

**MINUTES OF THE REGULAR MEETING OF
MAYOR AND COUNCIL OF THE BOROUGH
OF STONE HARBOR HELD IN THE
MUNICIPAL BUILDING, APRIL 19, 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, Council President
Judith Davies-Dunhour
Thomas Cope
Joanne Vaul
Albert Carusi
Joan Kramar

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 Vaul

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of March 15, 2011 and the Work Session Meeting of April 5, 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 for the month of March as follows: 23 moving violations; 1 motorists assisted; 2 accidents handled; 1 suspicious vehicle; and 140 motor vehicle stops; 1 Ordinance violation; 4 adult arrests; 2 driving while intoxicated; 8 medical emergencies; 6 fire calls; 8 alarms; 65 open doors/windows; 18 heater lights; 2 domestic violence; 2 noise complaints; and 16 animal control complaints. Councilmember Cope reported that the Public Safety Committee has completed its work in the Selection Process to appoint a Captain and is happy to announce the Sergeant Dan Mulraney will be the new Captain of Police. Councilmember provided some background on Dan including that he starting working as a SLEO in the Police Department in 1997. Councilmember Cope announced that Patrolman Robert Walker will be promoted to Sergeant and provided some background on Bob including that he starting working as a SLEO in 1998. Councilmember Cope announced that Special Law Enforcement Officer Brent Grunow will be hired as a full-time officer and provided some background on him as well. Councilmember Cope announced that Pam Davidson, the Court Administrator, will be retiring effective June 1, 2011 and that Deputy Court Administrator, Debbie Scott, will be promoted to Court Administrator and Laura Herman has been hired to assume Debbie's duties. Councilmember Cope reported that the Cape May, Atlantic and Cumberland Counties Office of Emergency Management arranged for training certification for volunteers to assist in the rescue and recovery of animals in a disaster. Councilmember Cope explained the training consisted of 32 straight hours including sleeping overnight at the Atlantic City Racetrack. Councilmember Cope reported that Judith Davies-Dunhour and Patricia Wagner participated in this extensive training. Councilmember Cope reported that 1,010 Businesses and Rental Units have been registered; there are 31 Life Hazard locations which need to be inspected; and 363 rental inspections, 61 re-inspections, 1 life hazard and 4 smoke detectors were performed during the month of March, 2011.

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Councilmember Cope stated that in response to a question posed at the April 5, 2011 Council Meeting regarding why Borough employees were performing fire inspections and not the Volunteer Fire Company, the Public Safety Committee requested an opinion from the Borough Solicitor. Councilmember Cope read the following response on the record:

“The Public Safety Committee has confirmed that Stone Harbor is in compliance with both the spirit and the letter of the law in its current fire prevention operations.

The statute requires that the municipal fire department be designated as the local enforcing agency then hands nearly exclusive authority for all decisions to the municipally appointed Fire Official. The legislature's intention was to give uniform control and responsibility for fire prevention under the act to a municipal fire official who answers to the governing body. The statutory intent is to have an active fire prevention function administered by a trained Fire Official. We are in compliance. ”

NATURAL RESOURCES - Councilmember Carusi reported that Public Works has installed new signs at the Bird Sanctuary as well as new mulching and cleared debris from the trails. Councilmember Carusi reported that County inmates are working on cleaning out the phragmites from the Bird Sanctuary. Councilmember Carusi reported that the Resolution in support of the Pocket Park was forwarded to the County Open Space Program. Councilmember Carusi reported that negotiations are underway with Ross Environmental Services for additional animal control services and assistance in dealing with the skunk issue. Councilmember Carusi stated that Ken Hawk will give a more comprehensive report on the beach replenishment project.

BEACH & RECREATION – Councilmember Davies-Dunhour stated that the Beach Tag Office will now be open on Weekends (Saturday and Sunday) from 10:30 a.m. to 1:30 p.m., but will not be open on Easter Sunday. Councilmember Davies-Dunhour reported that all the beach tagger positions have been filled. Councilmember Davies-Dunhour reported that the after-school rec program continues to be well attended and that recent events included a trip to the Skate Zone and a dance at the Stone Harbor Yacht Club. Councilmember Davies-Dunhour reported that the new playground equipment has been installed and the Recreation Advisory Committee is looking at new playground equipment for 85th Street including a splash zone. Councilmember Davies-Dunhour reported that the Stone Harbor Shiver was a great success with almost 200 registrants and hundreds of people on the beach to watch. Councilmember Davies-Dunhour reported that the Tourism Director is working very hard on the upcoming Sail Into Summer, the Turtle Trot, Official Beach Opening Ceremony as well as the activities for Memorial Day Weekend.

UTILITIES - Councilmember Kramar reported that utility mark-outs for the month of March were 56; wells and lift stations are routinely checked, catch basins are checked and cleaned as necessary; and water quality samples are taken weekly for analysis. Councilmember Kramar reported that total water pumped for the month of March was 3,272 million gallons. Councilmember Kramar stated that the Utilities Committee has committed to watering public property 3 times per week and is asking residents to volunteer to cut back on watering their property.

PUBLIC WORKS – Councilmember Mastrangelo reported that the dune fencing and the catamaran poles have been removed in preparation for the upcoming beach replenishment project. Councilmember Mastrangelo reported that all the marina dock repairs have been done and installed for the opening of the Marina on April 15, 2011. Councilmember Mastrangelo reported that preparation and clean-up for the Ocean Drive and the Shiver required 30 man hours. Councilmember Mastrangelo reported that every building has had some repairs for the upcoming season; all the Second Avenue islands from 80th to 107th Street have been raked and mulched and the flower beds, gardens and landscaping will be done in the upcoming weeks. Councilmember Mastrangelo reported that the kiosks have been removed and prepped for the new units that will be installed shortly; work continues on all Borough sidewalks to make them handicap accessible; the 99th Street base paving is done and the top coat is scheduled for April 26th and 27th and will require the street to be closed the entire day. Councilmember Mastrangelo reported that Public Works employees attended a JIF sponsored Advanced Leadership Safety Workshop. Councilmember Mastrangelo reported the Solid Waste tipping fees for March were \$9,960.00 up \$3,551.40 over March, 2010.

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Councilmember Mastrangelo reported that the first Bulk Trash day generated 4 trips to the MUA with a total of 14 tons and the Bulk Trash Days for the rest of 2011 are Monday, May 9; Monday, September 19; and November 14, 2011.

ADMINISTRATIVE & FINANCE – Councilmember Vault reported that the 2011 Budget is scheduled for adoption tonight which reflects a slight tax increase, well below the 2% cap. Councilmember Vault thanked all involved in preparing the budget including Borough Auditor, Glen Ortman, Jim Nicola, and Ken Hawk. Councilmember Vault reported that the Committee has come up with a schedule for the recruitment of a new Borough Administrator.

Mr. Hawk reported on the beach replenishment project which will begin in Avalon on Monday, April 24 and will take approximately 20 days. Mr. Hawk reported that the contractor should start work here on May 16 and the entire project should take approximately 30 days. Mr. Hawk reported that the contractor has been given more time by the Army Corps of Engineers because the quantities of sand have been increased and it is hoped that the contractor should have the project completed by the end of June. Mr. Hawk reported that the contractor will close only two (2) blocks of beach at a time and the project will start on the South end and move north two (2) blocks at a time. Mr. Hawk reported that the contractor will be working 24 hours per day weather permitting. Mr. Hawk reported that the entire project is costing \$5 million and Stone Harbor's contribution is only \$121,000. Mr. Hawk stated that both Channel 2 and the Emergency Radio 1670 AM will have updated information broadcasted.

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

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

- Applications to U.S. Army Corps of Engineers, NJDEP CAFRA and Waterfront Development & NJEIT have been submitted and are under review.

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, concrete and paving on 94th Street is 100% complete.
- The pipe work and concrete on 99th Street are 100% complete and the road is base paved.
- The pipe work, concrete and paving on 109th Street is 100% complete.

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**
- The Bids were rejected and the project has been re-advertised.
- The bid opening was today and the apparent low bidder is Berto Construction, Inc. in the amount of \$96,839.00

Replacement of the Firehouse Roof

- A pre-bid meeting was held on April 15, 2011 at 11:00 AM.
- The bid opening is scheduled for April 26, 2011 at 10:00 AM.

FY 2010 NJEIT Sanitary Sewer and Water Main Improvements

- Pipe work and concrete work on Corinthian Place, 98th Street and Sunset Drive is 100% complete. The road is base paved.
- The pipe work on Pennsylvania Avenue is 100%. The concrete work is 50% complete.

96th Street Tennis Court Fence and Surface Replacement

- The fence installation is completed and the contractor is installing the tennis court carpet.

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TREASURER'S REPORT

Current Receipts.....	\$ 729,782.93
Current Disbursements.....	\$1,673,215.95
Utility Receipts.....	\$ 199,891.67
Utility Disbursements.....	\$ 285,135.60

BOROUGH CLERK'S REPORT

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>
3	Boat Slips	\$ 4,350.00
1	Boat Trailers	125.00
10	Sailcraft Permits	2,250.00
78	Business Registrations	7,800.00
5	Certified Copies	50.00
2	OPRA	42.05
4	Marriage License	112.00
1	Special Event Permits	50.00
1	Ice Cream Vending Contract	22,500.00
4	Farmer's Market	80.00
1	Taxi License	50.00
	SUB-TOTAL	\$37,409.05
2	Dogs	8.40
0	Cats	0.00
	TOTAL	\$37,417.45

CONSTRUCTION OFFICE

<u>PERMIT</u>	<u>NO. OF PERMITS ISSUED</u>	<u>FEES COLLECTED</u>
Building Permits	38	\$16,498.00
Electrical Permits	18	2,243.00
Plumbing Permits	13	3,132.00
Fire Permits	8	1,296.00
DCA Permits	47	1,701.00
Zoning Permits	28	6,535.00
CTT's	3	150.00
Violations	0	0.00
Certificate of Occupancy	45	2,923.00
Contractor's Licenses	1	100.00
Public Records	0	0.00
Dumpster/Semi Trailer	2	500.00
Utility Street Openings	9	3,120.00
TOTAL FEES COLLECTED		\$38,198.00

Upon motion of
Seconded by

Councilmember Joanne Vaul
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

Charles Koch – 236 85th Street – stated his opposition to Councilmember Cope’s statement regarding the Fire Prevention Bureau and objected to the Borough’s hiring two full-time employees to do inspections. Mr. Koch stated that the law clearly states that these inspections should be done by the Fire Company. Michael Donohue explained that the law provides that the fire official be an employee of the municipality. Mr. Koch disagreed and requested that Mr. Donohue provide him a written opinion. Mr. Donohue stated that if the Mayor and Council request him to do so, he would provide Mr. Koch with his written opinion. Mr. Koch inquired how many firemen does the Fire Company have and how many live in town. Mr. Koch also inquired about the CAFRA permit for the Library and was informed that no permit has been issued yet.

OLD BUSINESS

Public Hearing on the 2011 Budget

Josie Rich – 10410 Sunset Drive – inquired if the members of Council were getting a \$3,000.00 per year raise. Councilmember Vault explained that Council members were not getting a \$3,000.00 per year raise but instead of taking the \$2,500.00 per year stipend and the \$750.00 eye/dental money, the funds have been reallocated to salary and there would be no more stipends and officials elected after May, 2010 are no longer eligible for benefits.

ORDINANCE 1373 (Cap Bank)

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

That Ordinance 1373 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1373 on second reading because a copy of said Ordinance was posted on the Clerk’s bulletin board.

The Public Hearing is now open.

No one from the public spoke.

The Public Hearing was closed.

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

That Ordinance 1373 be passed on second reading and advance to third and final reading.

Vote 6 Councilmembers AYE

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

That Ordinance 1373 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

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ORDINANCE 1374 (Vacate Portion of 95th Street)

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

That Ordinance 1374 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1374 on second reading because a copy of said Ordinance was posted on the Clerk's bulletin board.

The Public Hearing is now open.

Josie Rich – 10410 Sunset Drive – expressed her opposition to this Ordinance because she does not feel the Library should be built here.

The Public Hearing was closed.

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

That Ordinance 1374 be passed on second reading and advance to third and final reading.

Vote 6 Councilmembers AYE

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

That Ordinance 1374 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

ORDINANCE 1375 (Home Occupation – Adding to Residential District)

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

That Ordinance 1375 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1375 on second reading because a copy of said Ordinance was posted on the Clerk's bulletin board.

The Public Hearing is now open.

No one from the public spoke.

The Public Hearing was closed.

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

That Ordinance 1375 be passed on second reading and advance to third and final reading.

Vote 6 Councilmembers AYE

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

That Ordinance 1375 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

NEW BUSINESS:

ORDINANCE 1378 (Street Performers)

Upon motion of Councilmember Judith Davies-Dunhour
Seconded by Councilmember Joan Kramar

That Ordinance 1378 be taken up on first reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1378 on first reading.

Upon motion of Councilmember Judith Davies-Dunhour
Seconded by Councilmember Joan Kramar

That Ordinance 1378 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 17^h day of May, 2011.

Vote 6 Councilmembers AYE

ORDINANCE 1379 (Health Benefits -- Retirees)

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Judith Davies-Dunhour

That Ordinance 1379 be taken up on first reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1379 on first reading.

Upon motion of Councilmember Joanne Vault
Seconded by Councilmember Judith Davies-Dunhour

That Ordinance 1379 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 17th day of May, 2011.

Vote 6 Councilmembers AYE

ORDINANCE 1380 (Mayor and Council Attendance – Ethics)

Upon motion of Councilmember Thomas Cope
Seconded by Councilmember Joanne Vault

That Ordinance 1380 be taken up on first reading.

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Vote

6 Councilmembers AYE

The Clerk read the title only of Ordinance 1380 on first reading.

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Joanne Vault

That Ordinance 1380 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 17th day of May, 2011.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-71 – Self Examination of 2011 Budget

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joanne Vault

SELF EXAMINATION OF THE BUDGET 2011

WHEREAS, N.J.S.A 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1979; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Stone Harbor has been declared eligible to participate in the program by the Division of Local Government Services, and Chief Finance Officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the “Cap” law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form arrangement and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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Vote

6 Councilmembers AYE

RESOLUTION 2011-S-72 – Adopt 2011 Budget

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

ADOPT THE BUDGET - 2011

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of

\$8,919,009.00

raised by taxation for Municipal Purposes.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-73 – Shared Services

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

WHEREAS, the Borough of Stone Harbor supports an efficient government for the benefit of the community and taxpayers; and

WHEREAS, shared services play an important role in achieving such efficiency; and

WHEREAS, the Borough already participates in many shared services including animal control, use of recreation fields, use of channel 2, courtroom video, public school maintenance and public works manpower and equipment; and

WHEREAS, the Mayor and Council are committed to continuing the pursuit of shared services opportunities with surrounding communities; and

WHEREAS, the following criteria are hereby established for use in evaluating proposed shared services:

- a. Impact on the quality of the service
- b. Impact on the long term viability of Stone Harbor as a community
- c. The potential cost savings to Stone Harbor
- d. Equitable treatment of all parties participating in the shared service. Total savings generated through any consolidation should be shared proportionately between the parties based on total costs prior to and after the program is implemented.
- e. Risks associated with the proposal.
- f. Control over the shared services must be commensurate with the contribution made to covering the cost
- g. Establishment of reasonable contractual terms and termination clauses

NOW, THEREFORE, BE IT RESOLVED that the following criteria will be used to periodically evaluate the success of any share services implemented:

- a. Actual costs of implementing and operating the services
- b. Actual savings realized
- c. Service quality evaluation

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-74 – Change Custodian – Police Petty Cash

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

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, William Toland was custodian of the Police Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of Stone Harbor is changing custodians to Paul Reynolds; and

WHEREAS, Paul Reynolds is bonded in the amount of \$50,000 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Stone Harbor, County of Cape May hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Vote **6 Councilmembers AYE**

RESOLUTION 2011-S-75 – Award Contract – Boat Ramp Replacement

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

AWARDING A CONTRACT

FOR THE REPLACEMENT OF BOAT RAMP AT BAY MARINE PARK

WHEREAS, three (3) bids were received by the Stone Harbor Municipal Clerk on April 19, 2011, for the aforementioned project in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-U-042, 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, Berto Construction Company, Inc. of Rahway, New Jersey, submitted the lowest responsible and conforming bid in the amount of \$96,839.00; and

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

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

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 19th day of April, 2011, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned bearing Remington and Vernick project number 05-10-U-042 be and the same is hereby awarded to Berto Construction Company, Inc., in the amount of \$96,839.00;
3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above.
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.

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Vote

6 Councilmembers AYE

RESOLUTION 2011-S-76 – Approve American Legion Raffle License

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Thomas Cope

WHEREAS, the American Legion Post 331 made application on April 4, 2011 for a Raffle License under Application No. RA-2011-03; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval under Application No. RA-2011-03 to American Legion Post 331 for holding of said Raffle;

NOW, THEREFORE, BE IT RESOLVED on April 19, 2011 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey, as follows:

1. That the Borough Council issue to the American Legion Post 331 a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council under Application No. RA-2011-03 made by said American Legion Post 331; and

2. That the Deputy Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the American Legion Post 331 in accordance with the application made therefor.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-77 – Refund Business Registration Permit Fee

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry D. Mastrangelo

WHEREAS, Jessica Matthews submitted \$ 100.00 for a Business Registration for Yvettes Café at 221 – 96th Street, Stone Harbor, NJ 08247; and

WHEREAS, the original owner of Yvettes Café will be opening the business this year; and

WHEREAS, the Zoning Officer has requested the return of said permit fee.

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

1. That the sum of \$ 100.00 for a Business Registration be refunded to Jessica Matthews of P.O. Box 237, Avalon, N.J. 08202
2. That the Chief Financial Officer shall take any and all steps necessary to effectuate such refund and shall make the proper adjustments to the financial records of the Borough.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-78 – Summer Officers

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Albert Carusi

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 the following be appointed as SLEO II Officers, with the Stone Harbor Police Department effective from May 2, 2011 through September 30, 2011.

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George Kosanavich
Brian Bugni
Justin Glass
Dane Carroll
Wesley Cronin
Robert Jordon
Joseph Marano
Richard Boyle
Michael Ceccato
Anthony Tirelli
Peter Maher
Jeffrey Salvesen

ALSO, 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 the following be appointed as SLEO I Officers, with the Stone Harbor Police Department effective from May 2, 2011 through September 30, 2011.

Michael Febus

Vote **6 Councilmembers AYE**

MOTIONS

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Joan Kramar

To approve the special event application for the Chamber of Commerce to have tables in front of stores during the Sail Into Summer Weekend.

Vote **6 Councilmembers AYE**

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry D. Mastrangelo

To approve the special event application for the Men's Sunday Slow Pitch Softball League at the 80th Street Field from May 22, 2011 through August 28, 2011 contingent upon receipt of the required Certificate of Insurance.

Vote **6 Councilmembers AYE**

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Barry D. Mastrangelo

To accept Doug Stauffer and Jacob Loefflad into active membership of the Stone Harbor Volunteer Fire Department.

Vote **6 Councilmembers AYE**

Upon motion of
Seconded by

Councilmember Joanne Vaul
Councilmember Barry D. Mastrangelo

To accept the resignation of Deputy Tax Assessor, Harry Supple.

Vote **6 Councilmembers AYE**

DISCUSSION

None.

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The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
28325	04/12/11	BORSH BOROUGH OF STONE HARBOR	175,261.81
28326	04/20/11	ACELE ATLANTIC CITY ELECTRIC CO.	389.97
28327	04/20/11	ACTIO ACTION SUPPLY	250.25
28328	04/20/11	ADVWI ADVANCED WIRELESS	50.99
28329	04/20/11	ALLIN ALL INDUSTRIAL SAFETY PRODUCTS	164.67
28330	04/20/11	ALLST ALL STATE LEGAL	509.00
28331	04/20/11	ATTMOBIL AT & T MOBILITY	124.33
28332	04/20/11	AVAHODGE AVALON HODGE PODGE, INC.	66.97
28333	04/20/11	AVAYA AVAYA, INC.	716.05
28334	04/20/11	BESTU BEST UNIFORM	168.52
28335	04/20/11	BILLO BILLOWS ELECTRIC SUPPLY CO.	395.46
28336	04/20/11	CAPE4 CAPE 47 LUMBER CO.	420.24
28337	04/20/11	CAPRI CAPRIONI PORTABLE TOILETS	486.00
28338	04/20/11	CASAP CASA PAYROLL SERVICES	176.45
28339	04/20/11	CHANNING CHANNING BETE CO., INC.	105.95
28340	04/20/11	CHOFF COURT HOUSE OFFICE SUPPLIES	79.95
28341	04/20/11	CHRIS CHRISTMAN, H.B.	65.16
28342	04/20/11	CMCLM C.M.C.LEAGUE OF MUNICIPALITIES	400.00
28343	04/20/11	CMCMU C.M.C. MUNICIPAL UTILITY AUTHO	9,820.50
28344	04/20/11	COMCAST COMCAST	120.04
28345	04/20/11	DAVID DAVIDSON, PAMELA G.	139.23
28346	04/20/11	DAVISEQU DAVIS EQUIPMENT SALES, INC.	691.69
28347	04/20/11	DELLC DELL MARKETING L.P.	1,986.82
28348	04/20/11	EMEDC EMEDCO INC.	181.34
28349	04/20/11	FASTENAL FASTENAL INDUSTRIAL/CONSTRUCTI	519.79
28350	04/20/11	FAZZJ JOSEPH FAZZIO, INC.	251.10
28351	04/20/11	FUTUR FUTURE MINING & RECYCLING, INC	852.04
28352	04/20/11	GARDNERH GARDNER HARDWARE	96.99
28353	04/20/11	GARDS GARDEN STATE HWY. PRODUCTS	430.00
28354	04/20/11	GRAIN GRAINGER, INC. W.W.	582.86
28355	04/20/11	GRENNANS GRENNANS MURPHY BEDS	4,965.00
28356	04/20/11	HARRISDI DIANA HARRIS	251.83
28357	04/20/11	HECHT HECHT TRAILERS LLC	2,187.30
28358	04/20/11	HESSCORP HESS CORPORATION	13,545.52
28359	04/20/11	HILESNIC NICOLE HILES	455.98
28360	04/20/11	HOMED HOME DEPOT CREDIT SERVICES	234.37
28361	04/20/11	HOOVER HOOVER TRUCK CENTERS	463.70
28362	04/20/11	JERC1 JERSEY CAPE DIAGNOSTIC CENTER	627.00
28363	04/20/11	JSECO JSE COMPUTERS	48.00
28364	04/20/11	KEENC KEEN COMPRESSED GAS	55.91
28365	04/20/11	KINDL KINDLE FORD MERCURY LINCOLN	53.96
28366	04/20/11	KOHLK KOHLER'S AUTO GLASS	245.00
28367	04/20/11	KOOCH KOOCHEMBERE, MICHAEL	25.00
28368	04/20/11	LEADE LEADER PRINTERS	5,226.20
28369	04/20/11	MARRE MARINE RESCUE PRODUCTS	3,065.00
28370	04/20/11	MCALL MCALLISTER	259.95
28371	04/20/11	MONAR MONARCH DECALS	211.87
28372	04/20/11	NATFISHW NATIONAL FISH & WILDLIFE FOUND	1,169.20
28373	04/20/11	NEXTCOMM NEXTEL COMMUNICATIONS	789.98
28374	04/20/11	NJIAA NJ-IAAO	25.00
28375	04/20/11	NRAAO NRAAO	30.00
28376	04/20/11	OAKLEYL OAKLEY, LEVIN	91.74
28377	04/20/11	OLIVI OLIVIERI, SHOUSKY & KISS, PA	10,074.98
28378	04/20/11	ONECA ONE CALL CONCEPTS, INC.	70.62
28379	04/20/11	OTISE OTIS ELEVATOR COMPANY	3,478.12
28380	04/20/11	PARAM PARAMOUNT CHEMICAL & PAPER CO.	195.18
28381	04/20/11	PRESS PRESS, THE	468.71
28382	04/20/11	PUERTORI PUERTO RICAN ACTION COMMITTEE	60.00
28383	04/20/11	RAINBOWI RAINBOW INTERNATIONAL	240.00
28384	04/20/11	REMIN REMINGTON, VERNICK & WALBERG	0.00
28385	04/20/11	REMIN REMINGTON, VERNICK & WALBERG	63,058.96
28386	04/20/11	RENTA RENTAL COUNTRY	735.77
28387	04/20/11	REYNPCAS PAUL REYNOLDS	100.00
28388	04/20/11	ROYALTAX ROYAL TAX LIEN SERVICES, LLC	41,140.44
28389	04/20/11	SANDP SANDPIPER EMBROIDERY	1,690.00
28390	04/20/11	SCHU2 SCHULER SECURITY, INC.	312.00
28391	04/20/11	SCHUYMOB SCHUYLKILL MOBILLE FONE	90.00
28392	04/20/11	SHEE3 SHEERAN, GREGORY (PETTY CASH)	92.37
28393	04/20/11	SIGPR SIGNATURE PROMOTIONS	4,724.02
28394	04/20/11	SJAUT SOUTH JERSEY AUTO SUPPLY	220.30
28395	04/20/11	SJGAB SOUTH JERSEY GAS CO.	512.52
28396	04/20/11	SJGAW SOUTH JERSEY GAS CO.	24.52
28397	04/20/11	STAPL STAPLES CREDIT PLAN	839.88
28398	04/20/11	STAPLEBU STAPLES BUSINESS ADVANTAGE	92.28

Regular Meeting, April 19, 2011

28399	04/20/11	STEFANKI	STEFANKIEWICZ, LISA	440.00
28400	04/20/11	STRUE	SEASHORE ACE HARDWARE	630.88
28401	04/20/11	SUPPL	SUPPLE, JR., HARRY J.	162.00
28402	04/20/11	TCTAN	T.C.T.A. OF NJ	255.00
28403	04/20/11	TELVUECO	TEL VUE CORPORATION	600.00
28404	04/20/11	TOSHI	TOSHIBA BUSINESS SOLUTIONS	132.24
28405	04/20/11	TRCOU	TRI COUNTY BUILDING SUPPLIES	278.38
28406	04/20/11	TREA3	TREASURER, STATE OF NEW JERSEY	125.00
28407	04/20/11	TRICOMMS	TRICOMM SERVICES CORP.	703.43
28408	04/20/11	VCABS	VERIZON	531.96
28409	04/20/11	WESTE	WESTERN PEST CONTROL	118.00

Checks:	84	1	0.00	361,729.24
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Upon motion of Councilmember Barry D. Mastrangelo
 Seconded by Councilmember Judith Davies-Dunhour

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.

RESOLUTION 2011-S-79 (Closed Session)

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

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 the Employment Relationship, the relevant employee having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on April 19, 2011, that an Executive Session closed to the public shall be held on April 19, 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**

Regular Meeting, April 19, 2011

MOTION – To Return to Open Session

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

To return to Open Session.

Vote **6 Councilmembers AYE**

MOTION

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

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

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

PUBLIC COMMENT

Charles Koch – 236 85th Street – inquired about the benefits for retirees and if a retiree's spouse were to pass and the retiree were to re-marry, would the new spouse be covered.

MOTION TO ADJOURN

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

That the Regular Meeting of Mayor and Council be adjourned at 6:40 p.m.

Vote **6 Councilmembers AYE**

APPROVED _____, 2011

_____, Mayor

ATTEST: _____, Borough Clerk