. If passed by the Legislature, the City Council also urges and encourages Governor Chris Christie to veto the Bill.

3. That a copy of this resolution be forwarded to all Cape May County municipalities, Assemblymen Nelson T. Albano and Matthew W. Milam, Senator Jeff Van Drew and Governor Chris Christie.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-30 – Change Order #1 – Tennis Court Fencing

Upon motion of

Councilmember Judith Davies-Dunhour

Seconded by

Councilmember Joanne Vault

WHEREAS, the Borough of Stone Harbor is currently under contract with Pro Sport Construction for the 96th Street Tennis Court Fence and Surface Replacement; and

WHEREAS, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 1 – replacement of the 80th Street basketball and skateboard park fence, various improvements to the 80th Street tennis court fencing; and reduction of various as-built quantities from the original contract (copy attached hereto and made a part hereof by reference); and

WHEREAS, Change Order No. 1 will result in a \$27,287.70 increase to the contract; and

WHEREAS, approval of Change Order No. 1 will not result in a contract amount in excess of 20% of the initial contract amount and the Chief Financial Officer has certified that funds are available for Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED, this 18th day of January, 2011 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, duly assembled in public session this 18th day of January, 2011, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1 be and hereby is authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 1 in the amount of \$27,287.70 for total amended contract of \$212,294.70.

Vote

6 Councilmembers AYE

Regular Meeting, January 18, 2011

RESOLUTION 2011-S-31 – Change Order #3 – NJEIT – 2009 Road Program

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joanne Vault

WHEREAS, the Borough of Stone Harbor is currently under contract with Asphalt Paving, Inc. for the 2009 New Jersey Environmental Infrastructure Trust Program Combined Sanitary Sewer and Water Main Project; and

WHEREAS, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 3 – for replacement of the Second Avenue (west side) sanitary sewer from 91st Street to 93rd Street; replacement of the Traffic loop detectors at the 99th Street and Third Avenue intersection; reduction of various as-built quantities from the contract; and contractual time extension of 136 calendar days for a new contract completion date of April 15, 2011 (copy attached hereto and made a part hereof by reference); and

WHEREAS, Change Order No. 3 will result in a \$3,466.00 increase to the contract; and

WHEREAS, approval of Change Order No. 3 will not result in a contract amount in excess of 20% of the initial contract amount and the Chief Financial Officer has certified that funds are available for Change Order No. 3.

NOW, THEREFORE, BE IT RESOLVED, this 18th day of January, 2011 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, duly assembled in public session this 18th day of January, 2011, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 3 be and hereby is authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 3 in the amount of \$3,466.00 for total amended contract of \$2,251,841.00.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-32 – Mayor to Sign Sidebar Agreement

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

**A RESOLUTION AUTHORIZING EXECUTION OF A SIDEBAR AGREEMENT
BETWEEN THE BOROUGH AND LOCAL #3779D AFFILIDATED WITH AFSCME
DISTRICT COUNCIL 71**

Regular Meeting, January 18, 2011

WHEREAS, the Borough of Stone Harbor in the County of Cape May and State of New Jersey, is in need of an employee who possesses a valid Public Water Distribution W-2 and T-2-NJ Water Treatment and Distribution Operator’s License and a member of the Union bargaining unit, Charles McIlvaine, Jr. possesses such a license; and

WHEREAS, the Borough has been presented with a Sidebar Agreement in which effective January 1, 2011, Charles McIlvaine shall be assigned the administrative duties including performing such duties as are required by the State of New Jersey under his Public Water Distribution W-2 and T-2 NJ Water Treatment and Distribution Operator’s License; and

WHEREAS, the Sidebar Agreement states that Charles McIlvaine will receive a \$5,000 annual stipend to be paid as part of his ordinary base pay as detailed in the Sidebar Agreement on file with the Borough Clerk’s Office.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor in the County of Cape May, State of New Jersey, duly assembled in public session this 18th day of January, 2011, that the preamble hereof is hereby incorporated herein by reference;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the Sidebar Agreement as attached to this Resolution.

Vote **6 Councilmembers AYE**

The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
27553	01/12/11	BORSH BOROUGH OF STONE HARBOR	180,002.20
27554	01/19/11	MCSHANEM STACY MCSHANE (Replacement)	2,600.00
27555	01/19/11	ACELE ATLANTIC CITY ELECTRIC CO.	2,811.18
27557	01/19/11	ACESTLIG ATLANTIC CITY ELECTRIC	5,203.64
27558	01/19/11	ACEWATER ATLANTIC CITY ELECTRIC	2,786.82
27559	01/19/11	ACMEM ALBERTSONS	126.12
27560	01/19/11	ACTIO ACTION SUPPLY	147.00
27561	01/19/11	AIRLI AIRLINE HYDRAULICS CORP.	251.31
27562	01/19/11	ASFLDMGR ASSOCIATION OF STATE	100.00
27563	01/19/11	ASPHA ASPHALT PAVING SYSTEMS, INC.	226,194.49
27564	01/19/11	ATTMOBIL AT & T MOBILITY	124.33
27565	01/19/11	BILLO BILLOWS ELECTRIC SUPPLY CO.	84.60
27566	01/19/11	BORSH BOROUGH OF STONE HARBOR	176,988.38
27567	01/19/11	BOSACCOD DAVID C. BOSACCO	250.00
27568	01/19/11	BRENNANR RICHARD BRENNAN	30.00
27569	01/19/11	BURNERRO ROBERT M. BURNER	450.00
27570	01/19/11	CAPE4 CAPE 47 LUMBER CO.	5,460.70
27571	01/19/11	CASAP CASA PAYROLL SERVICES	408.50
27572	01/19/11	CHATTENL LINWOOD CHATTEN	400.00
27573	01/19/11	CHRIS CHRISTMAN, H.B.	281.25
27574	01/19/11	CMCCC C.M.C. CHAMBER OF COMMERCE	700.00
27575	01/19/11	CMCMC C.M.C. MUNICIPAL CLERKS ASSO.	300.00
27576	01/19/11	COMCA COMCAST	220.29
27577	01/19/11	COPEJRTO THOMAS E. COPE, JR.	400.00
27578	01/19/11	CROPPERA ALLAN W. CROPPER	50.00
27579	01/19/11	DAVID DAVIDSON, PAMELA G.	250.00
27580	01/19/11	DAVISBEN BENJAMIN DAVIS	75.00
27581	01/19/11	DEATAT TATIANA DEA	400.00
27582	01/19/11	DEROSEMA MATTHEW DEROSE	250.00
27583	01/19/11	DIGIOVAL LAUREN DIGIOVANNI	400.00
27584	01/19/11	DIGIOVAN HEATHER M. DIGIOVANNI	75.00
27585	01/19/11	DONOFRIO LEWIS T. DONOFRIO, JR.	50.00
27586	01/19/11	EDMUN EDMUNDS & ASSOCIATES, INC.	3,308.00
27587	01/19/11	FINNEGAN JACQUELINE FINNEGAN	400.00
27588	01/19/11	FORTDEAR FORT DEARBORN LIFE INSURANCE	230.98
27589	01/19/11	FUTUR FUTURE MINING & RECYCLING, INC	97.20
27590	01/19/11	GALLAGHE KEVIN GALLAGHER	100.00
27591	01/19/11	GARDS GARDEN STATE HWY. PRODUCTS	4,596.00
27592	01/19/11	GASKI GASKILL, JAMES	145.00
27593	01/19/11	GENER GENERAL CODE PUBLISHERS	1,195.00
27594	01/19/11	GENTI GENTILINI FORD, INC.	241.13
27595	01/19/11	GLOBAL GLOBAL CONNECT	114.84

27596	01/19/11	GOLDE	GOLDEN INN	808.08
27597	01/19/11	GRANT	E.M. GRANT	893.86
27598	01/19/11	GRIESBAC	JOSEPH H. GRIESBACH JR.	50.00
27599	01/19/11	GRUCC	GRUCCIO, PEPPER, P.A.	174.00
27600	01/19/11	HALOBRAN	HALO	1,694.31
27601	01/19/11	HARDIN	MIKHAILA HARDIN	400.00
27602	01/19/11	HARRISDI	DIANA HARRIS	105.93
27603	01/19/11	HAUGEND	DONNA HAUGEN	400.00
27604	01/19/11	HAWKFIRE	KENNETH J. HAWK	250.00
27605	01/19/11	HAWKK	HAWK, KENNETH	288.90
27606	01/19/11	HDSUPPLY	H D SUPPLY WATERWORKS LTD.	9,982.50
27607	01/19/11	HERAL	HERALD NEWSPAPERS	44.16
27608	01/19/11	HESSCORP	HESS CORPORATION	13,624.81
27609	01/19/11	HOMED	HOME DEPOT CREDIT SERVICES	379.54
27610	01/19/11	HORIZ	HORIZON BLUE CROSS/BLUE SHIELD	118,256.85
27611	01/19/11	HORIZRET	HORIZON BLUE CROSS SHIELD NJ	1,407.93
27612	01/19/11	JERC1	JERSEY CAPE DIAGNOSTIC CENTER	2,000.00
27613	01/19/11	JERSC	JERSEY CAPE DOOR	584.00
27614	01/19/11	JOHN2	JOHNSTONE SUPPLY	56.30
27615	01/19/11	KEENC	KEEN COMPRESSED GAS	55.91
27616	01/19/11	KEEPAMER	KEEP AMERICA BEAUTIFUL	386.38
27617	01/19/11	KINDL	KINDLE FORD MERCURY LINCOLN	52.64
27618	01/19/11	KOHLE	KOHLER'S AUTO GLASS	235.00
27619	01/19/11	LAMACH	JAMES LAMACH, JR.	297.49
27620	01/19/11	LAMACHFI	JAMES LAMACH JR	400.00
27621	01/19/11	LAURYHEA	LAURY HEATING	1,670.75
27622	01/19/11	LEFFBRUC	M. BRUCE LEFF, SRA	900.00
27623	01/19/11	LINDEMON	M. G. LINDEMON TRUCKING	9,156.00
27624	01/19/11	LINZJR	MICHAEL LINZ JR	400.00
27625	01/19/11	LOEFFLAD	JACOB LOEFFLAD	500.00
27626	01/19/11	LOEFFP	PAUL LOEFFLAD	75.00
27627	01/19/11	LORCO	LORCO PETROLEUM SERVICES	115.00
27628	01/19/11	LOWES	LOWE'S	73.07
27629	01/19/11	MAGELLAN	MAGELLAN HILL TECHNOLOGIES	307.68
27630	01/19/11	MARRIII	CHARLES MARRINER III	150.00
27631	01/19/11	MARRINER	CHARLES MARRINER JR.	50.00
27632	01/19/11	MARRINFR	FRANK MARRINER	1,450.00
27633	01/19/11	MCCAB	MC CABE JR., JAMES	251.77
27634	01/19/11	MCCL3	MCCLURE, ROBERT	320.00
27635	01/19/11	MCCLURER	ROBERT C. MCCLURE	250.00
27636	01/19/11	MCCLURJR	ROBERT MCCLURE JR	100.00
27637	01/19/11	MCDEVITT	SEAN B. MCDEVITT	400.00
27638	01/19/11	MCILV	MC ILVAINE, JR., CHARLES	94.40
27639	01/19/11	MEDIA	RICHARD GRAVER	4,320.00
27640	01/19/11	MIXNERST	STEPHEN E. MIXNER	150.00
27641	01/19/11	MULRA	MULRANEY, DANIEL	896.60
27642	01/19/11	NEXTCOMM	NXTEL COMMUNICATIONS	710.19
27643	01/19/11	NICOL	NICOLA, JAMES	151.00
27644	01/19/11	NIELSONK	KEITH NIELSON	500.00
27645	01/19/11	NJCON	N.J. CONFERENCE OF MAYORS	295.00
27646	01/19/11	NJLM	NJLM	255.00
27647	01/19/11	NJLOMDUE	NJ ST LEAGUE OF MUNICIPALITIES	252.00
27648	01/19/11	NJNATURE	NEW JERSEY NATURE, INC.	540.00
27649	01/19/11	NTIME	NATIONAL TIME SYSTEMS	1,633.00
27650	01/19/11	OCECO	OCEAN/COASTAL CONSULTANTS, INC	15,517.50
27651	01/19/11	ORMRODST	STEVEN M. ORMROD	250.00
27652	01/19/11	PARAMENT	PARAMOUNT ENTERPRISES, INC.	61,316.00
27653	01/19/11	PASTORE	MICHAEL PASTORE	400.00
27654	01/19/11	PESCH	PESCHI, PHILIP	79.98
27655	01/19/11	PETERSDA	DANIEL PETERS	912.00
27656	01/19/11	PITNE	PITNEY BOWES, INC.	1,012.00
27657	01/19/11	PLACECHA	CHARLES PLACE	79.99
27658	01/19/11	PRESS	PRESS, THE	286.97
27659	01/19/11	PROSPORT	PRO SPORT CONSTRUCTION, INC.	56,538.00
27660	01/19/11	REMIN	REMINGTON, VERNICK & WALBERG	0.00
27661	01/19/11	REMIN	REMINGTON, VERNICK & WALBERG	92,637.92
27662	01/19/11	RENTA	RENTAL COUNTRY	363.25
27663	01/19/11	RICES	STEWART RICE	60.02
27664	01/19/11	RIGGI	RIGGINS, INC.	1,834.99
27665	01/19/11	RUSSGRAN	GRANT RUSS	400.00
27666	01/19/11	SAMPSONJ	JAMES SAMPSON	400.00
27667	01/19/11	SAMPSONM	MICHELLE SAMPSON	400.00
27668	01/19/11	SCHAFFER	MELLISSA GANNON	400.00
27669	01/19/11	SCHEELER	MICHAEL R. SCHEELER	650.00
27670	01/19/11	SCHU2	SCHULER SECURITY, INC.	105.00
27671	01/19/11	SCHUC	SCHUCK, STEPHEN J.	679.14
27672	01/19/11	SCHWARTZ	JONATHAN SCHWARTZ	50.00
27673	01/19/11	SCOTT	SCOTT, DEBORAH	153.00
27674	01/19/11	SEAGR	SEA GROVE GARDEN CENTER	1,250.00
27675	01/19/11	SHBOA	STONE HARBOR BOATERS' ASSO.	3,200.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on January 18, 2011, that an Executive Session closed to the public shall be held on January 18, 2011 at or about 4:30 P.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.

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 Joanne Vaul
Seconded by Councilmember Barry D. Mastrangelo

To return to Open Session.

Vote 6 Councilmembers AYE

MOTION –

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

To authorize the Borough Administrator to proceed as discussed in Closed Session concerning personnel issues.

Vote 6 Councilmembers AYE

MOTION TO ADJOURN

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

That the Regular Meeting of Mayor and Council be adjourned at 5:45 p.m.

Vote 6 Councilmembers AYE

APPROVED _____, 2011

_____, Mayor

ATTEST: _____, Borough Clerk

