

**MINUTES OF THE REGULAR MEETING OF  
MAYOR AND COUNCIL OF THE BOROUGH  
OF STONE HARBOR HELD IN THE  
MUNICIPAL BUILDING, AUGUST 16, 2011**

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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

**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  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joanne Vaul

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of July 19, 2011, the Special Meeting of July 30, 2011 and the Work Session Meeting of August 2, 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 asked Police Chief Reynolds to give the monthly report. Chief Reynolds provided the statistical report for the month of July and Year-to-Date as follows: 69 moving violations - 353 YTD; 301 parking violations – 457 YTD; 21 accidents handled – 42 YTD; 5 suspicious vehicles – 33 YTD; and 390 motor vehicle stops – 1660 YTD; 50 Ordinance violations – 102 YTD; 32 adult arrests – 105 YTD; 5 driving while intoxicated – 26 YTD; 25 juvenile arrests – 54 YTD; 48 medical emergencies – 124 YTD; 22 fire calls – 68 YTD; 5 alarms – 51 YTD; 17 open doors/windows – 267 YTD; 13 noise complaints – 39 YTD; 40 animal control complaints – 142 YTD; and 1841 incidents logged – 7761 YTD.

Councilmember Cope asked Fire Chief Stanford to provide his monthly report. Chief Stanford outlined his statistical report for the month of July as follows: 1017 rental and business inspections YTD; 17 life hazard inspections; 45 smoke detector inspections; 13 life hazard inspections; 15 smoke detector inspections; 12 permits; and 289 re-inspections. Chief Stanford reported the Fire Co. had 31 fire calls, 6 work details, 868 total man hours, 7 mutual aids, and 54 EMS calls. Councilmember Cope reported on Public Safety Committee meeting and topics discussed are as follows: the possibility of a new sound system for the Court; however, the system being considered was being utilized by other towns which had bad experiences and eventually removed the systems; approved the new Beach Vehicle Permit Application; truck parking on 96<sup>th</sup> Street and parking at the Tower Lot during the Farmers' Market; and approved new cross-walks on Second Avenue at 80<sup>th</sup>, 81<sup>st</sup>, 82<sup>nd</sup> and 83<sup>rd</sup> Streets. Councilmember Cope reported that Verizon is not supporting the current 911 system so the Committee is in the process of looking at several other options. In response to issues raised several months ago regarding the Fire Bureau, Councilmember Cope provided a detailed history, and the following are highlighted statements: "**April 5, 2011** -- Council Meeting -Charles Koch – 236 85<sup>th</sup> Street –Mr. Koch inquired about the UFC employees and the salaries approved for 2011. Mr. Koch stated that Borough ordinances state that UFC employees should not be Borough employees, but members of the

Volunteer Fire Co. **April 19, 2011** -- Borough Council Regular Meeting, "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. 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. **May 13, 2011** -- Letter to -- Charles J. Koch, 236 85<sup>th</sup> St., Stone Harbor, NJ 08247 - "This letter restated the Public Safety Committee's in writing." **May 31, 2011** -- Letter from Brian Levinson on Mr. Koch's behalf. – "Charles Koch gave me your letter to him, dated May 13, 2011, because of my familiarity with working with statutes and regulations. I disagree with your conclusions in your letter. Not only is your logic inconsistent but also your explanations are both faulty and wrong." *Levinson goes on to quote and disagree with all my statements that were contained in my May 13, 2011 letter to Mr. Koch... And closes with* The Borough's action of placing the Fire Official and fire inspectors as employees of the Borough is contrary to NJ statutes and DCA regulations. Therefore, with respect to fire code enforcement, please remove the Fire Official and fire inspectors from the Borough's list of employees and cease providing them with certain costly benefits given to Borough employees. **The Public Safety Committee did not respond to Mr. Levinson's letter. June 15, 2011** -- Levinson writes to Commissioner Lori Grifa, NJ Dept. of Community Affairs: I am writing to you on behalf of several Stone Harbor residents who are concerned about the failure of the Borough of Stone Harbor and the local enforcing agency (LEA) to comply with the DCA's regulations regarding which entity is to hire the fire official and fire inspectors. Levinson closes: I hope that the enclosed letters provide sufficient information to allow the Department to advise the Borough to cease employing the fire official and fire inspectors (and related personnel) and to have these people employed by the LEA. **July 18, 2011** -- William E. Kramer, Jr. Acting Director, New Jersey Division of Fire Safety, responds to Levinson as follows: In your correspondence, **you raised several concerns** about the interaction between the Borough of Stone Harbor and the Bureau of Fire Prevention within the Stone Harbor Volunteer Fire Company No. 1. **After reviewing the concerns expressed in your correspondence we cannot support your opinion that the Borough is in violation in its employing the fire official, fire inspectors and Bureau personnel. Accordingly, we have no basis upon which we can provide the recourse that you seek. In Conclusion:** The position of the Public Safety Committee and the Borough Council of Stone Harbor with respect to Uniform Fire Code Official, Inspectors, and Employees has been affirmed. **The opinions, contentions and statements of Charles Koch and Brian Levinson, with respect to this matter are without merit and lack any substantiation in law or fact.**

**NATURAL RESOURCES** - Councilmember Carusi reported on the beach replenishment project and stated that the split rail fencing has been completed, a few cross-overs will be completed by Public Works, sand dune fencing will be installed shortly, dune grass plantings will be done in October/November, and the sand scaping continues. Councilmember Carusi reported that names of prospective members of the Bird Sanctuary Committee have been submitted to the Mayor for appointment. Councilmember Carusi reported that the Natural Resources Committee also discussed the memorial gardens which have some dead plants that need to be replaced, due to the excessive heat; maintenance of the Sanctuary; bay residents around Sedge Island are seeking financial support from the Borough to deal with the fragmites; the pocket park will hopefully become part of the existing Stone Harbor Beach Access Plan and there appears to be support from the County and State for funding this project; the Borough's consultant provided an update on Site 103 and the current issues with this site; New Jersey Fish and Wildlife reported that there are no piping plovers at the Point, the turn colony that was present was a total failure and no nests successfully hatched this year because of flooding and the presence of a fox den. Councilmember Carusi provided the following animal control report: 16 dogs, 3 cats, 14 skunks, 6 birds and 1 possum.

**BEACH & RECREATION** – Councilmember Davies-Dunhour reported that the Beach tag sales are up \$21,738 with a continued increase in weekly and daily tag sales, however, seasonal tag sales is down. Councilmember Davies-Dunhour asked Lifeguard Captain, Sandy Bosacco, to give his monthly report. Captain Bosacco reported that during the month of July there were 8 rescues, 5 EMS calls, 13 lost children, 2 hobie cat assists, and 1 police assist call. Captain Bosacco reported that lifeguards will be on duty through Labor Day weekend and after Labor Day weekend, some beaches will be protected and people should contact Headquarters for information; the beach has been very crowded this summer and the guards have been performing very well. Councilmember Davies-

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Dunhour reported that the bids have been sent out for the Recreation Support Building and will be opened on Wednesday, August 24, 2011 at 10:00 a.m. Recreation Director Van Cathcart reported that most of the programs are coming to an end, but basketball, baseball, t-ball, etc. will continue through this week; Rec offices will remain open through September 2, 2011; the Awards Picnic was on Friday, August 12 and was extremely well attended; entertainment at the 96<sup>th</sup> Street Park will continue through the end of August; the Marina will be open through Labor Day; and the summer camps continue. Mr. Cathcart thanked Mayor and Council for their support and thanked his staff for doing a great job. Joann DeVescio, Tourism Director, reported on tourism activities for the month of July which include coverage on press releases, preparing for photo shoots, Orr at the Shore with Kathy Orr from Channel 3 was here at the end of July and her show aired several times throughout the evening; Barbeque and Blues Festival which was not as successful as last year (possibly due to the inclement weather); updates to Channel 2; Fox 29 News was here and did their morning show from the Beach; Grace Hanlon, the State Director of the Division of Travel and Tourism will be visiting and touring Stone Harbor on Friday; Adam Joseph, the weather man from Channel 6, will be doing his show live from here; press releases are being picked up on Google; the Flag Lowering ceremony on Tuesdays is a little slow getting started but next year it will have better signage; Family Night on Mondays has been very successful; and upcoming events include the Sidewalk Sale and the Harvest Festival. Councilmember Kramar commented that she was at the beach for the Fox 29 filming and commented that Allison Mastrangelo did a wonderful job producing this segment.

**UTILITIES** - Councilmember Kramar reported that a sewer lateral at 8811 Third Avenue was replaced; a sewer manhole was repaired at 104<sup>th</sup> Street and Third Avenue; a new well controller was installed at the 101<sup>st</sup> Street well; 28 mark-outs for the month of July; and weekly water samples continue to be taken. Councilmember Kramar reported water pumped in July was 44.417 million gallons compared to 45.012 million gallons in July, 2010.

**PUBLIC WORKS** – Councilmember Mastrangelo reported that Public Works is now in the “survival mode” and trying to keep up with day-to-day operations; a total of 485.75 man hours were utilized for Special Events including the Baby Parade, Jaws Fitness Festival, Arts & Crafts Show and the Barbeque and Blues Festival. Councilmember Mastrangelo reported that all Borough landscaping and buildings are being maintained. Councilmember Mastrangelo reported that the litter patrol picked up 67 bags on trash during the month of July; and the solid waste tipping fees for July 2011 were \$26,797.12 up \$1,084.98 or 4% over July, 2010. Councilmember Mastrangelo reported that the next scheduled bulk days are Monday, September 19<sup>th</sup> and Monday, November 14<sup>th</sup>.

**ADMINISTRATIVE & FINANCE** – Councilmember Vault reported that the A & F Committee met twice during the month of July and discussed appointing the next Borough Administrator; issues for the Planning Board relating to hotel/motel in the downtown area; and the State Health Benefits increased contributions for employees. Councilmember Vault reported that revenues are down slightly and expenses are well within budgeted expenses. Councilmember Vault stated that it is time to start thinking about the 2012 Budget.

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

**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.
- Public Comment period ended June 23, 2011. No comments were received from the public regarding the application. NJDEP has accepted the Individual Permit Application as being complete for final review. The deadline for decision on the application is August 21, 2011.
- Public Hearing per NJEIT requirements was held July 15, 2011.
- NJDEP Bureau of Water Systems has issued the construction permit with a permit expiration date of July 15, 2016.

**FY 2012 NJDOT State Aid Application – Roadway**

- State Aid applications are due September 23, 2011

**114<sup>th</sup> Street Generator Installation**

- The project is scheduled to be motioned for bidding at the September 6, 2011 Council Meeting and the bid opening is scheduled for September 27, 2011.

**Replacement of the Firehouse Roof**

- The contractor is awaiting the fabrication and delivery of the louvers. The remaining work includes repair of the brick chimney and installation of the louvers. Both tasks will be due concurrently as the same equipment is needed to access both work areas.
- Project completion date is August 31, 2011.

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

- All work is completed on Corinthian Place, 98<sup>th</sup> Street, Sunset Drive and Pennsylvania Avenue.
- The contractor will return to complete the project in September.

**Public Works Building Painting and Metal Repair – Phase III**

- Bids were opened on July 7, 2011 and the apparent low bidder is R. Maxwell Construction Company in the amount of \$114,313.00

**83rd Street Recreation Support Center**

- Our office is providing civil/site engineering design services for the project.
- The project is currently advertise for public bidding.

**TREASURER’S REPORT**

Current Receipts.....	\$ 537,099.63
Current Disbursements.....	\$1,103,641.31
Utility Receipts.....	\$ 484,859.39
Utility Disbursements.....	\$ 76,568.51

**BOROUGH CLERK’S REPORT**

<b><u>ISSUED</u></b>	<b><u>TYPE</u></b>	<b><u>AMOUNT</u></b>
0	Boat Slips	0.00
0	Boat Trailers	0.00
0	Business Registrations	0.00
3	Parking Permits	\$675.00
1	Sailcraft Permits	\$225.00
16	Certified Copies	\$160.00
4	Marriage License	\$112.00
0	Use of Field	0.00
0	OPRA Requests	0.00
1	Special Events Permit	\$60.00
0	Liquor Licenses	0.00
3	Farmer’s Market	\$745.00
0	Beach Concession	0.00
0	Newspaper Vending Permit	0.00
2	Fire House Rental	\$17.00
	<b>SUB-TOTAL</b>	<b>\$1,994.00</b>
1	Dogs	\$4.20
0	Cats	0.00
	<b>TOTAL</b>	<b>\$1,998.20</b>

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**CONSTRUCTION OFFICE**

<b>PERMIT</b>	<b>NO. OF PERMITS ISSUED</b>	<b>FEES COLLECTED</b>
Building Permits	15	\$2,373.00
Electrical Permits	11	\$833.00
Plumbing Permits	9	\$1,101.00
Fire Permits	4	\$340.00
DCA Permits	26	\$238.00
Zoning Permits	15	\$2,392.00
CTT's	5	\$250.00
Violations	0	0.00
Certificate of Occupancy	24	\$948.00
Contractor's Licenses	1	\$100.00
Public Records	0	0.00
Dumpster/Semi Trailer	1	250.00
Utility Street Openings	3	\$300.00
<b>TOTAL FEES COLLECTED</b>		<b>\$9,125.00</b>

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**

Josie Rich – 10410 Sunset Drive – inquired about the Pay to Play Ordinance. Mr. Hawk stated that the Borough has been following this policy for years, however, it was never put in Ordinance form and as part of the State’s Best Practices Checklist, it is required. Mr. Donohue explained that the Borough has been following this procedure for years. Mr. Donohue explained the essence of the Ordinance is that if the Borough were to follow the Fair & Open process for the rendering of professional services contract, each bidder could contribute up to \$2,600 per candidate; however, the process the Borough follows requires each contractor to sign “Business Entity Disclosure Certification” wherein the contractor certifies that he/she has not made any political contribution to a municipal candidate in excess of \$300.00. Mr. Donohue explained that the Borough follows the most restrictive process and the Ordinance does not allow “forgiveness” of previous contributions because we never accepted them.

Susan Thompson – 8201 Second Avenue – requested cross-walks or flashing speed limit signs be put up on Second Avenue near the Rec Center to deal with the dangerous traffic condition. Councilmember Cope responded that this request has already been approved by the Public Safety Committee.

Bob Ashman – 10301 First Avenue – asked for a status on the library. Mr. Donohue stated that this issue will be discussed in closed session; however an addendum to the lease is being prepared and according to the County, ground breaking should be next month.

**OLD BUSINESS**

**ORDINANCE 1385 (Changes to the Beach Vehicle Rules)**

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

That Ordinance 1385 be taken up on second reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1385 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 1385 be passed on second reading and advance to third and final reading.

**Vote 6 Councilmembers AYE**

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

That Ordinance 1385 be passed on third and final reading, adopted and published according to law.

**Vote 6 Councilmembers AYE**

**NEW BUSINESS:**

**ORDINANCE 1386 (Pay to Play)**

Upon motion of Councilmember Thomas Cope  
Seconded by Councilmember Joanne Vaul

That Ordinance 1386 be taken up on first reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1386 on first reading.

Upon motion of Councilmember Thomas Cope  
Seconded by Councilmember Joanne Vaul

That Ordinance 1386 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<sup>th</sup> day of September, 2011.

**Vote 6 Councilmembers AYE**

**ORDINANCE 1387 (Require Council Take Basic Responsibility Courses)**

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

That Ordinance 1387 be taken up on first reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1387 on first reading.

Councilmember Kramar requested that these courses be held closer to Cape May County.

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

That Ordinance 1387 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<sup>th</sup> day of September, 2011.

**Vote 6 Councilmembers AYE**

**RESOLUTION 2011-S-137 – Moment of Remembrance on the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>**

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

**Joining the National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>**

**WHEREAS**, the governing body of the Borough of Stone Harbor expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

**WHEREAS**, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

**WHEREAS**, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

**WHEREAS**, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

**WHEREAS**, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

**WHEREAS**, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

**WHEREAS**, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

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**WHEREAS**, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

**WHEREAS**, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

**WHEREAS**, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

**WHEREAS**, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

**WHEREAS**, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

**WHEREAS**, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

**WHEREAS**, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

**WHEREAS**, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

**WHEREAS**, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

**WHEREAS**, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

**WHEREAS**, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

**WHEREAS**, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the Borough of Stone Harbor:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel,



including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

**BE IT FURTHER RESOLVED** that on the 10th anniversary of this tragic day in United States history the governing body of the Borough of Stone Harbor calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

**BE IT FURTHER RESOLVED** that the governing body of Borough of Stone Harbor encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2011-S-138** – Award Bid – Painting & Metal Repair Work – Public Works Building

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

**AWARDING A CONTRACT FOR PAINTING & METAL REPAIR- PUBLIC WORKS BUILDING – PHASE III**

**WHEREAS**, three (3) bids were received by the Stone Harbor Municipal Clerk on July 7, 2011 for Painting & Metal Repair – Public Works Building – Phase III under the specifications prepared by the Borough Engineers bearing Project No. 05-10-U-043, which specifications are hereby incorporated herein by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

**WHEREAS**, the Borough Council has reviewed the recommendations made by the Borough Engineer and the Borough Solicitor on said bids; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer’s Certification attached hereto; and

**WHEREAS**, the base bid submitted by R. Maxwell Construction Company, 206 W. Delilah Road, Pleasantville, N.J. 08232 in the amount of \$114,313.00 was the lowest bid; and

**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 16<sup>th</sup> of August, 2011, that the contract for Painting & Metal Repair-Public Works Building – Phase III as delineated in the specifications prepared by the Borough Engineer and bearing Project Number 05-10-U-043, which specifications are hereby incorporated herein by reference, be and the same is hereby awarded to R. Maxwell Construction Company for in the base bid amount of \$114,313.00.

**BE IT FURTHER RESOLVED**, 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.

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**BE IT FURTHER RESOLVED**, that the Borough Engineer is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as appropriate under the contract.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to return all bid bonds and/or deposited funds to the unsuccessful bidders.

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

**RESOLUTION 2011-S-139** – Best Practices Checklist

Upon motion of

Councilmember Joanne Vault

Seconded by

Councilmember Barry D. Mastrangelo

**RESOLUTION ACKNOWLEDGING REVIEW AND COMPLETION  
OF THE BEST PRACTICES CHECKLIST FOR CALENDAR YEAR 2012**

**WHEREAS**, Governor Christie and the Division of Local Services created the Municipal Best Practices Checklist last year in the State's continued reform efforts to make government operate more efficiently, strengthen its accountability and better manage scarce taxpayers resources; and

**WHEREAS**, the Best Practices Checklist for CY 2012 for the Borough of Stone Harbor has been prepared and has been certified by James Nicola, Chief Financial Officer and is attached hereto and made a part hereof; and

**WHEREAS**, in addition to the Chief Financial Officer's certification, the State is requiring that the Best Practices Checklist for CY 2012 be acknowledged by the governing body and placed on the agenda at a public hearing to insure that the governing body of the Borough of Stone Harbor has been apprised of all the answers on the Checklist.

**WHEREAS**, the members of the governing body have personally reviewed all the answers on the Best Practices Checklist for CY 2012.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Stone Harbor hereby state that they have reviewed the completed Best Practices Worksheet CY 2012 and are aware of all the answers therein.

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

**MOTION** – New Fireman – Jonathan Lakose

Upon motion of

Councilmember Thomas Cope

Seconded by

Councilmember Joanne Vault

To appoint Jonathan Lakose as a member of the Stone Harbor Volunteer Fire Co.

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

**MOTION** – Appointments to Bird Sanctuary Committee – William Lauth and Sandra Slabik

Upon motion of

Councilmember Albert Carusi

Seconded by

Councilmember Barry D. Mastrangelo

To appoint William Lauth and Sandra Slabik to the Bird Sanctuary Committee with a term to end on December 31, 2011.

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

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The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
29272	08/17/11	ACELE ATLANTIC CITY ELECTRIC CO.	3,497.64
29273	08/17/11	ACESEWER ATLANTIC CITY ELECTRIC	367.24
29274	08/17/11	ACESTLIG ATLANTIC CITY ELECTRIC	406.48
29275	08/17/11	ACEWATER ATLANTIC CITY ELECTRIC	6,032.69
29276	08/17/11	ACSHU A.C. SCHULTES, INC.	300.00
29277	08/17/11	ALEXA ALEXANDER & CO., NAT	186.60
29278	08/17/11	AVAYA AVAYA, INC.	716.05
29279	08/17/11	BARLOWTY BARLOW TYRIE, INC.	726.11
29280	08/17/11	BILLO BILLOWS ELECTRIC SUPPLY CO.	28.27
29281	08/17/11	BORO2 BOROUGH OF STONE HARBOR	10,000.00
29282	08/17/11	BORO3 BOROUGH OF STONE HARBOR	2,800.00
29283	08/17/11	BORSH BOROUGH OF STONE HARBOR	315,474.26
29284	08/17/11	BROWNBRO BROWN BROTHERS	2,250.00
29285	08/17/11	CAFIEROA ANDREW CAFIERO, ESQ.	250.00
29286	08/17/11	CAPE4 CAPE 47 LUMBER CO.	47.80
29287	08/17/11	CAPRI CAPRIONI PORTABLE TOILETS	2,424.00
29288	08/17/11	CHRIS CHRISTMAN, H.B.	403.54
29289	08/17/11	CLEVERBR CLEVERBRIDGE, INC.	518.00
29290	08/17/11	CMCMU C.M.C. MUNICIPAL UTILITY AUTHO	26,977.12
29291	08/17/11	CMCTR C.M.C. TREASURER'S OFFICE	45.00
29292	08/17/11	COMCAST COMCAST	120.04
29293	08/17/11	COMPL COMPLETE CONTROL SERVICES, INC.	1,256.32
29294	08/17/11	CONTE PAT CONTE	300.00
29295	08/17/11	COYNE COYNE CHEMICAL	1,385.50
29296	08/17/11	CUEVASRY RYAN CUEVAS	1,792.00
29297	08/17/11	DELTR DELTRONICS CORPORATION	8,488.00
29298	08/17/11	DESTINYD DESTINY DJ'S	325.00
29299	08/17/11	FASTENAL FASTENAL INDUSTRIAL/CONSTRUCTI	427.59
29300	08/17/11	FORDMOTO FORD CREDIT MUNICIPAL FINANCE	125.69
29301	08/17/11	GENTI GENTILINI FORD, INC.	90.00
29302	08/17/11	GFOACONF GOVERNMENT FINANCE OFFICERS'	250.00
29303	08/17/11	GOLDENEQ GOLDEN EQUIPMENT CO., INC.	510.00
29304	08/17/11	GRAIN GRAINGER	2,888.06
29305	08/17/11	GRIMMEG MEGAN GRIMM	225.00
29306	08/17/11	GRUCCIOP GRUCCIO PEPPER DESANTO & RUTH	1,792.67
29307	08/17/11	HARTZ DAVID HARTZELL	68.00
29308	08/17/11	HESSCORP HESS CORPORATION	15,027.75
29309	08/17/11	HOMED HOME DEPOT CREDIT SERVICES	119.48
29310	08/17/11	HOOVER HOOVER TRUCK CENTERS	315.04
29311	08/17/11	INTER INTERSTATE BATTERY	1,322.45
29312	08/17/11	ISLANDAE ISLAND AEROBICS	772.80
29313	08/17/11	ISLAT ISLAND TROPHIES	313.00
29314	08/17/11	JERS2 THE JERSEY SHORE PARTNERSHIP	100.00
29315	08/17/11	JERSPOWE JERSEY POWER SPORTS, LLC	23.00
29316	08/17/11	JSECO JSE COMPUTERS	28.80
29317	08/17/11	JUNGLEJO JUNGLE JOHN'S ENTERTAINMENT	600.00
29318	08/17/11	KEENC KEEN COMPRESSED GAS	54.30
29319	08/17/11	KELLY KELLY PRODUCTS CO.	68.04
29320	08/17/11	KERINTRE TREVOR KERIN	983.36
29321	08/17/11	KIDPARTI KID PARTIES TO GO	419.00
29322	08/17/11	KINDL KINDLE FORD MERCURY LINCOLN	33.30
29323	08/17/11	LAURYHEA LAURY HEATING	232.00
29324	08/17/11	LIPMANBE BENJAMIN LIPMAN	600.00
29325	08/17/11	MARTI MARTINDALE'S TIRE & AUTO	276.53
29326	08/17/11	MARTM MICHAEL P. MARTIN	195.00
29327	08/17/11	MCGONAGL KATHERINE MC GONAGLE	66.00
29328	08/17/11	MCMAS MC MASTER CARR SUPPLY CO.	214.67
29329	08/17/11	MEDIA RICHARD GRAVER	6,987.00
29330	08/17/11	MONA1 RANDALL MONAGHAN, JR.	76.60
29331	08/17/11	MONZO MONZO CATANESE, P.C.	5,360.69
29332	08/17/11	MOTOR MOTOROLA SOLUTIONS, INC.	7,359.75
29333	08/17/11	MUNIC MUNICIPAL RECORD SERVICE	322.00
29334	08/17/11	NATIMPRI NATIONAL IMPRINT CORP	607.55
29335	08/17/11	NEMOSFAM NEMO'S FAMILY RESTAURANT	573.66
29336	08/17/11	NEWDECKC CHRISTINA NEWDECK	724.00
29337	08/17/11	NEXTCOMM NEXTEL COMMUNICATIONS	673.65
29338	08/17/11	NJCON N.J. CONFERENCE OF MAYORS	50.00
29339	08/17/11	NJLAWJOU NEW JERSEY LAW JOURNAL	177.64
29340	08/17/11	OCECO OCEAN/COASTAL CONSULTANTS, INC	5,671.29
29341	08/17/11	ODBIN OLD DOMINION BRUSH CO.	580.00
29342	08/17/11	ONECA ONE CALL CONCEPTS, INC.	36.10
29343	08/17/11	PALME CHRISTOPHER PALMER	74.50
29344	08/17/11	PAULS PAUL'S CUSTOM AWARDS & TROPHY	375.65

29345	08/17/11	PENDERGA	PENDERGAST SAFETY EQUIPMENT CO	374.18
29346	08/17/11	PENNSTON	PENN-STONE, LLC	350.00
29347	08/17/11	PERFORMA	PERFORMANCE ATHLETIC CTR., LLC	3,288.00
29348	08/17/11	PETROSH	PETROSH'S BIG TOP	756.00
29349	08/17/11	RATCHFOR	JAMES RATCHFORD	600.00
29350	08/17/11	REEVE	REEVES, CRAIG	120.00
29351	08/17/11	REMIN	REMINGTON, VERNICK & WALBERG	0.00
29352	08/17/11	REMIN	REMINGTON, VERNICK & WALBERG	32,710.50
29353	08/17/11	RENTA	RENTAL COUNTRY	447.13
29354	08/17/11	REYES	MICHAEL REYES	345.00
29355	08/17/11	RIGGI	RIGGINS, INC.	15,526.98
29356	08/17/11	ROSSENI	ROSS ENVIRONMENTAL SOLUTIONS	450.00
29357	08/17/11	RUEFERIC	ERIC RUEF	250.00
29358	08/17/11	SCHUYMOB	SCHUYLKILL MOBILLE FONE	60.00
29359	08/17/11	SCOTT	SCOTT, DEBORAH	16.05
29360	08/17/11	SEASHASP	SEASHORE ASPHALT CORP.	209.58
29361	08/17/11	SHAPEWEL	SHAPE WELLNESS	74.40
29362	08/17/11	SHEE2	SHEERAN, GREGORY	305.00
29363	08/17/11	SIGNWORK	SIGNWORKS	1,358.00
29364	08/17/11	SILCO	JAMES SILCOTT	345.00
29365	08/17/11	SILVERLA	SILVER LAKE ASSO., LLC	737.50
29366	08/17/11	SJAUT	SOUTH JERSEY AUTO SUPPLY	0.00
29367	08/17/11	SJAUT	SOUTH JERSEY AUTO SUPPLY	891.30
29368	08/17/11	SJGAB	SOUTH JERSEY GAS CO.	158.34
29369	08/17/11	SJGAW	SOUTH JERSEY GAS CO.	80.67
29370	08/17/11	STAN1	STANFORD, ROGER	670.02
29371	08/17/11	STAN2	STANFORD, SUZANNE	396.00
29372	08/17/11	STAPL	STAPLES CREDIT PLAN	467.86
29373	08/17/11	STEWARTD	WET SUIT WORLD, LLC	2,436.00
29374	08/17/11	STOCK	RICHARD STOCKTON COLLEGE OF NJ	5,414.07
29375	08/17/11	STRUE	SEASHORE ACE HARDWARE	1,243.84
29376	08/17/11	SUPPL	SUPPLE, JR., HARRY J.	1,300.25
29377	08/17/11	THEFLOWE	THE FLOWER SHOP	78.00
29378	08/17/11	THELOMAX	THE LOMAX CONSULTING GROUP	2,050.00
29379	08/17/11	TIRAD	TIRADO, FRANCISCO	238.00
29380	08/17/11	TWPMI	TOWNSHIP OF MIDDLE	1,784.80
29381	08/17/11	USABL	U.S.A. BLUE BOOK	3,798.89
29382	08/17/11	VALAS	VAL ASSO. LABORATORY INC.	545.00
29383	08/17/11	VCABS	VERIZON	529.65
29384	08/17/11	VERKIOSK	VERIZON WIRELESS	80.02
29385	08/17/11	VITAL	VITAL COMMUNICATIONS, INC.	500.00
29386	08/17/11	WBMASONI	W.B. MASON	688.22
29387	08/17/11	WESTB	WESTBROOK MARKETING, LLC	3,287.00
29388	08/17/11	WESTE	WESTERN PEST SERVICES	118.00

Checks: 115

529,988.52

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joanne Vaul

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-140** (Executive Session)

Upon motion of  
Seconded by

Councilmember Thomas Cope  
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. *Personnel Matters Relating to the Employment, Appointment or Termination of current or prospective employees.*
2. *Involving the purchase, lease or acquisition of real property with public funds.*

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on August 16, 2011, that an Executive Session closed to the public shall be held on August 16, 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.

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

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

**Vote**

**6 Councilmembers AYE**

**MOTION – To Return to Open Session**

Upon motion of  
Seconded by

Councilmember Joanne Vault  
Councilmember Thomas Cope

To return to Open Session.

**Vote**

**6 Councilmembers AYE**

**MOTION** -- To authorize Borough Administrator to proceed as discussed in private session regarding the new Borough Administrator.

Upon motion of  
Seconded by

Councilmember Thomas Cope  
Councilmember Joanne Vault

**Vote**

**4 Councilmembers AYE**  
**2 Councilmembers NAY (Councilmembers Carusi and Kramar)**

Regular Meeting, August 16, 2011

**PUBLIC COMMENT**

Karen Lane – 10310 First Avenue – inquired about the ordinance requiring members of Council, Committees, and Boards. Mrs. Lane stated that the ordinance requires all public bodies to participate in training, which she has no problem with; however, she would like to see these courses offered locally or in-house.

**MOTION TO ADJOURN**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joanne Vaul

That the Regular Meeting of Mayor and Council be adjourned at 6:35 p.m.

**Vote**

**6 Councilmembers AYE**

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

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

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