

**MINUTES OF THE ORGANIZATION MEETING  
OF MAYOR AND COUNCIL OF THE BOROUGH  
OF STONE HARBOR HELD IN THE MUNICIPAL  
BUILDING, JANUARY 3, 2012**

The meeting was called to order by Councilmember Mayor Suzanne M. Walters at 7:00 p.m.

**ROLL CALL**

Jill Gougher, Administrator  
Suzanne C. Stanford, Borough Clerk  
Michael J. Donohue, Solicitor  
James G. Nicola, CFO

**PRESENT**

Councilmembers  
Judith Davies-Dunhour  
Barry D. Mastrangelo  
Albert Carusi  
Joan Kramar

The meeting is now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press the Herald and Gazette Leader on January 4, 2011.

Father John W. Sosnowski conducted the invocation.

Mayor Walters requested a moment of silence in remembrance of community members who passed away in 2011 and especially for former Councilmember, Brian Levinson.

**SALUTE TO THE FLAG**

The Clerk read the election results from the General Election held on November 8, 2011:

Joselyn O. Rich	340
Karen M. Lane	318

Mayor Walters requested Joselyn O. Rich to come forward and be sworn in as a Councilmember.

Mayor Walters requested Karen M. Lane to come forward and be sworn in as Councilmember.

**PUBLIC COMMENT**

No one from the public spoke.

**NOMINATIONS, PRESIDENT OF COUNCIL**

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

That Joan Kramar be nominated as President of Council.

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

That the nominations for President of Council be closed.

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

Mayor called for a roll call vote on Councilmember Kramar as President of Council.

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

Joan Kramar will be President of Council for the year 2012.

**ROBERT'S RULES OF ORDER**

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

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That Robert's Rules of Order, as revised, shall apply to governing the Borough Council of the Borough of Stone Harbor for the year 2012.

**Vote**

**6 Councilmembers AYE**

**At this time the Mayor announced the Standing Committees for 2012.**

**ADMIN & FINANCE**

Barry D. Mastrangelo, Chairman  
Albert Carusi  
Joan Kramar

**PUBLIC WORKS**

Joan Kramar, Chairman  
Barry D. Mastrangelo  
Karen M. Lane

**BEACH & RECREATION**

Judy Davies-Dunhour, Chairman  
Joan Kramar  
Joselyn O. Rich

**PUBLIC SAFETY**

Albert Carusi, Chairman  
Judy Davies-Dunhour  
Barry D. Mastrangelo

**NATURAL RESOURCES**

Joselyn O. Rich, Chairman  
Albert Carusi  
Karen M. Lane

**UTILITIES**

Karen M. Lane, Chairman  
Judith Davies-Dunhour  
Joselyn O. Rich

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

That the Standing Committees for the year 2012 be confirmed.

**Vote**

**6 Councilmembers AYE**

**Non-Board Appointments**

Mayor Walters announced her non-board appointments for 2012:

Borough Administrator	Jill Gougher
Borough Clerk	Suzanne C. Stanford
Deputy Borough Clerk	Lisa Stafankiewicz
Municipal Assessment Certification Officer	Suzanne C. Stanford
Director of Finance	James G. Nicola
Tax Search Officer	Deborah Candelore
Construction Official	Michael Koochembere
Director of Public Works	Gregory Sheeran
Recycling Coordinator	Linda Horvat
Clean Comm Act Coordinator	Linda Horvat
Deputy OEM	Roger Stanford
Zoning Officer	Joanne Mascia
Municipal Court Administrator	Deborah Scott
Deputy Court Administrator	Laura Herman
Uniform Fire Code Official	Roger Stanford
Fire Inspector	Roger Stanford
Fire Inspector	Michael R. Scheeler
Registrar of Vital Statistics	Suzanne C. Stanford

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Deputy Registrar	Lisa Stafankiewicz
Beach Patrol Captain	Stephen Bosacco
Beach Tag Supervisor	Susie Voll
Recreation Director (summer & winter)	Van Cathcart
Art & Craft Show Director	John Atwood
Tourism Director	Joann DeIVescio

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

That the Non-Board Appointments be confirmed.

**Vote**

**6 Councilmembers AYE**

**BOARD APPOINTMENT LIST 2012**

**PLANNING BOARD**

Mayor (Class I)	1 year term	01/03/2012-12/31/2012
Jill Gougher (Class III) (Employee)	1 year term	01/03/2012-12/31/2012
Thomas Hand (Class IV)	4 year term	01/04/2011-12/31/2015
Perry Conte (Class IV)	4 year term	01/04/2011-12/31/2015

**ZONING BOARD OF ADJUSTMENT**

William Cathcart	4 year term	01/04/2011-12/31/2015
Alan Kaplan	4 year term	01/04/2011-12/31/2015
Angelo Caracciolo	4 year term	01/03/2012-12/31/2016
Peter Tribulski	4 year term	01/04/2011-12/31/2015
Mel Lide	2 year term	01/04/2011-12/31/2013

**BIRD SANCTUARY**

Diana Harris	3 year term	01/03/2012-12/31/2015
John Berrigan	3 year term	01/03/2012-12/31/2015
William Lauth	3 year term	01/03/2012-12/31/2015
Sandra Slabik	2 year term	01/03/2012-12/31/2014
Grant Russ	1 year term	01/03/2012-12/31/2012
Thomas Considine	2 year term	01/03/2012-12/31/2014
Joselyn Rich	1 year term	01/03/2012-12/31/2012

**RECREATION ADVISORY**

Laura Ruef	4 year term	01/03/2012-12/31/20102 (unexp term of P. McFarland)
Audrey Ormrod	4 year term	01/03/2012-12/31/2012 (unexp term of J. Rusky)
Maggie Day	4 year term	01/03/2012-12/31/2014 (unexp term of D. Orzech)
Dow Stewart	4 year term	01/03/2012-12/31/2016
Mia Donnell	4 year term	01/03/2012-12/31-2012 (unexp term of J. Miersch)
Judy Davies-Dunhour	1 year term	01/03/2012-12/31/2012

**BOARD OF HEALTH**

Cindy Kramer	3 year term	01/03/2012-12/31/2015
Barry Mastrangelo	1 year term	01/03/2012-12/31/2012

**BUSINESS AND TOURISM ADVISORY COMMITTEE**

Deborah Orzech	3 year term	01/04/2011-12/31/2013
John Wilson	3 year term	01/03/2012-12/31/2015
Mary Jo Fisher	3 year term	01/03/2012-12/31/2015
Phil Barber	3 year term	01/03/2012-12/31/2015
Barry Mastrangelo	1 year term	01/03/2012-12/31/2012

**SHADE TREE COMMITTEE**

Vicki Bartke	3 year term	01/03/2012-12/31/2015 (unexp term of K. Lane)
Karen Lane	1 year term	01/03/2012-12/31/2012

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

That the Board Appointments for 2012 be confirmed.

**Vote 6 Councilmembers AYE**

**NOMINATIONS FOR COUNCIL REPRESENTATIVE TO PLANNING BOARD**

Upon motion of Councilmember Karen M. Lane  
Seconded by Councilmember Joan Kramar

That Councilmember Joselyn Rich be nominated as Council representative to the Planning Board for the year 2012.

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

Vote on Councilmember Joselyn Rich as representative to the Planning Board.

**Vote 6 Councilmembers AYE**

Councilmember Joselyn Rich will be the Council Representative to the Planning Board for the year 2012.

**ORDINANCE 1395 (Salary Ordinance)**

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

That Ordinance 1395 be taken up on first reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1395 on first reading.

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

That Ordinance 1395 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 7<sup>th</sup> day of February, 2012.

**Vote 6 Councilmembers AYE**

**ORDINANCE 1396 (Borough Engineer)**

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

That Ordinance 1395 be taken up on first reading.

**Vote 6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1396 on first reading.

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

That Ordinance 1396 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 7<sup>th</sup> day of February, 2012.

Vote

6 Councilmembers AYE

**RESOLUTION 2012-A-1 (Temporary Budget)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

**A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS  
FOR THE YEAR 2012**

**WHEREAS**, N.J.S. 40A:4-19 of the Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the adoption of the 2012 budget temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

**WHEREAS**, the date of this Resolution is within the first 31 days of January, 2012 and

**WHEREAS**, 26.25% of the total appropriations in the year 2011 budget, exclusive of any appropriation made for the relief of the poor and interest and redemption charges in the 2011 budget is the sum of \$2,700,001.30 for current expenses; and \$567,006.30 for the dedicated section of the Water and Sewer Budget which is more than the amount required, now

**BE IT RESOLVED** that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records:

**1. GENERAL GOVERNMENT**

General Administration

Salaries & Wages	23,000
Other Expense	10,000

Mayor and Council

Salaries & Wages	15,000
Other Expenses	4,000

Municipal Clerk

Salaries & Wages	45,500
Other Expenses	6,000

Financial Administration

Salaries & Wages	35,000
Other Expenses	12,000

Assessment of Taxes

Salaries & Wages	13,500
Other Expense	4,500

Collection of Taxes

Salaries & Wages	15,000
Other Expense	3,500

Legal Services & Costs

Other Expense	35,000
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Engineering Services

Other Expenses	7,000
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Construction Code Official

Salaries & Wages	45,000
Other Expenses	3,000

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Zoning Board Costs		
	Salaries & Wages	8,500
	Other Expenses	2,500
Planning Board		
	Salaries & Wages	2,000
	Other Expenses	7,000
Insurance		
	Group Insurance	400,000
	Other Insurance	100,000
<b>2.</b>	<b>PUBLIC SAFETY</b>	
	Fire	
	Other Expense	52,000
	Police	
	Salaries & Wages	400,000
	Other Expense	25,000
	Prosecutor	
	Salaries & Wages	5,000
	Uniform Fire Code Official	
	Salaries & Wages	22,300
	Other Expenses	3,100
	Office of Emergency Management	
	Salaries & Wages	4,000
	Other Expenses	1,600
	Municipal Court	
	Salaries & Wages	30,000
	Other Expenses	4,000
	Natural Resources	
	Other Expenses	12,000
<b>3.</b>	<b>PUBLIC WORKS</b>	
	Public Works	
	Salaries & Wages	200,000
	Other Expenses	35,000
	Solid Waste Collection	
	Salaries & Wages	145,000
	Other Expenses	50,000
	Public Buildings and Grounds	
	Other Expenses	40,000
<b>4.</b>	<b>HEALTH AND WELFARE</b>	
	Board of Health	
	Salaries & Wages	100
	Other Expense	700
	Dog Regulation by Contract	5,000
	Safety Compliance	7,000



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**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the official depositories of the Borough of Stone Harbor funds for the year 2012, are Sturdy Savings Bank, New Jersey Cash Management Fund, PNC Bank, Cape Savings Bank, Bank of America, TD Bank, Sovereign Bank, First Bank of Sea Isle City and MBIA Municipal Investors Service Corporation.

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

**RESOLUTION 2012-A-3 (Official Publications)**

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

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Cape May County Herald and The Press of Atlantic City are designated as official publications for local advertising for the Borough of Stone Harbor during the year 2012.

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

**RESOLUTION 2012-A-4 (Certifications of Receipt of Materials)**

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

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Director of Finance/CFO be and he is hereby appointed to be the person required to make or cause to be made by the persons having knowledge thereof, the certification of the receipt of materials, supplies and equipment of the services rendered on all vouchers for payment of Municipal Funds as required by 40A:5-16.

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

**RESOLUTION 2012-A-5 (Appoint an Auditor)**

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

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

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

**WHEREAS**, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 et seq to enter into contracts for “Professional Services” without competitive bidding where the need arises and as long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the “fair and open” process’ and;

**WHEREAS**, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign; and

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

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



Organization Meeting, January 3, 2012

1. That Glen J. Ortman, a Registered Municipal Accountant, of Ford, Scott, Seidenberg & Kennedy CPA's is hereby appointed auditor for the Borough of Stone Harbor for the year ending December 31, 2012.
2. That the Mayor is authorized and directed for forthwith execute on behalf of the Borough of Stone Harbor a contract for Professional Services, such contract being under and subject to the provisions of the affirmative action and antidiscrimination laws and regulations of the State of New Jersey and that the Auditor be paid for his services at a fair and reasonable amount, said amount not to exceed \$40,000 as evidenced by a Certification from the Chief Financial Officer attached hereto.
3. That a copy of this resolution shall be published in the Cape May County Herald as required by law within 10 days of its adoption.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-6 (Appoint a Municipal Attorney/Prosecutor)**

Upon motion of  
Seconded by

Councilmember Albert Carusi  
Councilmember Joan Kramar

**RESOLUTION AUTHORIZING APPOINTMENT OF THE MUNICIPAL ATTORNEY  
UNDER THE “NONFAIR AND OPEN” PROCESS**

**WHEREAS**, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for “Professional Services” without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the “fair and open” process; and

**WHEREAS**, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign; and

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

**WHEREAS**, the Borough of Stone Harbor is mandated by state statute to appoint a Municipal Attorney and a Municipal Prosecutor and the law specifically allows for these posts to be filled by the same attorney. The law also requires that municipalities designate litigation counsel and counsel to the tax assessor. These tasks are typically performed by the Municipal Attorney; and

**WHEREAS**, Michael J. Donohue, Esquire, of Blaney & Donohue, PA is an attorney at law in good standing in the State of New Jersey, has effectively served the Borough of Stone Harbor for many years and has been found to be experienced in the area of Local Government Law and municipal prosecution; and

**WHEREAS**, Mr. Donohue is a person authorized by law to practice a recognized profession, the practice of which is regulated by law, and the performance of his service requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction;

**WHEREAS**, NJSA 40A:11 *et seq.* allows the Borough to enter into contracts for “Professional Services,” including legal services, without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body.

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

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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, as required by law, having been nominated by the Mayor of the Borough of Stone Harbor, Michael J. Donohue, Esquire, of Blaney & Donohue, P.A., be and hereby is appointed Municipal Attorney/Municipal Prosecutor for the Borough of Stone Harbor in accordance with and under the terms of a contract for professional services, which includes provisions for litigation and representation of the Tax Assessor and other extraordinary matters, which is on file with the Borough Clerk for public review, for a term of one year, said term commencing on January 3, 2012 and continuing until the reorganization meeting of the Borough in 2013 or in accordance with law.
3. That the Mayor is authorized and directed to forthwith execute on behalf of the Borough of Stone Harbor the contract for professional services, such contract being under and subject to the provisions of the affirmative action and antidiscrimination laws and regulations of the State of New Jersey, an acknowledgement of same to be executed by the Municipal Attorney.
4. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law which allows under NJSA 40A:11-5 and that the Solicitor be compensated as detailed in the contract for professional services in an amount not to exceed \$80,000, and funds are available as evidenced by the Certification of the Chief Financial Officer attached hereto.
5. That a notice of the letting of the within contract be published in accordance with law within ten (10) days of passage in the official newspaper designated by the Borough for legal notices and that the contract be open to public viewing in accordance with the Open Public Records Act.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-7 (Concerning Tax Appeals)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Barry D. Mastrangelo

**WHEREAS**, by a directive from the County Board of Taxation pursuant to N.J.A.C. 18:12A-1(c), all tax appeals submitted to the Cape May County Board of Taxation by the Tax Collector, Tax Assessor, or Solicitor on behalf of the Borough of Stone Harbor must be authorized by Resolution of Borough Council for the Tax Year 2012; and

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

1. Borough Council hereby authorizes the Tax Assessor to file Tax Appeals on behalf of the Borough whenever he feels it is in the best interest of the Borough to do so. The Tax Assessor shall have the right to terminate and/or settle, by Stipulation or otherwise, any such Tax Appeals that he shall institute.
2. The Borough Solicitor is hereby authorized to institute any Tax Appeals on behalf of the Borough requested by the Tax Assessor and, with the Tax Assessor's concurrence, to terminate and/or settle by Stipulation or otherwise, any such Tax Appeals that he shall institute.
3. The Borough Solicitor shall have the right to institute Tax Appeals on behalf of the Borough at the request of the Mayor and Borough Council and shall have the authority to terminate or settle any such appeal with the consent of Mayor and Borough Council by Stipulation or otherwise.
4. The Borough Solicitor and the Tax Assessor shall have the joint right and obligation to defend Tax Appeals brought on behalf of taxpayers, and they shall jointly have the authority to settle, by Stipulation or otherwise, any such Tax Appeals.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Cape May County Board of Taxation and to furnish copies of same to the Borough Tax Assessor, Tax Collector and Solicitor.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-8 (Meeting Dates)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Barry D. Mastrangelo

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the following dates and times have been established as meeting dates for the governing body during the year 2011. Legal action may be taken at these published meetings.

January	3 rd (7:00 pm) 17th (4:30 pm)	July	3rd (4:30 pm) 17th (4:30 pm)
February	7th (4:30 pm) 21st (4:30 pm)	August	7th (4:30 pm) 21st (4:30 pm)
March	6th (4:30 pm) 20th (4:30 pm)	September	4th (4:30 pm) 22nd SAT (9:30 am)
April	3rd (4:30 pm) 17th (4:30 pm)	October	2nd (4:30 pm) 16th (4:30 pm)
May	1st (4:30 pm) 15th (4:30 pm)	November	6th (4:30 pm) 20th (4:30 pm)
June	5th (4:30 pm) 19th (4:30 pm)	December	4th (4:30 pm) 18th (4:30 pm)
		January 2, 2013	WED (7:00 pm)

**BE IT FURTHER RESOLVED** that a complete list of these dates and times to be published in the newspaper and posted according to law.

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

**RESOLUTION 2012-A-9 (Public Defender)**

Upon motion of  
Seconded by

Councilmember Judith Davies-Dunhour  
Councilmember Barry D. Mastrangelo

**WHEREAS**, the Borough is required to provide a Public Defender for the Stone Harbor Municipal Court; and

**WHEREAS**, the Public Safety Committee has recommended the hiring of Michael A. Sorensen, Esq. who has agreed to handle the post; and,

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. permits the execution of a contract with a professional for professional services without the necessity of competitive bids but requires that such contracts be available for public inspection,

**NOW, THEREFORE, BE IT RESOLVED** by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that a contract be and it is hereby awarded to Michael A. Sorensen, Esq. as the Public Defender for the Stone Harbor Municipal Court at a fee of \$3,500.00, total, for the year 2012, regardless of the number of cases assigned by the Court.

**BE IT FURTHER RESOLVED** that notice of the letting of this contract be published in the Cape May County Herald within 10 days of the date hereof.

**BE IT FURTHER RESOLVED** that this resolution shall only become effective when a copy of the Certification of Availability of Funds, prepared by the CFO of this Borough, is attached hereto.

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**BE IT FURTHER RESOLVED** that two copies of this resolution shall be forwarded to Michael A. Sorensen, Esq. to be signed where his name appears at the bottom of said copies, which signature shall constitute a contract between the parties when a copy of same has been signed and delivered to the Borough Clerk.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-10 (Interest on Delinquent Taxes)**

Upon motion of  
Seconded by

Councilmember Albert Carusi  
Councilmember Barry D. Mastrangelo

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the interest penalty for delinquent taxes shall be 8% per annum of the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00 on each parcel of land by block and lot, and

**BE IT FURTHER RESOLVED** that no interest shall be charged if payment of any installment is made within ten (10) calendar days after the date on which same is payable, said ten (10) calendar days to be straight calendar days and if the tenth day falls on a Saturday, Sunday or legal holiday, then the grace period shall extend to the next business day, and

**BE IT FURTHER RESOLVED** pursuant to N.J.S.A. 54:4-67 that an additional penalty of 6% shall be charged against any property with a delinquency related to taxes and/or any other municipal charges in excess of \$10,000.00 which remains in arrears beyond December 31 of each prior year.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-11 (Exempting Water Charges)**

Upon motion of  
Seconded by

Councilmember Karen M. Lane  
Councilmember Joan Kramar

**BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the following utility charges be exempted for the billing period up to and including December 1, 2011, and

**BE IT FURTHER RESOLVED** that the Utilities Collector make the proper adjustments in her records:

Account

<u>Number</u>	<u>Owner</u>	<u>Amount</u>
6625	Evangelical Lutheran Church \$	1,083.00
7040	Evangelical Lutheran Church	647.00
7030	Evangelical Lutheran Church (vacant land)	452.00
7370	Stone Harbor Board of Education	647.00
7380	Stone Harbor Board of Education	1,571.00
7390	Stone Harbor Board of Education	1,083.00
8020	St. Mary's Episcopal Church	647.00
8860	Women's Civic Club	647.00
11981	St. Brendon the Navigator Parish	911.00
11990	St. Brendon the Navigator	647.00

19945	Immaculate Heart of Mary, Villa Maria - Rectory	1,571.00
21150	Stephen C. Ludlam Post 331 (American Legion)	771.00
	<b>TOTAL</b>	<b>\$10,677.00</b>

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

**RESOLUTION 2012-A-12 (Authorizing Contracts Below Bid Limit Without Public Advertising)**

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

**AUTHORIZING CONTRACTS BELOW THE BID LIMIT WITHOUT  
PUBLIC ADVERTISING**

**WHEREAS**, N.J.S.A. 40A:11-3 provides that all contracts for the performance of work or for hiring materials or supplies, the cost of which is less than the bid limit described therein, which as of this date is \$36,000.00, need not be publicly bid; and

**WHEREAS**, from time to time the Borough will desire to enter into contracts less than \$36,000.00; and

**WHEREAS**, N.J.S.A. 40A:11-3 further requires that these contracts be approved by resolution, either individually or by general authorization.

**NOW, THEREFORE, BE IT RESOLVED** on January 3, 2012 by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the appropriate Borough officials are hereby authorized and empowered to enter into contracts for the performance of work or the furnishing or hiring of materials or supplies, in amounts less than \$36,000.00 for the year 2012, without the necessity of public bidding, in accordance with the Borough's regulations and guidelines.

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

**RESOLUTION 2012-A-13 (Small Contracts without soliciting Competitive Quotations)**

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

**AUTHORIZING SMALL CONTRACTS WITHOUT  
SOLICITING COMPETITIVE QUOTATIONS**

**WHEREAS**, N.J.S.A. 40A:11-6.1 c. provides that when authorized by resolution of the governing body, all contracts that are in the aggregate less than 15% of the bid threshold, may be awarded by the contracting agent without soliciting competitive quotations; and

**WHEREAS**, the bid threshold is \$36,000.00, so that 15% thereof is \$5,400.00; and

**WHEREAS**, it is deemed to be in the best interest of the Borough of Stone Harbor that small contracts like this be awarded without competitive quotations.

**NOW, THEREFORE, BE IT RESOLVED** on January 3, 2012 by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that such contracts in the aggregate in the amount of \$5,400.00 or less may be awarded by the contracting agent without obtaining competitive quotations.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-14 (Litter Abatement Partnership Program 2012)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Albert Carusi

**AUTHORIZING PARTICIPATION IN CAPE MAY COUNTY  
LITTER ABATEMENT PARTNERSHIP PROGRAM  
FOR 2012**

**WHEREAS**, the Cape May County Municipal Utilities Authority has adopted a Litter Abatement Partnership Program for 2012; and

**WHEREAS**, the Borough of Stone Harbor desires to participate in said program.

**NOW, THEREFORE, BE IT RESOLVED** by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough of Stone Harbor is hereby authorized to participate in the Cape May County Litter Abatement Partnership Program for 2012 as established by the Cape May County Municipal Utilities Authority.

**BE IT FURTHER RESOLVED** that the Borough of Stone Harbor will initiate the following steps:

- I. Providing a minimum of four (4) days of residential bulky waste collection services at no cost to individual customers (including or restoring bulky waste collection as part of the weekly municipal solid waste collection routes and schedules, at no cost to individual customers, would also satisfy this requirement).

The schedule for these collection services must be established and provided to the Authority prior to being eligible for any benefits under this program. The dates for 2012 have been set for Monday, March 12<sup>th</sup>; Monday, May 7<sup>th</sup>; Monday, September 24<sup>th</sup>; and Monday, October 29<sup>th</sup>.

- II. Enforcement of an anti-littering and anti-dumping ordinance which establishes penalties for littering and illegal dumping at a minimum \$500.00 fine plus the cost of clean-up, and provides financial rewards for reporting such activities. The Borough of Stone Harbor adopted such an ordinance a few years ago and it is found in the Revised General Ordinances of the Borough of Stone Harbor, 2005, as Sections 357 through 357.10.
- III. As a supplement to these basic litter abatement services, the following measures have been approved:
  - A. Provide satellite container and/or drop-off areas for household bulky wastes.
  - B. Conduct special community-wide clean-up projects and/or special clean-up projects of selected local areas where illegal refuse dumping has occurred. (The CCMUA must be advised, in advance, of the dates and locations of any special clean-up projects in order for any refuse collected from these special clean-up projects to be eligible as one of the municipality's four (4) no-cost disposal days at the Authority's solid waste disposal facilities.)
  - C. Develop and carry out, within six (6) months of program adoption, a community-wide litter abatement education and information program. Such a program should disseminate anti-littering information to the entire community at least once every six (6) months. Assistance in preparing such programs will be provided by the Authority upon request.

**BE IT FURTHER RESOLVED** that the Borough of Stone Harbor, by the adoption of this Resolution, becomes eligible to participate in the Litter Abatement Partnership for 2012 during the period of January 1, 2012 to December 31, 2012.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-15 (Appoint and Award Contract Risk Management Consultant)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

**WHEREAS**, the Governing Body of the Borough of Stone Harbor has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

**WHEREAS**, the Bylaws of said Fund require that each municipality appoint a **RISK MANAGEMENT CONSULTANT** to perform various professional services as detailed in the Bylaws; and

**WHEREAS**, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

**WHEREAS**, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Stone Harbor does hereby appoint J. BYRNE AGENCY, INC. as its Risk Management Consultant in accordance with 40A:11-5; and

**BE IT FURTHER RESOLVED** that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1),(a),(i).

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-16 (Appoint Fund Commissioner JIF)**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Barry D. Mastrangelo

**WHEREAS**, the Borough Council of the Borough of Stone Harbor has resolved to join the Atlantic County Municipal Joint Insurance Fund; and

**WHEREAS**, the Bylaws of the Atlantic County Municipal Joint Insurance Fund require that each Municipality appoint a Fund Commissioner; and

**WHEREAS**, the Borough Council recommends the appointment of James G. Nicola as Fund Commissioner and Lisa Stefankiewicz as Alternate Fund Commissioner.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor that it does hereby appoint James G. Nicola as Fund Commissioner and Lisa Stefankiewicz as Alternate Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.

**Vote**

**6 Councilmembers AYE**

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**RESOLUTION 2012-A-17 (Public Agency Compliance Officer)**

Upon motion of  
Seconded by

Councilmember Karen M. Lane  
Councilmember Albert Carusi

**WHEREAS**, the State of New Jersey requires each governmental unit to designate a “Public Agency Compliance Officer” to ensure compliance with the Affirmative Action mandates of State Law relative to public contracts, said position being a contact point for the State on these issues and not a new, compensated employment position with the Borough; and

**WHEREAS**, the Mayor has offered for appointment to said position, James Nicola, the Chief Financial Officer of the Borough; and

**WHEREAS**, Council consents to the appointment of Mr. Nicola to said position;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the appointment of James Nicola to the position of “Public Agency Compliance Officer” offered by Mayor Walters, is hereby Confirmed.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-18 (Appoint Labor Relations Counsel)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Judith Davies-Dunhour

**RESOLUTION APPROVING A CONTRACT FOR  
PROFESSIONAL SERVICES OF LABOR RELATIONS COUNSEL**

**WHEREAS**, the Borough of Stone Harbor requires the professional services of a specialist in the field of collective bargaining negotiations, personnel administration, and employer-employee relations; and

**WHEREAS**, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of collective bargaining negotiations, personnel administration and employer-employee relations; and

**WHEREAS**, the local Public Contracts Law provides for the entering into of a contract for Professional services pursuant to N.J.S.A. 40A:11-5(1)(a), without advertising for competitive bidding; and

**WHEREAS**, Borough has determined that Lawrence Pepper, Jr. and other members of the law firm of Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey hold professional licenses and are qualified to perform the said work and it is desired to enter a professional services contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

**WHEREAS**, funds are available for the aforementioned as indicated in the Certificate of Available Funds prepared by the CFO of the Borough and attached hereto.

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

1. Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey is hereby retained as a professional labor negotiator to provide specialized services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations. The said professional services to be received shall be “as directed” by the Borough of Stone Harbor from time to time.



2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. for specialized professional services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations, as aforesaid, for a term commencing upon the date of execution of the contract, a copy of which is attached hereto, and expiring on January 1, 2013 which contract shall provide for payment at the hourly rate of One Hundred Forty Five Dollars (\$145.00 ) Dollars per hour.

3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid and shall be in a form approved by the Borough. The preamble of the Resolution is hereby incorporated by reference as if set forth here at length.

4. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough of Stone Harbor for public inspection.

5. A copy of this Resolution shall be published in the local newspaper designed by the Borough as required by law, within ten (10) days of its passage.

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

**RESOLUTION 2012-S-19 (Stone Harbor Fire Company Stipend Policy)**

Upon Motion of  
Seconded by

Councilmember Albert Carusi  
Councilmember Barry D. Mastrangelo

**RESOLUTION ACCEPTING THE  
STONE HARBOR FIRE COMPANY STIPEND POLICY**

**WHEREAS**, in accordance with Ordinance 1246, (§290), as adopted by Borough Council on December 6, 2005, the Stone Harbor Volunteer Fire Company #1 has submitted an updated stipend policy for review and acceptance by Borough Council; and

**WHEREAS**, the Fire Chief has presented the attached policy in the form of a Standing Order to Borough Council for approval, along with the appropriate form of waiver;

**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 3<sup>rd</sup> day of January, 2012 as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the attached forms of Standing Order and Waiver are hereby accepted for 2012 in accordance with Ordinance 1246 (§290).

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

**RESOLUTION 2012-A-20 (Network Engineer)**

Upon motion of  
Seconded by

Councilmember Judith Davies-Dunhour  
Councilmember Joan Kramar

**AUTHORIZING A CONTRACT  
WITH RICHARD GRAVER, NETWORK ENGINEER  
FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES**

**WHEREAS**, The Borough Council of the Borough of Stone Harbor has determined that there exists a need for oversight and maintenance of the Borough's information technology; and

**WHEREAS**, Richard Graver, Network Engineer of 118 Reading Avenue, Tuckahoe, NJ 08250 supplies a service that is specialized and qualitative in nature requiring expertise,

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extensive training and proven reputation in this field of endeavor, which constitutes an Extraordinary Unspecifiable Service not subject to public bidding; and

**WHEREAS**, the Borough Council is satisfied to engage Mr. Graver for the purposes outlined herein in accordance with the attached contract which is incorporated herein and made a part hereof by reference; and

**WHEREAS**, the amount of the contract in question is \$4,320.00, which amount is less than the threshold which would require public bidding, subject to adjustment at the rate of \$120.00 dollars per hour if Mr. Graver's services exceed four hours per month as detailed in the contract. In accordance with the contract, less than four hours of service per month will result in a service credit to the Borough which may be applied to a succeeding month, which credits expire at the end of the contract term; and

**WHEREAS**, funds are available for such services as evidenced by the certification of the Chief Financial Officer of the Borough attached hereto;

**WHEREAS**, this resolution authorizing the award of a contract for "Extraordinary, Unspecifiable Services" along with the proposal submitted by Richard Graver, shall serve as the agreement between the parties and shall be available for public inspection; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 3<sup>rd</sup> day of January, 2012, as follows:

1. The Mayor and the Clerk are hereby authorized and directed to execute the attached contract which, along with the terms of this Resolution, as the contract for provision of an "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this service is specialized and qualitative in nature requiring expertise, extensive training and proven reputation in this field of endeavor.

2. A notice of this action shall be published in accordance with law.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-21 (Dates for Parking Meters)**

Upon motion of  
Seconded by

Councilmember Karen M. Lane  
Councilmember Albert Carusi

**WHEREAS**, Section 391-7 of the Revised General Ordinance 2005 of the Borough of Stone Harbor provides that the Borough shall have the right to set the dates that the parking meters are operational.

**NOW, THEREFORE, BE IT RESOLVED** by the Members of Council of the Borough of Stone Harbor that meters will be in operation from Tuesday, May 1, 2012 through Monday, October 1, 2012.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-A-22 (Appoint Bond Counsel)**

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Albert Carusi

**RESOLUTION AUTHORIZING APPOINTMENT OF BOND COUNSEL  
UNDER THE "NONFAIR AND OPEN" PROCESS**

**WHEREAS**, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq*

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to enter into contracts for “Professional Services,” including legal services, without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body ; and

**WHEREAS**, the Borough is in need of legal representation by bond counsel of recognized national standing with advanced expertise in the area of Municipal Bonding Law in connection with the Borough’s capital projects bond financing procedures including the sale of bonds and/or bond anticipation notes; and

**WHEREAS**, Robert Beinfield, Esquire, of the Law Firm of Hawkins, Delafield & Wood is an attorney at law in good standing in the State of New Jersey and has been found to be experienced in the area of Municipal Bonding Law and has familiarity with the Federal and State laws and regulations related to the bonding process; and

**WHEREAS**, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and “nonfair and open” process prevents any professional from contributing more than \$300.00 to any local political party or campaign; and

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

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

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor is Directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract for professional services in accordance with this resolution providing for the retention of Hawkins, Delafield & Wood as Bond Counsel to the Borough of Stone Harbor. The letter of Mr. Beinfield dated December 7, 2011 is attached hereto for reference only and is not part of the contract.
3. That the aforementioned contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law and is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference.
4. That a notice of the letting of the within contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

**Vote** **6 Councilmembers AYE**  
**RESOLUTION 2012-S-23 (Appoint Tax Collector)**

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

**APPOINTING TAX COLLECTOR**

**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 Deborah Candelore be and hereby is appointed Tax Collector for a four (4) year term, January 1, 2012 through December 31, 2015.

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

**RESOLUTION 2012-S-22 (Change Order No. 1 – Boat Ramp)**

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

**WHEREAS**, the Borough of Stone Harbor is currently under contract with Berto Construction for the Replacement of the Boat Ramp at Bay Marine Park; and

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**WHEREAS**, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 1 – adjustment for final quantities (copy attached hereto and made a part hereof by reference); and

**WHEREAS**, Change Order No. 1 will result in a \$8,630.50 decrease to the contract; and

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

**NOW, THEREFORE, BE IT RESOLVED**, this 3<sup>rd</sup> day of January, 2012 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1 be and hereby is authorized;

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 1 in the amount of \$8,630.50 decrease for total amended contract in the amount of \$88,208.50.

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

**RESOLUTION 2012-S-25 (Professional Services Contract – Beach Profile Survey)**

Upon motion of  
Seconded by

Councilmember Joselyn O. Rich  
Councilmember Barry D. Mastrangelo

**AWARDING PROFESSIONAL SERVICES CONTRACT  
FOR BEACH PROFILE SURVEY**

**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 of Stone Harbor requires specialized expert services in connection with an integrated study of shoreline changes in Stone Harbor; and

**WHEREAS**, the Richard Stockton College of New Jersey Coastal Research Center headed by Stewart C. Farrell, Ph.D., has agreed to continue the semi-annual survey monitoring of the municipal shoreline at 8 locations between 82<sup>nd</sup> and 123<sup>rd</sup> Street, as outlined in a proposal entitled “Proposal to Survey 8 Beach Profiles Semi-Annually in 2012 as part of a study of shoreline changes in Stone Harbor” made a part hereof by reference and on file with the Borough Clerk, with a project cost of \$ 12,449.03 and a contingency meeting cost of \$1,235.96 and total for contingency work, \$7,815,41; and

**WHEREAS**, funds are available for award of this contract as evidenced by the Chief Financial Officer's certification of funds attached hereto;

**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, duly assembled in public session

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this 3<sup>rd</sup> day of December, 2012, that a contract be and it is hereby awarded to Richard Stockton College Coastal Research Center/Stewart C. Farrell, Ph.D., to do a survey; and

**BE IT FURTHER RESOLVED** that this Resolution, the incorporated proposal and the mandatory affirmative action and anti-discrimination language shall constitute the contract and that the Mayor and Clerk be and are hereby authorized and directed to execute said contract on behalf of the Borough.

**BE IT FURTHER RESOLVED** that the statutory language required by N.J.S.A. 10:2-1 and 10:5-33 shall be executed by the contractor as a condition of award and shall be part of the contract.

**BE IT FURTHER RESOLVED** that notice of the letting of this contract be published in accordance with law.

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

**RESOLUTION 2012-S-26 (Professional Services Contract – Public Information Officer)**

Upon motion of  
Seconded by

Councilmember Judith Davies-Dunhour  
Councilmember Barry D. Mastrangelo

**PROFESSIONAL SERVICES CONTRACT  
FOR PUBLIC INFORMATION OFFICER**

**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 of Stone Harbor requires specialized expert services in connection with Public Information Duties in Stone Harbor; and

**WHEREAS**, Scott J. Wahl of 174 South Ravenwood Drive, Clermont, N.J. 08210 has agreed to perform those duties for the Borough of Stone Harbor according to the List of Duties attached hereto for the year 2012; and

**WHEREAS**, his compensation will be \$5,000 annually for maintenance of Channel 2 and \$10,000 for additional public relations duties; and

**WHEREAS**, funds are available for award of this contract as evidenced by the Chief Financial Officer’s certification of funds attached hereto;

**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, duly assembled in public session this 3<sup>rd</sup> day of January, 2012, that a contract be and it is hereby awarded to Scott J. Wahl ; and

**BE IT FURTHER RESOLVED** that this Resolution, the incorporated proposal and the mandatory affirmative action and anti-discrimination language shall constitute the contract and that the Mayor and Clerk be and are hereby authorized and directed to execute said contract on behalf of the Borough.

**BE IT FURTHER RESOLVED** that the statutory language required by N.J.S.A. 10:2-1 and 10:5-33 shall be executed by the contractor as a condition of award and shall be part of the contract.

**BE IT FURTHER RESOLVED** that notice of the letting of this contract be published in accordance with law.

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

**RESOLUTION 2012-S-27 (Creating a Special Committee to Review the Library Location)**

Upon motion of  
Seconded by

Councilmember Joselyn O. Rich  
Councilmember Joan Kramar

Councilmember Rich asked the Borough Solicitor to read the Resolution on the record.

**CREATING A SPECIAL COMMITTEE  
FOR REVIEW OF THE LIBRARY LOCATION**

**WHEREAS**, under the authority of R.G.O. 2-5.12 the Borough Council of the Borough of Stone Harbor is empowered to form Special Committees for the handling of extraordinary matters; and

**WHEREAS**, the Cape May County Library Commission (CMCLC) and the Borough of Stone Harbor (Borough) entered into a lease of certain real property within the Borough for the construction of a Stone Harbor branch of the Cape May County Library, said lease being dated November 30, 2007, and on file with the Borough Clerk; and

**WHEREAS**, it has been over four years since the execution the lease, and no construction has occurred on the property; and

**WHEREAS**, despite successive assurances over the course of the past four years that permits would be forthcoming and that construction would commence, no construction has started at the premises and the project continues to be delayed; and

**WHEREAS**, the Borough is now informed by the New Jersey Department of Environmental Protection (NJDEP) that there will be yet another delay inasmuch as the public comment period on the proposed permit will be extended; and

**WHEREAS**, the Mayor and Council of the Borough of Stone Harbor have lost confidence in this process and believe that the entire project should be held in abeyance for a period of six months so that a special committee can research and evaluate all potential locations and make a recommendation to Mayor and Council on what location within the Borough is best suited for the purposes of a County Library building; and

**WHEREAS**, after granting numerous extensions and addenda to the County Library Commission, the Borough does not believe it is unreasonable for the County Library Commission to grant this six month stay of the project in order for the Special Committee to complete its review and analysis;

**WHEREAS**, the Mayor and Council are desirous of completing such review with all due speed and in an impartial manner; and

**WHEREAS**, the Mayor and Council believe that the creation of a Special Committee for the purposes stated herein will provide the most confidence to the public with regard to the review of this matter and is in the interest of the health, safety and welfare of the citizens of the Borough of Stone Harbor;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stone Harbor, duly assembled this 3<sup>rd</sup> day of January, 2012, that a Special Committee be created, subject to the following:

1. The Committee shall be known as the Special Committee for Review of the Library Location and may be commonly referred to as the Library Location Committee;
2. The Committee shall consist of Councilwoman Joselyn Rich as Chair; Councilwoman Judith Davies-Dunhour and Councilman Barry Mastrangelo;
3. The Committee shall be purely advisory in nature and shall have no authority, express or implied, to bind the Borough of Stone Harbor in any respect, though it is

established hereby that the ultimate recommendation of the Committee is to be given great weight by the governing body upon the submission of the Committee's report.

4. The Committee shall review all relevant documents and do such other investigation as it deems appropriate in an effort to determine the most suitable location for the construction of a County Library branch in the Borough of Stone Harbor;
5. The Committee is not authorized to incur any expenses or expend any Borough funds, but may apply to the Borough Council, in accordance with the Borough's financial policies, for the expenditure of funds for a particular purpose.
6. At the July 3, 2012, meeting of Mayor and Council, the Committee shall deliver a report of its findings and recommendations to the Borough Council;
7. The Committee's review activities shall remain private and confidential unless the Committee decides to open certain portions of its review and/or deliberations to the public in its discretion;
8. The task of the Committee shall be to determine the most suitable location for the construction of a County Library branch in the Borough of Stone Harbor, taking into consideration criteria as developed by the committee and including all available locations in its analysis.
9. The Committee, may, in its discretion, subject to the Open Public Meetings Act, include other members of the governing body and of the public in its proceedings.

**BE IT FURTHER RESOLVED, that**

10. The Mayor and Council of the Borough of Stone Harbor do hereby request that the Cape May County Library Commission take no action with regard to construction activities at the current beach front location unless and until requested to do so by further Resolution of the governing body of the Borough of Stone Harbor;
11. The Clerk shall forward a copy of this Resolution to the Cape May County Library Commission and the County of Cape May and shall send a copy of the Resolution to the New Jersey Department of Environmental Protection as the Borough's comment on the current consideration by the DEP on issuance of a CAFRA permit to Cape May County.

**Vote**

**6 Councilmembers AYE**

**COMMUNICATIONS**

None

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

The Mayor welcomed and recognized Rita Fulginiti, County Clerk; Gary Schaffer, Sheriff; Marty Pagliughi, Mayor of Avalon and his wife, Linda; Kristen Gabor and Will Morey, newly elected County Freeholders.

**PUBLIC COMMENT**

Bob Ashman – 10301 First Avenue – inquired about the Resolution for the creation of a Special Committee to Review the Library Location and whether or not consideration would be given to withdrawing from the County Library system entirely. Mr. Donohue stated that no – not in the context of this Resolution. Councilmember Rich stated that the first goal is to consider different locations; however, she agreed with Mr. Ashman's suggestions. Councilmember Rich stated that the Committee will be very creative and very pro-active.

Vince Lamanna – Golden Gate – commended Council for adopting this resolution, but inquired what happens if the County says no. Mr. Donohue stated that we will just have to wait and see what happens, but hopefully the County will be cooperative.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Joselyn O. Rich indicated that she had a prepared statement. Councilmember Rich thanked everyone for their support and hard work on Election Day and throughout the campaign and stated that she will work hard to earn the trust and respect for those that did not vote for her. Councilmember Rich stated that she considers the election results to be a big win for the voters and taxpayers of Stone Harbor and the planks of her campaign will continue to be her guiding principles and include transparency, order, inclusion and change. Councilmember Rich stated that everyone deserves to have their voice heard. Councilmember Rich stated that she is looking forward to working with the Mayor and Council to lead Stone Harbor in the right direction.

Councilmember Karen M. Lane stated that when voters elected her, they were giving her their trust and trust is a mantle that she will not wear lightly. Councilmember Lane stated that she made no promises during her campaign; but she did make a commitment to include, inform and involve the people of Stone Harbor and promised that she will listen to members of the community. Councilmember Lane stated that people may not always like what she has to say, but she intends to be open and transparent and is suggesting that this Council host two Town Meetings per year so that all members (voters and property owners) of this community will have an opportunity to be involved and be informed. Councilmember Lane stated that this will be an exciting and challenging three years. Councilmember Lane thanked her husband, Jim, for all his support, encouragement and understanding. Councilmember Lane thanked all of the friends that worked so hard to get her elected and stated that she intends to work hard to keep their trust.

Councilmember Joan Kramar stated that she has just finished her second year serving as Chair of the Utilities Committee indicating that her first year was a learning experience and continued to Chair the Utilities Committee in her second year because of a project she wanted to see to completion. Councilmember Kramar stated that during Christmas Week this project came to fruition when the lights came on at the Second Avenue Islands between 94<sup>th</sup> and 96<sup>th</sup> Streets. Councilmember Kramar expressed her appreciation to Greg Sheeran and Public Works for following through on this project. Councilmember Kramar stated that the improvements to infrastructure will continue as well as efforts to be more “green” and starting doing so by conserving water by watering the islands only three times per week. Councilmember Kramar stated that the new Chair, Karen Lane, will continue to improve and incorporate new ideas for all the people to inform them how important it is to be conscious of our water usage. Councilmember Kramar expressed her thanks to all that served on the Utilities Committee and that as Chair of her new Committee, Public Works, she will continue to stand by her principles – honesty, integrity and dedication. Councilmember Kramar stated that it has been a pleasure to serve the Borough of Stone Harbor.

Councilmember Albert Carusi stated that he just completed his first year as Chair of the Natural Resources Committee which included work on the Bird Sanctuary, Beach Replenishment Project, Site 103, Removal of the Outfall Pipes, the Pocket Park, Sedge Island, Stone Harbor Point, and the skunk issue. Councilmember Carusi welcomed new Councilmembers Rick and Lane and stated that he looks forward to working with them. Councilmember Carusi stated that he is looking forward to chairing the Public Safety Committee as well as serving on the Administrative and Finance Committee. Councilmember Carusi stated that we all need to pull together, change starts at the top and we need to lead by example.

Councilmember Judith Davies-Dunhour congratulated and welcomed Councilmembers Lane and Rich on their election. Councilmember Davies-Dunhour stated that this Borough saw a lot of changes in 2011 including the retirement of the Police Chief, Court Administrator, Tax Collector and the Borough Administrator. Councilmember Davies-Dunhour expressed her confidence in Jill Gougher, Borough Administrator, and stated that she is looking forward to working with her. Councilmember Davies-Dunhour thanked all the Borough employees for a job well done especially with the major concessions that were made. Councilmember Davies-Dunhour thanked last year’s Council; her husband and best friend, Doug; and her mentor, Gary Schaffer. Councilmember Davies-Dunhour stated that she is looking forward to working with the Mayor and Council and that she will continue to serve Stone Harbor to the best of her ability.



Organization Meeting, January 3, 2012

Councilmember Barry D. Mastrangelo wished everyone a happy, healthy and prosperous New Year and congratulated Councilmembers Rich and Lane on their election. Councilmember Mastrangelo stated that he is looking forward to working with the new Councilmembers as well as working with Councilmembers Kramar and Carusi on the Administrative and Finance Committee. Councilmember Mastrangelo wished the new Borough Administrator, Jill Gougher, the best of luck.

Mayor Suzanne M. Walters welcomed the new Borough Administrator, Jill Gougher. Mrs. Gougher thanked the Mayor and Council for this opportunity, and stated that it was a pleasure working with Ken and thanked her family. Mayor Walters acknowledged Police Chief Paul Reynolds and Jim Nicola, CFO. Mayor Walters thanked everyone for coming out this evening and stated that she is looking forward to working with Council and the new Council President. Mayor Walters stated that she believes the formation of the Special Library Committee is the first step in real cooperation and is the right thing to do and she is looking forward to their report. Mayor Walters wished every a happy, healthy and prosperous New Jersey. Mayor Walters stated that she looks forward to 2012 and accomplishing great things.

The following bills were presented to Council for their approval:

30265	01/04/12	ACELE	ATLANTIC CITY ELECTRIC CO.	11.97
30266	01/04/12	ACMEM	ALBERTSONS	277.88
30267	01/04/12	AWDIRECT	A W DIRECT	492.04
30268	01/04/12	BARTOLON	JOSEPH BARTOLONE III	309.67
30269	01/04/12	BERKEYLU	LUCAS BERKEY	250.00
30270	01/04/12	BORSH	BOROUGH OF STONE HARBOR	171,094.58
30271	01/04/12	BOSACCOD	DAVID C. BOSACCO	250.00
30272	01/04/12	BURNERRO	ROBERT M. BURNER	475.00
30273	01/04/12	CAPEATSO	CAPE ATLANTIC SOIL CONSER.DIST	735.00
30274	01/04/12	CASAP	CASA PAYROLL SERVICES	1,705.85
30275	01/04/12	CATHCART	WILLIAM W. CATHCART	50.00
30276	01/04/12	CHATTENL	LINWOOD CHATTEN	400.00
30277	01/04/12	COLLETT	CHRIS COLLETT	150.00
30278	01/04/12	COMCA	COMCAST	107.18
30279	01/04/12	CONLINJE	JEFFREY P. CONLIN	50.00
30280	01/04/12	CROPPERA	ALLAN W. CROPPER	50.00
30281	01/04/12	DAVISBEN	BENJAMIN DAVIS	50.00
30282	01/04/12	DEATAT	TATIANA DEA	400.00
30283	01/04/12	DEROSEMA	MATTHEW DEROSE	250.00
30284	01/04/12	DONOFRIO	LEWIS T. DONOFRIO, JR.	150.00
30285	01/04/12	DUFFI	DUFFIELD ASSOCIATES, INC.	5,232.15
30286	01/04/12	FARINA	THEODORE FARINA JR	400.00
30287	01/04/12	FAZZJ	JOSEPH FAZZIO, INC.	236.23
30288	01/04/12	FINNEGAN	JACQUELINE FINNEGAN	400.00
30289	01/04/12	FIRE	FIRE & SAFETY SERVICES, LTD	136.80
30290	01/04/12	FORTDEAR	FORT DEARBORN LIFE INSURANCE	210.22
30291	01/04/12	FOSTE	FOSTER, SCOTT	118.00
30292	01/04/12	GALLAGHE	KEVIN GALLAGHER	250.00
30293	01/04/12	GALLS	GALL'S, INC.	219.50
30294	01/04/12	GANNONME	MELISSA GANNON	400.00
30295	01/04/12	GARDNERH	GARDNER HARDWARE	88.99
30296	01/04/12	GOLDE	GOLDEN INN	1,170.00
30297	01/04/12	GORILLAL	GORILLA LIFT	189.86
30298	01/04/12	GRAIN	GRAINGER	140.47
30299	01/04/12	GRIESBAC	JOSEPH H. GRIESBACH JR.	75.00
30300	01/04/12	GRYNI	GRYNING, JOHN	85.50
30301	01/04/12	HAFELERO	ROBERT G. HAFELE	50.00
30302	01/04/12	HARTZ	DAVID HARTZELL	270.00
30303	01/04/12	HAWKFIRE	KENNETH J. HAWK	250.00
30304	01/04/12	HEARONJ	JEFFREY HEARON	150.00
30305	01/04/12	HERAL	HERALD NEWSPAPERS	45.38
30306	01/04/12	HILESNIC	NICOLE HILES	35.01
30307	01/04/12	HOMED	HOME DEPOT CREDIT SERVICES	303.75
30308	01/04/12	INTEGRAT	INTEGRATED TECHNICAL SYSTEMS	80.00
30309	01/04/12	JACKS	JACKSON, GREG	588.00
30310	01/04/12	JERC1	JERSEY CAPE DIAGNOSTIC CENTER	2,000.00
30311	01/04/12	JERSC	JERSEY CAPE DOOR	193.00
30312	01/04/12	KAYPR	KAY PRINTING	278.81
30313	01/04/12	KINDL	KINDLE FORD MERCURY LINCOLN	41.01
30314	01/04/12	LAKOSE	JONATHAN LAKOSE	250.00
30315	01/04/12	LAMACHFI	JAMES LAMACH JR	400.00
30316	01/04/12	LEBRESO	JASON LEBRESO	50.00
30317	01/04/12	LINZJR	MICHAEL LINZ JR	400.00
30318	01/04/12	LOEFFLAD	JACOB LOEFFLAD	400.00



