

**MINUTES OF THE WORK SESSION OF
MAYOR AND COUNCIL OF THE BOROUGH
OF STONE HARBOR HELD IN THE
MUNICIPAL BUILDING, JUNE 7, 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 J. Donohue, Attorney
James Nicola, CFO

PRESENT

Councilmembers
Barry D. Mastrangelo, President
Judith Davies-Dunhour
Joan Kramar
Albert Carusi
Joanne Vaul

ABSENT

Kenneth Hawk, Borough Administrator

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.

MODULAR HOME PARKING PERMISSION

David Augustine of Augustine Builders requested permission to store a modular home at the 80th Street parking lot overnight on June 15, 2011. Mr. Augustine indicated that the date may change due to unforeseen circumstances and requested that the date be flexible. Council discussed this issue and Solicitor Donohue suggested that Council require the modular units be removed from the lot within 24 hours of their arrival, that the company sign the required Hold Harmless Agreement and provide a Certificate of Insurance.

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Barry D. Mastrangelo

That Augustine Builders be permitted to use the parking lot at 80th Street for a period of 24 hours on or about the 15th of June, 2011 conditioned upon receipt of the Certificate of Insurance and the execution of the Hold Harmless Agreement.

Vote

6 Councilmembers AYE

DOCK HEARING – 308 92nd STREET – JOHN LASHKEVICH

Solicitor Donohue swore in Gary Lee Thomas of Thomas*Amey*Shaw, Inc. on behalf of John Lashkevich.

Mr. Thomas stated he represents the property owner who applied to the Building Department to reconstruct approximately 65' of new vinyl bulkhead a maximum of 24 inches waterward of the existing bulkhead and construct a modified dock structure to measure 8' by 16.05' and install a 3' by 15' ramp to an 8' by 20' floating dock. Mr. Thomas stated that both CAFRA and the Waterfront Development Permits were issued under separate cover.

Mayor Walters asked if there was anyone in the audience to speak for or against the application.

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Albert Carusi

To approve the application for 308 92nd Street on behalf of John Lashkevich in accordance with the drawings prepared by Thomas, Amey, Shaw, Inc. dated May 5, 2011.

Vote

6 Councilmembers AYE

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LIBRARY PRESENTATION – CAPE MAY COUNTY

Mayor Walters stated that the Borough is in a shared services agreement with the County of Cape May for library services and that as part of that Agreement, Stone Harbor paid County Library Taxes in excess of \$1.3 million in 2010. Mayor Walters explained that sometime in 2006/2007, the Borough was approached by the County to see if we would be interested in a new library building and that after several Closed Session meetings; the Borough advised the County that they would be interested in a new Library. Mayor Walters stated that Council discussed the new library in Open Session at least 10 times in 2007; 8 times in 2008, 3 times in 2009; 15 times in 2010; and 5 times so far in 2011. Mayor Walters stated that Council voted in Open Session on resolutions to approve the lease and to instruct the Administrator to carry out instructions from Closed Session on three different occasions and in every case, the vote was unanimous in their approval and included Councilmembers Miraglia, Wannan, Levinson, Bauer, Mastrangelo, Guilian, Vaul, Cope, Kramar, Carusi and Davies-Dunhour. Mayor Walters stated that there was a public presentation made by the County regarding the new building concept and its location at the September 18, 2007 Meeting of Mayor and Council and the County appeared before the Planning Board for site plan approval in 2011 and the Planning Board approved the site plan unanimously. Mayor Walters stated that the library was also on the agenda of many Freeholders Meetings and the Freeholders have voted on a bond for \$8 million to fund the project. Mayor Walters introduced Robert N. Garrison of Garrison Architects and Deborah Pollion, Director of the Cape May County Library who gave a presentation on the new library. Mr. Garrison gave an update of the status of the project and reported that the County is scheduled to open bids on June 29, 2011 and has 60 days to award a contract (or otherwise act) thereafter. Mr. Garrison stated that no work will begin until after Labor Day. Mr. Garrison explained that once the building is built, access to the beach and the parking lot will be exactly the same as it is now, the trailer for public bathrooms will be removed, a few of the parking spaces will be lost due to the construction, but the remaining lot will be exactly the same and will be re-striped and resurfaced because a geothermal heating/cooling system will be constructed under the lot. Mr. Garrison explained that the new library will have commercial grade gray siding which will resemble cedar, will be as environmentally efficient as technology will allow, heating and cooling will be geothermal, have public exterior bathrooms, a recharging station for electric cars, a public meeting room, will house the Stone Harbor Museum, have a coffee bar and will have a 2nd floor porch where a person could go and read a book and look directly at the beach/ocean. Mr. Garrison explained that the building will be 13,071 square feet. Mr. Garrison stated that the County is waiting for its CAFRA permit. Mr. Garrison stated that the County has been advised by NJDEP officials that this permit will be forthcoming shortly and the project is currently out to bid. Mr. Garrison stated that the new building will meet the strictest building codes (New Jersey Uniform Construction Codes) and the design wind speed is above hurricane force of up to 120 mph and the ground elevation on the landside of the bulkhead is above standard and is actually one of the highest points.

Mayor Walters opened the meeting for public comment.

Josie Rich – 10410 Sunset – read a letter on the record regarding the petition which included 117 signatures of registered voters who oppose the vacation of a portion of 95th Street which would have allowed the building of a library on that lot. Mrs. Rich stated that she is not in opposition of the building of the library; but opposes the proposed location. Mrs. Rich stated that the people need to have a voice.

Bob Rich – 10410 Sunset – asked questions regarding the lease for the library. Mr. Rich stated that the lease is a 15 year lease with a renewal of another 15 years. Mr. Rich asked several questions about the lease, but was advised that Mayor, Council and the Solicitor did not have the lease in front of them and could not accurately comment on it. Mr. Donohue stated that the lease was prepared by the County and was sure there were opt out provisions, renewal provisions, etc. Mr. Rich inquired about the loss of parking spots and was advised that the plans provide for the minimum loss of parking spaces. Mr. Rich also asked why would this project be out to bid if we do not have the necessary permits to actually construct the building. Mr. Rich was advised by Mr. Garrison that the County has been assured by high ranking NJDEP officials that the permit

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would be forthcoming. Mr. Rich inquired about the height of the building and whether or not it met current zoning regulations; Mr. Garrison responded that the building met zoning regulations and had site plan approval. Mr. Rich inquired about the coffee bar and whether or it would be operated by the County or the Borough. Mr. Rich was advised that the concept for the coffee bar is not a “restaurant type” but where someone could make a cup of coffee, etc. and would not require an operator. Mr. Rich inquired about the County Tax and if the Borough were to leave the County system would that tax actually increase. Mayor Walters explained that State statutes set library tax rates and that the rate is actually higher for municipally run libraries; however, the amount taxed does not go to the County, it goes to the municipality to be utilized specifically in the library system.

Judith Hammersmidt – 180 113th Street – indicated that the plans only provide for a small computer area; however, this generation utilizes e-books more and more often and paper books are becoming obsolete. Mrs. Hammersmidt stated that she is not sure this is the best use for this piece of property.

Steve Markle – Mimi and Sun Catcher and on behalf of his father – expressed his opposition to the location of the library and stated that he felt 92nd and Third is the best location for the library.

Charles Koch – 236 85th Street -- inquired about the loss of parking spots and indicated that he thought the DEP will view this as impeding public access. Mr. Koch inquired about the CAFRA permits and stated that newspapers are reporting that the DEP will be issuing rule changes sometime next spring, 2012. Mr. Koch inquired if the County has the DEP assurances that the permits will be forthcoming in writing. Mr. Koch inquired about retrofitting the Museum. Mr. Koch inquired about the height of the building and stated the zoning regulations provide 31ft for public buildings. Mr. Koch also inquired if a plan has been created to show the shadow castings on the beach.

John Reddy – 105th Street – expressed his support of the project and stated that this is a great project with an awesome location.

Larry Hanker – 142 91st Street – inquired about the insurance issues and whether or not it will be difficult insure this building considering its location in a flood zone. Mr. Hanker indicated that he is not sure if this is the best location for the Museum because precious documents and historical pieces could be lost if a major storm were to hit us.

Pat Bridgeman – 10625 Corinthian – inquired if the County came to the Borough or did the Borough ask the County for a new building. Mr. Bridgeman inquired if the Borough has done any research, costs analysis, use analysis, etc. on this building. Mr. Bridgeman stated that when he developed 2 bayfront lots, the DEP would not give him approvals because he did not provide public access to the waterways. Mr. Bridgeman stated that he spent well over \$100,000 resolving this issue with the DEP. Mayor Walters stated that this project does not limit access to the beach. Mr. Bridgeman also inquired about the loss of RV parking. Mr. Bridgeman was advised that the information provided by the kiosk indicates that the RV spaces were very rarely utilized. Mr. Bridgeman stated that he never thought the library at the beach would get this far and that he is not opposed to the library, but its location. Mr. Bridgeman stated that several of his hotel guests have gone to the library and told they could not use the library because they were not residents. Mr. Bridgeman was advised that if non-residents wanted to use the library, a \$10.00 internet access card is available annually.

Patti DeMarco – 364 93rd Street – inquired if there will be Borough-wide WIFI upon completion of the building. Mrs. DeMarco was advised that the library itself will be WIFI, but not Borough-wide. Mrs. DeMarco inquired about the re-zoning of this parcel of land. Mrs. DeMarco was advised that the land was not re-zoned and that it is zoned for public use. Mrs. DeMarco stated that she agrees with Tom Markle that the library should be on 2nd Avenue.

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Linda Hill – 10514 Third Avenue – stated that Sea Isle did not want the original plan. It was explained that Sea Isle City has no parking and it was determined that the 48th Street location provided the best public parking. Mrs. Hill inquired about the maintenance of the public bathrooms and was advised that the Borough would maintain the bathrooms.

Jim Picanza -- 9919 Corinthian Drive – stated that although he has attended many meetings, he does not recall any discussion on the library or its location. Mr. Picanzo reminisced about 1962 and the Storm. Mr. Picanzo indicated that he does not believe this is the right location for the library and that a critical analysis should be undertaken.

Karen Lane – 10310 First Avenue – stated that tonight's meeting is wonderful and inquired why the Borough did not host several Town Meetings to decide just where the people (taxpayers) would like the library. Mrs. Lane indicated that initially she thought the location was good; however, after speaking to informed people, she now feels that this is not the right location. Mrs. Lane stated that more dialogue was needed. Mayor Walters stated that she has addressed the ROA 6 times since 2007 and no one ever requested a Town Meeting.

Bob Rich – 10410 Sunset Drive – indicated that the Borough provides ADA access to the beach at 89th Street and 101st Street so the theory that providing ADA access at 95th Street does not hold up. Mr. Rich was advised that the ADA access at 89th and 101st Streets will not be usable in the winter time and that the access at 95th Street will be year-round. Mr. Rich requested usage statistics for the 95th Street parking lot. Mr. Rich inquired about the application to the DEP and the timeframe in which the DEP must respond. Mr. Rich requested an update on the beach replenishment.

Charles Koch – 236 85th Street – stated that the height maximum for public buildings in the Borough is 31 feet and that the County did not get approval for that at the Planning Board.

Joseph McFadden – 145 100th Street – stated that Stone Harbor really deserves a first class library, but that the library should extend its hours. Mr. McFadden stated that he thinks the location and the concept building is brilliant.

Mayor Walters stated that the beach replenishment is currently at 103rd Street and the project is going to 83rd Street. Mayor Walters stated that the contractor is working 24/7; however, the dredge had to go to Cape May to be worked on and is back. Mayor Walters stated that the contractor is closing approximately 5 blocks on either side of the street they are working on for safety reasons.

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

Bob Ashman – 10301 First Avenue – inquired about the Resolution for the Recreation Building and whether or not the permit provided for the removal of the existing building. Councilmember Davies-Dunhour responded that the yes, the permit is requesting the removal of the existing building and construction of a new recreational support building with an attached basketball pavilion in lieu of the 2 existing tennis courts.

Bunny Parzych – 9925 First Avenue – inquired why Council has not considered pulling out of the Library like Avalon and Ocean City. Mrs. Parzych indicated that Ocean City and Avalon are the premier libraries in the County and provide the most to the community. Mrs. Parzych requested that the Borough pull out of the County system and that they do it now. Mrs. Parzych stated that the people are speaking to Council and they do not want this library at this location. Mrs. Parzych requested that Council consider pulling out of the County Library System. Councilmember Vault responded passionately to Mrs. Parzych that for the people to imply that the Council has not listened, done the analysis, considered all options is absolutely false and insulting. Councilmember Vault stated that this Council has worked tirelessly on this project,

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analyzed the numbers, costs, etc., considered pulling out of system, location, etc. Discussion ensued regarding the lease with the County and the possibility of opting out after 15 years.

Josie Rich – 10410 Sunset Drive – implored Council to listen to the people now and make a motion to put a referendum question on the ballot to pull out of the County Library System.

Karen Lane – 10310 First Avenue and on behalf of the Garden Club – requested that the islands be watered more than three times per week because the flowers and grass are not doing so well. Mrs. Lane indicated that although it was reported that the Borough almost exceeded, the actuality is that the Borough did not exceed its permit and watered the islands 7 days. Mrs. Lane implored Council to water the islands every other day. Councilmember Kramar responded that the Borough came extremely close to exceeding its water permit and being fined. Councilmember Kramar reported that the islands are watered three times per week and checked every day and there is nothing that is in dire need. Councilmember Kramar suggested that a volunteer water islands that they feel are not getting enough water and indicated that some of the flowers/plants were planted improperly. Councilmember Mastrangelo asked Mr. Sheeran if we could adjust the timers on the island. Councilmember Kramar stated that the Utilities Committee will take it under advisement.

Midge Clark – 82nd Street – thanked Council for listening and moving the new Rec Center. Mrs. Clark inquired about the use of the pavilion. Councilmember Davies-Dunhour explained the many uses of the pavilion including band performances, athletic activities, inclement weather facility, arts and crafts, etc. Councilmember Davies-Dunhour stated that the pavilion is an open air facility that will be multi-use.

Roy Thompson – 8201 Second Avenue – thanked Council for listening and moving the Rec Center; however, requested moving the pavilion or reconsidering its height, etc. Councilmember Davies-Dunhour explained the uses of the pavilion and the design of the pavilion.

Connie Dallas – 245 108th Street – inquired about the cross-overs at the beach and the steep drop-offs. Mayor Walters responded that this issue should be addressed as part of the replenishment and the sculpting of the beaches when the project is complete, but was not positive it will remedy her particular complaint. Mayor Walters stated that Public Works will go down and look at the area.

Les Smith – 83rd and Second Avenue – expressed his appreciation for the changes to the Rec Center.

OLD BUSINESS:

ORDINANCE 1381 (Street Openings)

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Thomas Cope

That Ordinance 1381 be taken up on second reading.

Vote

6 Councilmembers AYE

The Clerk read the title only of Ordinance 1381 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.

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The Public Hearing was closed.

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Thomas Cope

That Ordinance 1381 be passed on second reading and advance to third and final reading.

Vote 6 Councilmembers AYE

Upon Motion of Councilmember Joan Kramar
Seconded by Councilmember Thomas Cope

That Ordinance 1381 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

NEW BUSINESS:

RESOLUTION 2011-S-99 – NJDEP Land Use Application for Recreation Support Building

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

**A RESOLUTION AUTHORIZING EXECUTION OF A
NJDEP LAND USE REGULATION PROGRAM APPLICATION
IN CONNECTION WITH THE RECREATION SUPPORT BUILDING**

WHEREAS, the Borough Council of the Borough of Stone Harbor has authorized the removal of the existing recreation support building on Block 81.01, Lot 1 and construction of a new recreation support building; and

WHEREAS, as part of that process, the Borough of Stone Harbor is required to submit to the State of New Jersey, Department of Environmental Protection, a Land Use Regulation Application (LURP-2); and

WHEREAS, the application is a necessary part of the project and carries no fee to the Borough but requires execution by the Mayor;

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 7th day of June, 2011, that the preamble hereof is hereby incorporated herein by reference;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the LURP application, and any associated documents, on behalf of the Borough of Stone Harbor, in connection with the construction of the new Recreation Support Building.

Vote 6 Councilmembers AYE

RESOLUTION 2011-S-100 – Rules for Street Vendors

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

ESTABLISHING STANDARDS FOR CERTAIN PUBLIC PERFORMANCES

WHEREAS, Ordinance 1378 allows for Public Performances within the Central Business District and at Marine Bay Park under certain conditions; and

WHEREAS, the Ordinance states that certain rules and regulations shall be determined by Mayor and Council and approved by Resolution from time to time; and

WHEREAS, the Beach, Recreation & Tourism Committee of Mayor and Council have met and offer the following concerning Public Performances:

1. Summer Street Performers will be permitted from 6:00 pm to Sunset at the 80th Street Marina and from Sunset until 10:00 pm in the Central Business District.
2. Performances will be held on Tuesday nights only
3. Solicitation for money may be in the form of a hat, container or open guitar case
4. Permits will be issued by the Borough Clerk's office at a cost of \$ 25.00. Permits must be displayed when performing.
5. The number of performers on the street on the same night will be regulated by the Tourism Director.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-101 -- Professional Services Agreement – Shore Counseling

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Judith Davies-Dunhour

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH SHORE COUNSELING SERVICES**

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

WHEREAS, the Borough, like may other municipalities, offers an Employee Assistance Program (EAP) to provide confidential counseling; and

WHEREAS, Shore Counseling Service, LLC are experienced mental health counselors and possess knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; and

WHEREAS, the total amount of the contract for the EAP is \$2700.00, as referenced in the attached contract which is incorporated herein by reference and made a part hereof, which amount is below the bid threshold and below the pay-to-play threshold; the contract timing being from June 1, 2011 to May 31, 2012; and

WHEREAS, funds are available as evidenced by the Chief Financial Officer's Certification attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 7th day of June, 2011, as follows:

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1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract which is incorporated herein by reference and made a part hereof;
3. That the aforementioned contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law;
4. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference and the contractor shall execute a copy of the required language which shall become part of the contract;
5. That a notice of the letting of this Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-102 – Refund Water Meter Rental Deposit

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry D. Mastrangelo

Refund \$500.00 Water Meter Rental Deposit Fee

WHEREAS, pursuant to Section 542-13 of the Borough’s General Code, Asphalt Paving Systems, Inc. deposited a \$500.00 meter rental deposit fee on September 16, 2010; and

WHEREAS, upon completion of the local improvement, Asphalt Paving Systems, Inc. returned the hydrant meter to Public Works on May 13, 2011; and

WHEREAS, the Utilities Collector has requested that a refund be issued to Asphalt Paving Systems Inc. in the amount of \$500.00.

NOW THEREFORE, 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 a refund check in the amount of \$500.00 be issued to Asphalt Paving Systems Inc., P.O. Box 530, Hammonton, NJ 08037.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-103 -- Change to Personnel Manual – Catastrophic Sick Leave

Upon motion of
Seconded by

Councilmember Thomas Cope
Councilmember Joanne Vault

**AMENDING THE BOROUGH PERSONNEL MANUAL
TO REVISE CATASTROPHIC SICK LEAVE BANK**

WHEREAS, the Borough of Stone Harbor in the County of Cape May, State of New Jersey has adopted a Personnel Manual which is to be amended only by a duly passed Resolution of the Borough Council ; and

WHEREAS, the Administration and Finance Committee recommends that the attached underlined addition with regard to Catastrophic Sick Leave Bank be adopted;

NOW, THEREFORE, BE IT RESOLVED 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 7th day of June, 2011, that the preamble of this Resolution is hereby incorporated by reference;

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BE IT FURTHER RESOLVED that the attached underlined amendment be made to the Borough's Personnel Manual;

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized and directed to take all steps necessary to inform all relevant employees of this amendment.

Section 6.4 – 3

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-104 -- Olivieri Contract Amendment

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry D. Mastrangelo

**RESOLUTION AMENDING NON-FAIR AND OPEN CONTRACT FOR
ARCHITECTURAL SERVICES**

WHEREAS, the Council of the Borough of Stone Harbor authorized Resolution 2011-S-35 on February 1, 2011 authorizing a Professional Services Contract with Olivieri, Shousky & Kiss, P.A. for Architectural, Structural and MEP Engineering Services for the proposed Stone Harbor Recreation Support Facility in an amount not to exceed \$117,560 with Alternate #1, Geothermal HVAC System Fee of \$3,000 ; and

WHEREAS, the programming, conceptual design, preparation of schematic design documents and design development phases of the project had been completed and presented to the Council and the public; and

WHEREAS, the Council of the Borough has requested to relocate the building on the project site and revise the layout of the building which will require revised construction documents; and

WHEREAS, Olivieri , Shousky & Kiss, PA. will be required to revise construction documents which will exceed the "scope of work" included in the original proposal, according to the "Proposal for Addition Services" incorporated herein by reference and made a part hereof; and

WHEREAS, stipulated lump sum cost for "additional services" is \$22,805 plus reimbursable expenses and funds are available as evidenced by the Chief Financial Officer's Certification attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 7th day of June, 2011, as follows:

6. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
7. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached amendment which is incorporated herein by reference and made a part hereof;
8. That the aforementioned amendment to the contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law;
9. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey,

which are hereby incorporated by reference and the contractor shall execute a copy of the required language which shall become part of the contract;

10. That a notice of the letting of this Amendment to Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-105 -- Utility Adjustment – Summer Leakage

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry D. Mastrangelo

WHEREAS, it has been determined that the below listed accounts experienced summer leaks which have been appropriately documented and certified by public works personnel, and

WHEREAS, the said leaks did not drain into the sanitary collection system.

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 under the provisions of Ordinance 542-22c the 2010 summer usage will be adjusted to the average of the prior three summers consumption for the purpose of calculating 2011 sewer volume charges.

BE IT FURTHER RESOLVED that these adjustments have been reviewed and approved by the Utility Committee and that the Utilities Collector make the proper adjustments in her records.

Account 12660 217 100th Street Matthew & Kelly Gardner

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-106 -- Authorize Contract – Ross Environmental Solutions – Wildlife Control

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Barry D. Mastrangelo

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ROSS ENVIRONMENTAL SOLUTIONS, INC. FOR CERTAIN WILDLIFE/ANIMAL CONTROL SERVICES UNDER THE “FAIR 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

WHEREAS, the Borough is in need of an expert in connection with CERTAIN WILDLIFE/ANIMAL CONTROL SERVICES; and

WHEREAS, ROSS ENVIRONMENTAL SOLUTIONS, INC. are experts consisting of professionals with experience in consulting with regard to such services; and

WHEREAS, in accordance with the attached proposal dated June 1, 2011, which is hereby incorporated by reference and made a part hereof, Ross Environmental Solutions, Inc. will provide professional services to the Borough in connection with Certain Wildlife/Animal Control Services as detailed in the proposal an estimated total fee not to exceed \$5,000 dollars; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 7th day of June, 2011, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached proposal as the contract for professional services for the purposes stated herein above;
3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law;
4. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference and the contractor shall execute an appropriate acknowledgment of same which shall also be a part of and incorporated into this contract;
5. That a notice of the letting of this Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Vote

6 Councilmembers AYE

RESOLUTION 2011-S-107 -- Reject Bids – Electrical Work at 95th Street

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Albert Carusi

**REJECTING BID
SECOND AVENUE ELECTRICAL IMPROVEMENTS**

WHEREAS, on June 2, 2011 bids were received for Second Avenue Electrical Improvements in the Borough of Stone Harbor with due notice having been provided through a publication of a Notice to Bidders in *The Press of Atlantic City* issue of May 21, 2011; and

WHEREAS, said Notice to Bidders did specifically state that the Borough Council of the Borough of Stone Harbor reserved the right to waive any informalities in any bid, or to reject any or all bids; and

WHEREAS, one (1) bid was received by the Stone Harbor Municipal Clerk on June 2, 2011 on the Borough's Notice to Bidders for Second Avenue Electrical Improvements; and

WHEREAS, the bid received exceeded the Engineer's Estimate of Construction Cost, the bid is hereby rejected and the project rescheduled for public bidding.

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 7th day of June, 2011, as follows:

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the bid received on June 2, 2011 for Second Avenue Electrical Improvements is hereby rejected;
3. That the Borough Clerk is authorized to return the bid bonds of the unsuccessful bidders.

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Vote

6 Councilmembers AYE

MOTION – Philadelphia Flyers Annual Trail on the Isle – Special Event Application

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Thomas Cope

To approve the special event application for the Philadelphia Flyers Annual Trail on the Isle on July 8, 2011 contingent upon receipt of the required Certificate of Insurance.

Mayor Walters reported that she prepared a proclamation for Cassandra McAllister who designed the 2011 beach tags; however, Cassandra was unable to attend the meeting so she read it on the record.

The following bills were presented to Council for payment:

Check #	Check Date	Vendor	Amount Paid
28627	05/25/11	BORSH BOROUGH OF STONE HARBOR	189,567.07
28628	05/25/11	DELVESCI JOANN DEL VESCIO	350.00
28629	05/25/11	TRES6 TREASURER, STATE OF NEW JERSEY	2,500.00
28630	06/08/11	ACELE ATLANTIC CITY ELECTRIC CO.	1,799.52
28631	06/08/11	ACESEWER ATLANTIC CITY ELECTRIC	15.28
28632	06/08/11	ACESTLIG ATLANTIC CITY ELECTRIC	4,954.52
28633	06/08/11	ACEWATER ATLANTIC CITY ELECTRIC	1,931.64
28634	06/08/11	ALLEGGRAM ALLEGRA MARKETING, PRINT, MAIL	660.17
28635	06/08/11	ALLIN ALL INDUSTRIAL SAFETY PRODUCTS	300.70
28636	06/08/11	ALLST ALL STATE LEGAL	299.90
28637	06/08/11	ASPHA ASPHALT PAVING SYSTEMS, INC.	147,236.87
28638	06/08/11	AVAHODGE AVALON HODGE PODGE, INC.	193.90
28639	06/08/11	BANCTECS BANCTEC, INC.	815.83
28640	06/08/11	BARLOWBU BARLOW BUICK - GMC	752.08
28641	06/08/11	BARLOWTY BARLOW TYRIE, INC.	721.30
28642	06/08/11	BAUERNSC JEFFREY&SUZANNE BAUAERNSCHMIDT	1,149.55
28643	06/08/11	BERKEYLU LUCAS BERKEY	50.00
28644	06/08/11	BILLO BILLOWS ELECTRIC SUPPLY CO.	1,366.39
28645	06/08/11	BORSH BOROUGH OF STONE HARBOR	239,867.90
28646	06/08/11	BOSACCOD DAVID C. BOSACCO	250.00
28647	06/08/11	BRIDGEMA BRENDEN BRIDGEMAN	50.00
28648	06/08/11	BURNERRO ROBERT M. BURNER	400.00
28649	06/08/11	CAPE4 CAPE 47 LUMBER CO.	345.90
28650	06/08/11	CAPEU CAPE MAY CUSTOM UPHOLSTERY	395.00
28651	06/08/11	CASAP CASA PAYROLL SERVICES	494.60
28652	06/08/11	CATHCART WILLIAM W. CATHCART	50.00
28653	06/08/11	CHATTENL LINWOOD CHATTEN	400.00
28654	06/08/11	CHOFF COURT HOUSE OFFICE SUPPLIES	128.17
28655	06/08/11	CHRIS CHRISTMAN, H.B.	954.27
28656	06/08/11	CMCTR C.M.C. TREASURER'S OFFICE	20.00
28657	06/08/11	COLLETT CHRIS COLLETT	250.00
28658	06/08/11	COMCA COMCAST	100.18
28659	06/08/11	COMCAST COMCAST	120.04
28660	06/08/11	COMPL COMPLETE CONTROL SERVICES, INC.	288.04
28661	06/08/11	CONLINJE JEFFREY P. CONLIN	75.00
28662	06/08/11	CROWN CROWN AUTO PARTS	350.00
28663	06/08/11	DAVID DAVIDSON, PAMELA G.	92.64
28664	06/08/11	DAVISBEN BENJAMIN DAVIS	75.00
28665	06/08/11	DEATAT TATIANA DEA	400.00
28666	06/08/11	DEERELAN JOHN DEERE LANDSCAPES/LESCO	703.00
28667	06/08/11	DELLC DELL MARKETING L.P.	11,752.47
28668	06/08/11	DELTR DELTRONICS CORPORATION	1,764.00
28669	06/08/11	DEROSEMA MATTHEW DEROSE	150.00
28670	06/08/11	DIAMANTI NICK DIAMANTI	400.00
28671	06/08/11	DIGIOVAL LAUREN DIGIOVANNI	400.00
28672	06/08/11	DIGIOVAN HEATHER M. DIGIOVANNI	400.00
28673	06/08/11	DONOFRIO LEWIS T. DONOFRIO, JR.	150.00
28674	06/08/11	DUFFI DUFFIELD ASSOCIATES, INC.	1,538.20
28675	06/08/11	EMEDC EMEDCO INC.	346.73
28676	06/08/11	EVANGELI EVANGELISTA PHOTOGRAPHY	34.24
28677	06/08/11	FASTENAL FASTENAL INDUSTRIAL/CONSTRUCTI	1,278.59

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28678	06/08/11	FINNEGAN JACQUELINE FINNEGAN	400.00
28679	06/08/11	FORTDEAR FORT DEARBORN LIFE INSURANCE	227.98
28680	06/08/11	FUTUR FUTURE MINING & RECYCLING, INC	256.26
28681	06/08/11	GALLAGHE KEVIN GALLAGHER	50.00
28682	06/08/11	GALLS GALL'S, INC.	544.98
28683	06/08/11	GANNONME MELISSA GANNON	400.00
28684	06/08/11	GOLDT G.T.B.M., INC.	1,050.00
28685	06/08/11	GRIESBAC JOSEPH H. GRIESBACH JR.	50.00
28686	06/08/11	HAFELERO ROBERT G. HAFELE	50.00
28687	06/08/11	HARRISMO MORGAN HARRIS	118.00
28688	06/08/11	HAWKFIRE KENNETH J. HAWK	250.00
28689	06/08/11	HESSCORP HESS CORPORATION	5.84
28690	06/08/11	HOMED HOME DEPOT CREDIT SERVICES	29.94
28691	06/08/11	INKWE INKWELL	1,115.94
28692	06/08/11	INTER INTERSTATE BATTERY	325.90
28693	06/08/11	KEENC KEEN COMPRESSED GAS	89.25
28694	06/08/11	KENNEDYN NATE KENNEDY	350.00
28695	06/08/11	KOHLE KOHLER'S AUTO GLASS	145.00
28696	06/08/11	LAMACHFI JAMES LAMACH JR	400.00
28697	06/08/11	LANDS LANDSMAN UNIFORMS INC.	33.00
28698	06/08/11	LAWSO LAWSON PRODUCTS, INC.	1,014.95
28699	06/08/11	LINZJR MICHAEL LINZ JR	400.00
28700	06/08/11	LOEFFLAD JACOB LOEFFLAD	550.00
28701	06/08/11	LOEFFP PAUL LOEFFLAD	100.00
28702	06/08/11	LOVEK LOVE, KURT	40.00
28703	06/08/11	MAGLO MAGLOCLEN	400.00
28704	06/08/11	MCCLURER ROBERT C. MCCLURE	250.00
28705	06/08/11	MCCLURJR ROBERT MCCLURE JR	250.00
28706	06/08/11	MCMAS MC MASTER CARR SUPPLY CO.	764.31
28707	06/08/11	MITCH MITCHELL WELDING & IRON WORKS	200.00
28708	06/08/11	MODGA MODERN GAS CO.	25.77
28709	06/08/11	MONA1 RANDALL MONAGHAN, JR.	67.18
28710	06/08/11	MULLENJA JACQUELINE MULLEN	400.00
28711	06/08/11	NIELSONK KEITH NIELSON	500.00
28712	06/08/11	NJLOMUNI NJ ST LEAGUE MUNICIPALITIES	112.00
28713	06/08/11	NORTHERN HSBC BUSINESS SOLUTIONS	127.99
28714	06/08/11	ODBIN OLD DOMINION BRUSH CO.	1,440.50
28715	06/08/11	ONECA ONE CALL CONCEPTS, INC.	71.68
28716	06/08/11	ORIGI ORIGINAL WATERMEN	1,199.64
28717	06/08/11	ORMRODST STEVEN M. ORMROD	150.00
28718	06/08/11	ORZECHEH EDWARD ORZECH	250.00
28719	06/08/11	PARAM PARAMOUNT CHEMICAL & PAPER CO.	1,001.36
28720	06/08/11	PASTORE MICHAEL PASTORE	400.00
28721	06/08/11	PEDRO PEDRONI FUEL COMPANY	5,721.05
28722	06/08/11	PIER47 PIER 47 MARINA	1,237.18
28723	06/08/11	POLET POLE TAVERN EQUIPMENT SALES	11.56
28724	06/08/11	PRESS PRESS, THE	434.73
28725	06/08/11	PROSPORT PRO SPORT CONSTRUCTION, INC.	58,953.65
28726	06/08/11	RACINGNJ RACING NJ MGT. SERVICES	1,100.00
28727	06/08/11	RATCHFOR JAMES RATCHFORD	300.00
28728	06/08/11	REDUNIFO RED THE UNIFORM TAILOR, INC.	661.88
28729	06/08/11	REEVE REEVES, CRAIG	47.99
28730	06/08/11	REMIN REMINGTON, VERNICK & WALBERG	460.00
28731	06/08/11	REYNO REYNOLDS, PAUL JAMES	150.00
28732	06/08/11	REYNPCAS PAUL REYNOLDS	92.32
28733	06/08/11	RIGGI RIGGINS, INC.	4,621.15
28734	06/08/11	RIVERFRO RIVERFRONT MEDICAL CENTER	5,075.00
28735	06/08/11	RUSSG RUSS, GRANT	670.06
28736	06/08/11	RUSSGRAN GRANT RUSS	100.00
28737	06/08/11	SAMPLEME SAMPLE MEDIA, INC.	535.00
28738	06/08/11	SAMPSONJ JAMES SAMPSON	400.00
28739	06/08/11	SAMPSONM MICHELLE SAMPSON	400.00
28740	06/08/11	SANDP SANDPIPER EMBROIDERY	755.00
28741	06/08/11	SCHEELER MICHAEL R. SCHEELER	250.00
28742	06/08/11	SCHWA SCHWAAB	150.50
28743	06/08/11	SCHWARTZ JONATHAN SCHWARTZ	475.00
28744	06/08/11	SEASHASP SEASHORE ASPHALT CORP.	2,047.57
28745	06/08/11	SERV1 SERVICE TIRE TRUCK CENTERS	2,930.98
28746	06/08/11	SHEE3 SHEERAN, GREGORY (PETTY CASH)	123.07
28747	06/08/11	SHORESHA SHORE SHADE	150.00
28748	06/08/11	SHRES STONE HARBOR RESCUE SQUAD	70,000.00
28749	06/08/11	SJAUT SOUTH JERSEY AUTO SUPPLY	25.56
28750	06/08/11	SJCOP SO. JERSEY POLICE CHIEF'S ASSO.	50.00
28751	06/08/11	SONICWAL SONIC WALL SERVICES	390.00
28752	06/08/11	STANFORD ROGER W. STANFORD	250.00

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28753	06/08/11	STAPLEBU	STAPLES BUSINESS ADVANTAGE	45.66
28754	06/08/11	STAUFFER	DOUG STAUFFER	650.00
28755	06/08/11	STEFANKI	STEFANKIEWICZ, LISA	25.00
28756	06/08/11	STILTNER	KIRBY STILTNER, JR.	400.00
28757	06/08/11	STRUE	SEASHORE ACE HARDWARE	1,514.68
28758	06/08/11	SUPPL	SUPPLE, JR., HARRY J.	1,300.25
28759	06/08/11	THELOMAX	THE LOMAX CONSULTING GROUP	1,507.91
28760	06/08/11	TOSHI	TOSHIBA BUSINESS SOLUTIONS	173.79
28761	06/08/11	TRES6	TREASURER, STATE OF NEW JERSEY	1,000.00
28762	06/08/11	TRICOMMS	TRICOMM SERVICES CORP.	304.00
28763	06/08/11	TTIEN	TTI ENVIRONMENTAL, INC.	566.50
28764	06/08/11	TUCKNURS	TUCKAHOE NURSERIES, INC.	694.50
28765	06/08/11	VANAR	VAN ARTSDALEN, JASON	709.90
28766	06/08/11	VANDENBR	JOHN ROBERT VANDENBRAAK	100.00
28767	06/08/11	VANDENGE	GERALD A. VANDENBRAAK	100.00
28768	06/08/11	VAULFRAN	FRANK VAUL	75.00
28769	06/08/11	VERI1	VERIZON	7.75
28770	06/08/11	VINGUIDA	VINELAND GUIDANCE CENTER	350.00
28771	06/08/11	VITAL	VITAL COMMUNICATIONS, INC.	500.00
28772	06/08/11	VOLLSUSA	VOLL, SUSIE	181.80
28773	06/08/11	WBMASONI	W.B. MASON	211.75
28774	06/08/11	WIERMANS	SAMUEL A. WIERMAN	250.00
28775	06/08/11	WILLIAMS	BEVERLY WILLIAMS	42.00
28776	06/08/11	WIRELESS	WIRELESS COMMUNICATIONS/ELECTR	26,418.49
28777	06/08/11	WORKMIKE	MICHAEL T. WORKMAN	400.00
28778	06/08/11	XTELC	XTEL COMMUNICATIONS, INC.	400.62
28779	06/08/11	YAMPOL	MICHAEL YAMPOLSKY	50.00
28780	06/08/11	YORKM	YORK MODERN CORPORATION	108.67

Checks:	154	0	0.00	830,953.68
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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 properly completed and sufficient funds exist.

Vote 6 Councilmembers AYE

PUBLIC COMMENT

No one from the public spoke.

MOTION TO ADJOURN

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

That the Work Session Meeting of Mayor and Council be adjourned at 6:50 pm.

Vote 6 Councilmembers AYE

APPROVED _____, 2011

_____, Mayor

ATTEST: _____, Borough Clerk