

**MINUTES OF THE REGULAR MEETING OF  
MAYOR AND COUNCIL OF THE BOROUGH OF  
STONE HARBOR COMBINED WITH ROA  
MEETING HELD IN THE MUNICIPAL  
BUILDING, DECEMBER 18, 2012**

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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  
Jill Gougher, Administrator  
James Nicola, CFO

**PRESENT**

Councilmembers  
Joan Kramar, Council President  
Judith Davies-Dunhour  
Joselyn O. Rich  
Karen M. Lane  
Barry D. Mastrangelo  
Albert Carusi

Mayor Walters announced that the meeting was now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press and the Cape May County Herald on January 5, 2012.

**SALUTE TO THE FLAG**

**MOTION CONCERNING THE MINUTES**

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Barry D. Mastrangelo

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of November 20, 2012 and the Work Session Meeting of December 4, 2012 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 Carusi reported that the Public Safety Committee met on December 7, 2012, in attendance was Councilmember Mastrangelo, Dunhour, and Administrator Jill Gougher. The Joint Court Administrator roll with Avalon is going well, The Committee is working on dispatcher shared services issues, the police administration building and reviewing State of Emergency procedures. Fire Chief Roger Stanford provided the following report for the Fire Bureau, month of November, 1,014 rental and business inspections, 35 life hazard inspections, 144 smoke detector inspections, 25 permits and 128 reinspections and 12 fire drills. The report for the Fire Department is 14 fire calls, total year to date is 192, the busiest year ever for calls. There were some gas leaks, electrical fires, smoke scares and alarms. There were 3 drills and 1 meeting, total man hours was 1,397 for the month, two mutual aid calls and 7 EMS. Chief Stanford congratulated Lt Chris Collette who just completed Fire Fighter II training course in Atlantic County Fire Academy, a three month course that he attended on his own. Police report - 3 letters received thanking the police department. Also motor vehicle stops for the month were 86, adult arrests 3, DWI 1, and many open door and windows. Senior call check ins were 5.

**NATURAL RESOURCES** - Councilmember Rich announced the committee met on December 7, 2012, Jill Gougher, Karen Lane, Al Carusi, Greg Sheeran and Grant Russ in attendance Site 103 continues to be a goal, to remove and use this material. Ocean Coastals have given results that the material is acceptable to use. We continue to work with DOT maritime division to plan our next steps. The goal for the beach is obviously to refill and repair and be ready for 2013. Replenishment that was planned for December will be combined with the Sandy Storm damage. As far as the bay goes, the goals are to repair our own dock damage and to continue to make the back bays as safe as possible, and to find a way to dredge our intercoastal waterways. We would like to ask the Army Corp of Engineers to come back and do a new profile of our back bays, the Point and the Inlet to show if there are any changes from this most recent storm. Bird Sanctuary Committee will be meeting in January, Natural Advisory

## Regular Meeting, December 18, 2012

Resource Committee is being re-established for 2013, we are redefining the purpose and a new ordinance will be offered in January 2013. There may be a gathering of Bird Sanctuary Committee, Natural Resources, the Regular Natural Resource Committee and the Green Team, so we can get all these volunteers together to understand we are all here to help. Councilmember Rich stated that 2012 has been a learning experience for her, Natural Resources is an enormous responsibility and she still has so many questions and together we will move forward. Please keep the faith that we will protect and respect our Natural Resources for 2013, maintain our safe beaches and put a little more attention on the back bays, preservation of our Point and Bird Sanctuary.

Mayor Walters said she was at a meeting recently and they were talking about Office of Maritime Resources doing soundings in the bay to look for sunken boats and/or docks . We will be hearing more about that shortly.

**BEACH & RECREATION** – Councilmember Davies-Dunhour reported that the Recreation Advisory Committee met on Monday, December 3<sup>rd</sup> and the Beach, Rec and Tourism Committee met on December 14<sup>th</sup>. The Holiday Beach Tags are available in several stores in town and at Borough Hall. We have great news, just yesterday the Borough Engineer received an email from NJDEP confirming that a CAFRA permit is not required for the proposed placement of the concession stands with electrical connections on our beaches. The stands need to be seasonal and temporary remaining only May 1<sup>st</sup> to October 31<sup>st</sup> of each year. Also the electrical connections must be above ground utility lines only and must be removed in the off-season. We are very excited to get our concession stands back. There will be a motion tonight to authorize the Engineer to prepare the specifications. Thanks to Marc DeBlasio, we are thrilled. Friday December 7<sup>th</sup> the Recreation Department had hot chocolate, cookie decorating and an outdoor screening of the Polar Express at the Recreation building grades K-4. The December and January recreation schedules are available on the Borough's website under new items. In January we will add two new programs to the schedule, politics on Thursdays and story time on Wednesdays, both sponsored by the CMC Library. We met with Jerry Blackman from Olivieri, Shousky and Kiss architects and Dennis Straga of Straga Brothers on Friday Dec 14 to discuss outstanding issues concerning the recreation building, based on that meeting we are prepared to offer a final change order and Council will discuss that in closed session tonight. Playground on 81<sup>st</sup> Street, most of the equipment has arrived and because of Sandy the project slowed down. Game Time has contacted us to schedule a meeting. Tourism, Thanksgiving week-end was a success, good time had by all. Kudos to Liz Hargett and Jill Gougher for their work on the NJ Division of Travel and Tourism Cooperative marketing Grant. This money will be used for a distribution plan promoting Stone Harbor throughout the State. Liz Hargett reached out to Stockton College and now has an intern working with the Tourism Department, a Senior student studying Business Administration and is assisting with Data Entry. Changes to the Special Events application will be discussed tonight with full council. The update for the jitney service serving the Seven Mile Island in 2013 will be brought forward with an Ordinance in January that will include the route, cost, dates for service and will be in place by Memorial Day 2013. First big event for 2013 will be the Shiver on Saturday, March 9, 2013.

**UTILITIES** - Councilmember Lane reported Utilities committee met December 7, 2012, departmental issues were reviewed and discussed and some of the ordinances regarding construction and new water services must be updated . Water diversion report, another month and we used 102,000 more gallons in November than we did in November, 2011. We conserved all summer and now Sept, Oct and Nov we have been up significantly. Last month the matter of exempt properties was discussed and what we have discovered is that none of these exempt properties even see a bill. They are using a significant amount of water, and this will be corrected so that they will each see what they are using each month and how much the Borough is exempting. Letters were discussed from residents and problems were addressed, they will all be contacted. In the Go Green Committee, had a meeting with Katie Burnett of DEP on December 3<sup>rd</sup> in the Recreation Building. The program was excellent and Zack Nickerson of Americore volunteered to bring the program to school children. Once the children are back in the school we are going to visit and set up a program. In January we hope to present a new Ordinance that will require all new construction and all rehab work over 50% to install the "smart" controllers if they are going to be landscaping their property and using sprinklers. Thanks to Scott Wahl we had a press release in the Atlantic City Press on Friday. Library Report, Mrs. Rich, Mrs. Davies-Dunhour, Mrs. Gougher, and Terri Cwik from the museum and Mrs. Lane met to discuss the next step in building our library . Mrs. Cwik discussed what the museum felt they needed in space, we feel we have our vision

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and mission statements shaped to where we want them and we have many of the necessary goals and objectives and we are now ready to move forward. Next month at the Reorganization meeting we will be presenting names of volunteers for the two committees. Mrs. Lane is looking for someone in the “older” age group that uses the Library for their input. Mrs. Lane and Mrs. Rich will be meeting with Deborah Poillon on Friday for a briefing of what we have done to date and to establish an ongoing dialog with representative of the County. Settlement on the building should occur on Thursday.

**PUBLIC WORKS** – Councilmember Kramar reported her committee met on December 12<sup>th</sup> with Jill Gougher, Karen Lane, Barry Mastrangelo, Greg Sheeran, Grant Russ, Craig Reeves and Jim Nicola. Discussion included beach replenishment, trap bags, lighting on the islands, crossovers being repaired, budget and urns. Charles Koch will be changing the music in the clock to fit with the season. Cleanup from Sandy is ongoing. Debris has been removed from the beach and trash is being picked up. Docks have been removed from the Marina and the bubbler system has been installed. Maintenance is ongoing on all Borough vehicles. Special events, Veterans Day, 13 hours, Christmas decorations, 169 hours, Christmas in Stone Harbor 129 hours and the Sandy Storm cleanup, just for November 1,468 hours. Winter trash schedule is in effect, trash and recycling picked up the same day. First clean up is March 11, 2013. There were 557 citizen contacts and work orders processed in November. Mrs. Kramar attended several meetings as Council President, including agenda, ROA, and all of Council attended the S2368 bill for leaders in Sea Isle City. Mrs. Kramar met to go over standing committees for next year and other pertinent subjects. The 9/11 meeting for December was cancelled because of the holiday and will meet in January.

**ADMINISTRATIVE & FINANCE** – Councilmember Mastrangelo reported the Administrative and Finance Committee met on November 28<sup>th</sup> and December 11<sup>th</sup> to discuss the budget. Overall we have spent 92 ½% of our budget while in 2011 for the same time frame we spent 87% at the same time we have received 104% of the projected revenues, which in November of last year we received 97.5%. No major changes or issues with the budget at this time. We reviewed the 2013 request in preparation for the O&E discussions at little later in the meeting. On the December 11<sup>th</sup> meeting we met with Joe Meola to discuss our liability policy options for 2013. On for approval tonight is a resolution to apply the Borough’s net distribution credits of \$13,853 as follows: \$5252 will be applied as a credit to our 2013 Jif premiums and \$8600 will be applied to our share of the JIF aggregate access loss contingency fund which can be used in upcoming years when the JIF anticipated increases in costs. The \$5252 being applied to our 2013 premium will allow us to upgrade our coverage at no additional cost. This will reduce our potential liability on claims currently our premium has a \$20,000 deductible and a \$250,000 co-insurance, with the credit we are able to eliminate the \$250,000 co-insurance. On December 6<sup>th</sup> Mr. Mastrangelo along with Jill Gougher, Judy Davies-Dunhour and Al Carusi attended a JIF training seminar which will give the Borough a credit of \$250.00 per person on our JIF premiums. The remainder of Council will attend the seminar in January to receive the same credit. On December 14<sup>th</sup> a number of council along with the Mayor attended a meeting at the County about FEMA and the new flood maps. The new maps came out Saturday and we are still trying to sift through them to see the total impact for the new flood elevations in Stone Harbor.

### **ENGINEERING REPORT**

#### **BOROUGH OF STONE HARBOR**

**December 18, 2012**

#### **Beach Outfall Elimination Project – Phase 2**

- Contractor is continuing work on First Avenue improvements.
- Contractor has completed the work at the recreation center and Golden Gate Drive.
- 96<sup>th</sup> Street pipework is ongoing.
- 98<sup>th</sup> Street infrastructure is complete, concrete work will begin next week and all work is proceeding on schedule.

#### **NJDEP Water Allocation Permit**

- We have completed the water allocation permit application forms and are coordinating signatures and permit fees. The NJDEP will not require the Borough to submit for permit renewal in addition to the application being filed.

- Because of Hurricane sandy, NJDEP was delayed in providing the well search data we requested. The data is now received and is being input into the require GIS maps. With this delay we anticipate submitting the application with the completed hydrogeologic report by mid-January.

**USDA Rural Business Enterprise Grant (RBEG) Application**

- The Borough was denied grant funding for planning and streetscape improvements.
- However, the application can be re-submitted to USDA for FY 2013.

**95th Street Water Tank Improvements and Repainting**

- The bid opening was held on December 13, 2012 and the apparent low bidder is Corrosion Control Corporation in the amount of \$484,200.00.

**93<sup>rd</sup> Street and 107<sup>th</sup> Street Bulkhead Replacement**

- The project design and permit forms are completed.
- We will be submitting the permit application to the NJDEP this week.

**Police Building Expansion**

- The site survey is complete and the geotechnical test is complete.
- Boring results are being analyzed and a foundation design is forthcoming.

**95th Street Well Redevelopment**

- We have transmitted the preliminary plans and specifications to the Borough for review.

**Beach Concession Stand**

- We have received a notification from the NJDEP that a CAFRA permit is not needed for the Borough's beach concession stands.

**ADMINISTRATOR REPORT:**

Administrator Gougher reported that tomorrow at 10 am there is a beach replenishment meeting in Avalon. She reported that she did speak to the vendor of the Trap Bag system and they will send information on a project they are just starting up North. There have been several meetings in the last month with the two open union contracts and both are moving forward. There are other meetings scheduled the second week in January. The jitney service, she will have the proposed Ordinance at the second meeting in January. The community energy aggregation program, we are hosting a meeting tomorrow at 2 pm and there are 3-4 towns that have expressed interest in joining with us, which is good. The next step will be to meet with the residents so we can explain what the program is all about. The CRS rating renewal which is for flood insurance, we are up for our 5 year cycle and there have been major changes in the rating system that would go into effect the middle of this year and the individual that works on our account will be here in two weeks in hopes that we can get everything done before the new regulations take effect, because it is anticipated that as people renew the requirements are a lot harder and towns could actually wind up losing points and the ratings could go down. So our goal is to try to get our rating up higher especially with the new flood maps coming out and the potential for people in new zones could see as much as 25% increase in their premiums. Ms. Gougher has reached out to Roger Stanford and Mike Koochembere to work with her to get the paperwork together so when she comes we are ready.

**TREASURER'S REPORT**

Current Receipts.....\$3,636,219.43  
 Current Disbursements.....\$5,309,608.12  
 Utility Receipts.....\$ 581,167.67  
 Utility Disbursements.....\$ 546,019.30

**BOROUGH CLERK'S REPORT**

<b><u>ISSUED</u></b>	<b><u>TYPE</u></b>	<b><u>AMOUNT</u></b>
6	Beach Vehicle Permits	\$300.00
0	Boat Trailers	0.00
1	Business Registration	100.00

0	Sailcraft Permits	0.00
0	Parking Permits	0.00
5	Certified Copies	50.00
3	Marriage License	84.00
0	Use of Field	0.00
1	OPRA Request	215.00
1	Special Event	60.00
0	Obnoxious Growth	0.00
0	Fire Hall Rental	0.00
0	Farmer's Market	0.00
	<b>SUB-TOTAL</b>	<b>\$ 749.00</b>
2	Dogs	0.00
0	Cats	\$0.00
	<b>TOTAL</b>	<b>\$ 749.00</b>
<b><u>CONSTRUCTION OFFICE</u></b>		
<b>PERMIT</b>	<b>NO. OF PERMITS ISSUED</b>	<b>FEES COLLECTED</b>
Building Permits	33	17,170.00
Electrical Permits	23	5,643.00
Plumbing Permits	18	8,130.00
Fire Permits	18	4,272.00
DCA Permits	40	2,050.00
Zoning Permits	22	9,783.00
CTT's	12	750.00
Violations	0	0
Certificate of Occupancy	33	3,070.00
Contractor's License	1	100.00
Public Records	0	0
Dumpster/Semi Trailer	1	250.00
Utility Street Openings	10	1,000.00
<b>TOTAL FEES COLLECTED</b>		<b>\$53,218.00</b>

Upon motion of  
Seconded by

Councilmember Barry Mastrangelo  
Councilmember Karen Lane

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**

Margaret Leisenring – 9600 First Avenue – inquired about the schedule for the reconstruction of 97<sup>th</sup> Street. Borough Engineer Marc DeBlasio responded that he was not sure if the street would have to be opened again, but if it did it would not be until Spring.

**OLD BUSINESS**

**NONE**

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**NEW BUSINESS:**

**RESOLUTION 2012-S-185** – Refund Tax Payment

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Joan Kramar

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, duplicate tax payments were received by Shore Title Agency and the owner of record for the 4<sup>th</sup> quarter 2012 tax installment on Block 108.03 Lot 49.01, A.K.A. 202 109<sup>th</sup> Street; and

**WHEREAS**, the owner of record, SASS LLC, requested a refund be issued to them,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that a refund check in the amount of \$1,132.29 be issued to SASS LLC, 145 Steeple Drive, Robesonia, PA., 19551; and

**BE IT FURTHER RESOLVED** that the Tax Collector make the proper adjustment in her records.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-S-186** – Chapter 159 Alcohol Rehab

Upon motion of  
Seconded by

Councilmember Al Carusi  
Councilmember Barry D. Mastrangelo

**WHEREAS**, NJS 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, the Director may also approve the insertion of an appropriation for the equal amount;

**SECTION I**

**NOW THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$1,295.11, which is now available as a revenue from the State of New Jersey; And

**SECTION II**

**BE IT FURTHER RESOLVED** that a like sum of \$1,295.11 is hereby appropriated under the caption of Municipal Court Alcohol Education and Rehabilitation Fund; and

**SECTION III**

**BE IT FURTHER RESOLVED** that the above is a result of a grant of \$1,295.11 from the State of New Jersey to aid municipal courts in their efforts to dispose of DWI cases.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-S-187** – Transfers

Upon motion of Councilmember Joan Kramar  
Seconded by Councilmember Al Carusi

A Resolution authorizing the transfer of certain items in the 2012 Budget of the Borough of Stone Harbor.

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that the following transfers are hereby made in the 2012 Budget, the same to become effective immediately and the proper officer shall cause the same to be made as follows:

**TRANSFER TO:**

Solid Waste	Other Expenses	\$60,000
Fire Dept.	Other Expenses	7,000
Police	Salaries & Wages	16,000

**TRANSFER FROM:**

Beach Patrol	Salaries & Wages	\$ 8,000
Public Works	Salaries & Wages	75,000

Vote 6 Councilmembers AYE

**RESOLUTION 2012-S-188** – Award Water Tower Bid

Upon motion of Councilmember Karen Lane  
Seconded by Councilmember Joan Kramar

**RESOLUTION 2012-S  
AWARDING A CONTRACT  
FOR 95<sup>TH</sup> STREET WATER STORAGE TANK**

**WHEREAS**, four (4) bids were received by the Stone Harbor Municipal Clerk on December 13, 2012, on the Borough's Notice to Bidders for the aforementioned project in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-U-050, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

**WHEREAS**, Corrosion Control Corporation, 177 Route 130, Pedricktown, NJ 08067, submitted the lowest responsible and conforming bid in the amount of \$484,200.00, and

**WHEREAS**, the Borough Engineer has recommended that the contract be awarded to Corrosion Control Corporation and the bid has been found to be responsible and in conformity by the Borough Solicitor; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer's Certification attached hereto; 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 18<sup>th</sup> day of December, 2012, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned project bearing Remington and Vernick project number 05-10-U-050 be and the same is hereby awarded to Corrosion Control

- Corporation, in the amount of 484,200.00;
3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above.
  4. That the Borough Engineer is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as called for within the contract.
  5. That the Borough Clerk is authorized to return the bonds of the unsuccessful bidders.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-S-189**– Directing Distribution of New Returned Surplus Funds held in Trust  
- ACMJIF

Upon motion of  
Seconded by

Councilmember Barry D. Mastrangelo  
Councilmember Al Carusi

**RESOLUTION DIRECTING THE DISTRIBUTION  
OF THE BOROUGH OF STONE HARBOR  
NET RETURNED SURPLUS FUNDS  
HELD IN TRUST BY THE  
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Borough of Stone Harbor hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007  
**and**

**WHEREAS**, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq.,  
**and**

**WHEREAS**, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund, which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
3. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1 and 2 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.





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Harbor, in the County of Cape May and State of New Jersey that they do hereby strongly oppose any proposed legislation mandating that beach communities that accept federal or state beach replenishment monies must provide free beaches.

Vote 6 Councilmembers AYE

**RESOLUTION 2012-S-191**– Refund Fire Inspection Fee

Upon motion of Councilmember Al Carusi  
Seconded by Councilmember Joan Kramar

WHEREAS, the following submitted fees for Fire Inspection and for Rental Registration License (Fire Inspection Fee - \$50.00, Rental Registration License Fee - \$100.00); and

WHEREAS, the property owner has notified the Borough that they will not be renting their condominium this year; and

WHEREAS, the property owner has requested and the Fire Official has approved the return of said fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the Fire Inspection and Rental Registration License fees amounting to \$150.00 be refunded to the following:

1. Carole J. Benzing Trust (325 – 80<sup>th</sup> Street)  
c/o Rich Hooper  
1360 Biafore Avenue  
Bethlehem, Pa. 18017

BE IT FURTHER RESOLVED that the Chief Financial Officer shall take any and all steps necessary to effectuate such refunds and shall make the proper adjustments to the financial records of the Borough.

Vote 6 Councilmembers AYE

**MOTIONS:**

Upon motion of Councilmember Judith Davies-Dunhour  
Seconded by Councilmember Al Carusi

To authorize the Borough Engineer to prepare specifications for the 2013 Beach Concession.

**Vote 6 Councilmembers AYE**

**DISCUSSION**

OTHER EXPENSES  
BUDGET WAS  
DISCUSSED AS  
FOLLOWS::

Description	2012 Budget	2013 Requested	\$ Diff.	% Diff
<b>Administration &amp; Finance</b>				
Gen. Admin.-OE	\$28,000	\$28,000	\$0	0.00%
Mayor/Council-OE	\$13,000	\$10,545	-\$2,455	-18.88%
Mun. Clerk-OE	\$17,900	\$17,200	-\$700	-3.91%
Finance-OE	\$43,794	\$49,830	\$6,036	13.78%
Audit	\$28,000	\$28,000	\$0	0.00%

Tax Collector-OE	\$11,500	\$13,050	\$1,550	13.48%
Tax Assessor-OE	\$16,050	\$16,000	-\$50	-0.31%
Legal-OE	\$145,000	\$145,000	\$0	0.00%
Engineer-OE	\$20,000	\$20,000	\$0	0.00%
Planning Bd.-OE	\$20,000	\$19,324	-\$676	-3.38%
Zoning Bd-OE	\$8,700	\$9,550	\$850	9.77%
Building Insp.-OE	\$9,450	\$9,850	\$400	4.23%
Other Insurance	\$410,182	\$422,923	\$12,741	3.11%
Group Insurance	\$1,250,000	\$1,250,000	\$0	0.00%

**TOTAL ADMIN. & FINANCE**      \$2,021,576      \$2,039,272      \$17,696      0.88%

**Public Safety**

Fire Department O/E	\$204,300	\$204,300	\$0	0.00%
Police Department O/E	\$82,900	\$87,900	\$5,000	6.03%
Office of Emergency Mgt.O/E	\$6,400	\$6,400	\$0	0.00%
Aid to Vol. Rescue Squad	\$70,000	\$70,000	\$0	0.00%
Municipal Courts O/E	\$15,420	\$15,100	-\$320	-2.08%
Public Defender	\$3,500	\$3,500	\$0	0.00%
Uniform Fire Code Off. O/E	\$8,050	\$8,000	-\$50	-0.62%
Fire Hydrant Service O/E	\$2,800	\$2,800	\$0	0.00%

**Total Public Safety**      \$393,370      \$398,000      \$4,630      1.18%

Description	2012 Budget	2013 Plan	\$ Diff.	% Diff
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**Public Works**

Public Works O/E	\$119,900	\$120,700	\$800	0.67%
Solid Waste O/E	\$186,748	\$189,450	\$2,702	1.45%
Buildings & Grounds O/E	\$135,550	\$140,850	\$5,300	3.91%
Board of Health O/E	\$2,000	\$2,000	\$0	0.00%
Safety Compliance O/E	\$23,500	\$25,000	\$1,500	6.38%

**Total Public Works**      \$467,698      \$478,000      \$10,302      2.20%

**Natural Resources**

Natural Resources	\$49,000	\$45,575	-\$3,425	-6.99%
Animal Control	\$20,000	\$20,000	\$0	0.00%

**Total Natural Resources**      \$69,000      \$65,575      -\$3,425      -4.96%

**Beach & Recreation**

Beach O/E	\$51,000	\$51,000	\$0	0.00%
Parks/Playgrounds O/E	\$45,300	\$45,300	\$0	0.00%
Arts & Craft Show O/E	\$30,300	\$30,750	\$450	1.49%
Tourism OE	\$88,065	\$89,000	\$935	1.06%

**Total Beach & Recreation**      \$214,665      \$216,050      \$1,385      0.65%

**Utility Expenses**

Gasoline	\$160,000	\$160,000	\$0	0.00%
Electric	\$105,000	\$105,000	\$0	0.00%
Street Lighting	\$110,000	\$110,000	\$0	0.00%
Telephone	\$60,000	\$60,000	\$0	0.00%

**Total Utility**      \$435,000      \$435,000      \$0      0.00%

Description	2011 Budget	2012 Plan	\$ Diff.	% Diff
<b>Unclassified</b>				
F.I.C.A.	\$400,000	\$400,000	\$0	0.00%
Unemployment Ins.	\$25,000	\$25,000	\$0	0.00%
Longevity	\$38,887	\$40,000	\$1,113	2.86%
P.F.R.S.	\$294,179	\$294,782	\$603	0.20%
P.E.R.S.	\$284,338	\$261,594	-\$22,744	-8.00%
DCRP	\$2,000	\$3,500	\$1,500	75.00%
100th Anniversary	\$10,000	\$10,000	\$0	0.00%
Contingent	\$5,000	\$5,000	\$0	0.00%
Capital Improvement Fund	\$75,000	\$75,000	\$0	0.00%
Special Emergency	\$10,000	\$10,000	\$0	0.00%
<b>Total Unclassified</b>	<b>\$1,144,404</b>	<b>\$1,124,876</b>	<b>-\$19,528</b>	<b>-1.71%</b>
<b>Debt Service</b>				
Bond Principal	\$2,275,000	\$2,405,000	\$130,000	5.71%
Bond Interest	\$794,517	\$720,020	-\$74,497	-9.38%
NJEIT Principal	\$71,727	\$150,000	\$78,273	109.13%
NJEIT Interest	\$40,369	\$80,000	\$39,631	98.17%
Note Principal	\$0	\$0	\$0	0.00%
Note Interest	\$0	\$0	\$0	0.00%
<b>Total Debt Service</b>	<b>\$3,181,613</b>	<b>\$3,355,020</b>	<b>\$173,407</b>	<b>5.45%</b>
<b>Reserve for Uncollected Taxes</b>	<b>\$401,736</b>	<b>\$400,000</b>	<b>-\$1,736</b>	<b>-0.43%</b>
<b>Total General Appropriations</b>	<b>\$8,329,062</b>	<b>\$8,511,793</b>	<b>\$182,731</b>	<b>2.19%</b>

#### SPECIAL EVENT APPLICATION CHANGES

Councilmember Davies-Dunhour explained the packet in the agenda provided by Tourism Director Liz Hargett which shows the new application for special events. She stated that before the committee goes any further they wanted to get comments from the Council. It will require an Ordinance change. We would like to do the Ordinance change and then do the fees by Resolution. The basis of the application is a lot of the Borough employees are used for Special Events. Listed are Borough Sponsored Events and Non-Borough Sponsored Events. What is not listed is smaller events, book signings downtown etc. The committee is trying to recoup some of the money (expenses) that the taxpayers are putting out in supporting these events and they are looking for a happy medium, where we don't chase people away. We also increased the fees for filing, one fee for filing within 60 days, one fee within 30 days and 15 days is another. This will encourage people to get their applications in. The application asked many questions about what would be needed from the Borough.

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Councilmember Lane commented that these are excellent suggestions, long overdue. She suggested since we now know what these things cost, perhaps we should look at a percentage from some of the bigger money makers. You may be able to exempt other smaller events.

There was a discussion about how to make it fair, without chasing people away from Stone Harbor.

Councilmember Kramar said the filing fee is a definite plus, will keep people from coming in late and give the Borough more time to prepare. It should be followed and there can't be any leeway.

Councilmember Davies-Dunhour said you can see we will be recouping only a small percentage of what we put out but we want people to come here, but it is starting to be at the expense of our taxpayers. If we are in agreement we will introduce the Ordinance in January make changes by Resolution.

AGENDA – ORGANIZATION MEETING

Mayor Walters said most other Municipalities do a consent agenda of some kind. The Clerk's office has prepared a draft agenda for the Organization meeting on January 2 and distributed it to Council. This will move the meeting along more quickly and still give the information to the public.

Councilmember Davies-Dunhour asked if someone is in the audience and asks a question on a resolution that has been listed, how would that go? We will add a Public Session to the beginning of the meeting so people can ask any questions. Solicitor Donohue said from time to time a councilmember can pull out a resolution and move it down for the regular agenda and it would be voted on separately. Mayor told Council to look everything over and if they wanted something out or changed to let the Clerk's office know.

Councilmember Kramar had a question about the meeting times mostly the Reorganization meeting. An Ordinance change will be required to change the time of the Reorganization meeting.

The following bills were presented to Council for their approval:

December 20, 2012

BOROUGH OF STONE HARBOR

Check #	Check Date	Vendor	Amount Paid
Reconciled/Void		Ref Num	
32916	12/13/12	TREASNJ8 TREASURER, STATE OF NEW JERSEY	2,778.06
32917	12/13/12	TREASUR9 TREASURER, STATE OF NEW JERSEY	600.00
32918	12/13/12	TRES6 TREASURER, STATE OF NEW JERSEY	600.00
32919	12/19/12	ACELE ATLANTIC CITY ELECTRIC CO.	3,566.46
32920	12/19/12	ACESEWER ATLANTIC CITY ELECTRIC	522.31
32921	12/19/12	ACESTLIG ATLANTIC CITY ELECTRIC	6,924.86
32922	12/19/12	ACEWATER ATLANTIC CITY ELECTRIC	3,486.02
32923	12/19/12	ACTIO ACTION SUPPLY	441.88
32924	12/19/12	ADVLE ADVANCE LEARNING	99.00
32925	12/19/12	ALLEGGRAM ALLEGRA MARKETING, PRINT, MAIL	329.88
32926	12/19/12	AUTOZONE AUTO ZONE	61.91
32927	12/19/12	AVAYA AVAYA, INC.	787.66
32928	12/19/12	BILLO BILLOWS ELECTRIC SUPPLY CO.	10,299.00
32929	12/19/12	BLANEYDO BLANEY & DONOHUE	750.00
32930	12/19/12	BORSH BOROUGH OF STONE HARBOR	179,918.49
32931	12/19/12	BREWERR0 ROBERT BREWER	69.99
32932	12/19/12	BROPHYTI TIMOTHY BROPHY	109.97
32933	12/19/12	CANDE CANDELORE, DEBORAH A.	16.04
32934	12/19/12	CAPE4 CAPE 47 LUMBER CO.	108.00
32935	12/19/12	CAPRI CAPRIONI PORTABLE TOILETS	50.00
32936	12/19/12	CHRIS CHRISTMAN, H.B.	339.71
32937	12/19/12	COMCAST COMCAST	127.13
32938	12/19/12	CONOV CONOVER'S	415.00
32939	12/19/12	COYNE COYNE CHEMICAL	1,425.76
32940	12/19/12	CPORT CAPE PORT MARINE SUPPLY	507.90
32941	12/19/12	CRUZA CRUZAN'S FREIGHT LINER TRUCK	332.64
32942	12/19/12	DAVID DAVIDSON, PAMELA G.	60.00
32943	12/19/12	DIVER DIVERSIFIED INSPECTIONS/ITL	1,225.00
32944	12/19/12	DUFFI DUFFIELD ASSOCIATES, INC.	3,278.90

32945	12/19/12	EASTERNW	EASTERN WAREHOUSE DISTRIBUTORS	502.73
32946	12/19/12	EGGHARBO	EGG HARBOR TWP H.S.BAND BOOSTE	700.00
32947	12/19/12	ELMERDOO	ELMER DOOR CO.	5,300.00
32948	12/19/12	FASTENAL	FASTENAL INDUSTRIAL/CONSTRUCTI	315.17
32949	12/19/12	FOSTE	FOSTER, SCOTT	120.00
32950	12/19/12	GALLS	GALL'S, INC.	262.00
32951	12/19/12	GARDS	GARDEN STATE HWY. PRODUCTS	225.00
32952	12/19/12	GENTI	GENTILINI FORD, INC.	1,825.75
32953	12/19/12	GOLFCARS	GOLF CARS UNLTD., LLC	504.90
32954	12/19/12	GREAT	GREAT AMERICAN TROLLEY COMPANY	200.00
32955	12/19/12	GROVE	GROVE SUPPLY, INC.	268.66
32956	12/19/12	GRUBERJO	JOHN GRUBER	1,700.00
32957	12/19/12	GRUCC	GRUCCIO, PEPPER, P.A.	877.25
32958	12/19/12	GRUNOWBR	GRUNOW, BRENT H.	128.40
32959	12/19/12	HARB2	HARBOR DE-ICING SYSTEMS	1,630.00
32960	12/19/12	HARRI	HARRIS COMPUTER SYSTEMS	86.52
32961	12/19/12	HERAL	HERALD NEWSPAPERS	650.00
32962	12/19/12	HESSCORP	HESS CORPORATION	0.00
12/19/12	VOID	0		
32963	12/19/12	HESSCORP	HESS CORPORATION	8,215.46
32964	12/19/12	HOMED	HOME DEPOT CREDIT SERVICES	29.83
32965	12/19/12	HUFFSPOW	HUFF'S POWER EQUIPMENT, LLC	70.29
32966	12/19/12	INTEGRAT	INTEGRATED TECHNICAL SYSTEMS	160.00
32967	12/19/12	JACKSSHA	JACK'S SHACK	287.25
32968	12/19/12	JAXLLC	JAX, LLC	550.00
32969	12/19/12	JOHN2	JOHNSTONE SUPPLY	151.64
32970	12/19/12	KEENC	KEEN COMPRESSED GAS	54.30
32971	12/19/12	KELTE	KELTEX IMPRINTED APPAREL INC.	2,922.00
32972	12/19/12	KINDL	KINDLE FORD MERCURY LINCOLN	1,151.55
32973	12/19/12	LANEKARE	KAREN LANE	80.16
32974	12/19/12	LAURYHEA	LAURY HEATING	884.50
32975	12/19/12	LAWYE	LAWYERS DIARY & MANUAL	99.00
32976	12/19/12	LEADE	LEADER PRINTERS	930.33
32977	12/19/12	LOWES	LOWE'S	482.06
32978	12/19/12	MAGELLAN	MAGELLAN HILL TECHNOLOGIES	2,993.35
32979	12/19/12	MARSHMCL	MARSH & MCLENNAN AGENCY, LLC	2,500.00
32980	12/19/12	MATCO	MID ATLANTIC TOOLS, LLC	78.85
32981	12/19/12	MCGONAGL	KATHERINE MC GONAGLE	190.00
32982	12/19/12	MIDAT	MID-ATLANTIC WASTE SYSTEM	660.05
32983	12/19/12	MONZO	MONZO CATANESE, P.C.	522.75
32984	12/19/12	NEXTCOMM	NEXTEL COMMUNICATIONS	514.57
32985	12/19/12	NJLOMDUE	NJ ST LEAGUE OF MUNICIPALITIES	85.00
32986	12/19/12	OCECO	OCEAN/COASTAL CONSULTANTS, INC	28,838.87
32987	12/19/12	ONECA	ONE CALL CONCEPTS, INC.	68.58
32988	12/19/12	PALME	CHRISTOPHER PALMER	293.50
32989	12/19/12	PATTI	PATTI'S PARTY WORLD	79.95
32990	12/19/12	PEDRO	PEDRONI FUEL COMPANY	6,122.53
32991	12/19/12	PERONEEL	PERONE ELECTRIC	90.00
32992	12/19/12	PRESS	PRESS OF ATL.CITY MEDIA GROUP	150.26
32993	12/19/12	PROJGRAP	PROJECT GRAPHICS	460.83
32994	12/19/12	RADEC	RADECKI, ELLA	80.00
32995	12/19/12	REELF	REEL FIRE PROTECTION INC.	1,785.96
32996	12/19/12	REEVE	REEVES, CRAIG	175.00
32997	12/19/12	REMIN	REMINGTON, VERNICK & WALBERG	0.00
12/19/12	VOID	0		
32998	12/19/12	REMIN	REMINGTON, VERNICK & WALBERG	0.00
12/19/12	VOID	0		
32999	12/19/12	REMIN	REMINGTON, VERNICK & WALBERG	56,362.15
33000	12/19/12	RENTA	RENTAL COUNTRY	42.23
33001	12/19/12	RIGGI	RIGGINS, INC.	8,884.18
33002	12/19/12	ROSSEVI	ROSS ENVIRONMENTAL SOLUTIONS	150.00
33003	12/19/12	RRSPEC	R & R SPECIALTIES	252.00
33004	12/19/12	RUNYO	RUNYON, MICHAEL	595.00
33005	12/19/12	RUTG1	RUTGERS UNIVERSITY	195.00
33006	12/19/12	SASSLLC	SASS, LLC C/O STEVE BRIGHT	1,132.29
33007	12/19/12	SCHU2	SCHULER SECURITY, INC.	135.00
33008	12/19/12	SCHUYMOB	SCHUYLKILL MOBILE FONE	60.00
33009	12/19/12	SCOTT	SCOTT, DEBORAH	145.00
33010	12/19/12	SJGAB	SOUTH JERSEY GAS CO.	1,499.99
33011	12/19/12	SJGAW	SOUTH JERSEY GAS CO.	167.10
33012	12/19/12	SMITHJ	JOSEPH SMITH	196.46
33013	12/19/12	SOKOR	MATTHEW SOKORAI	195.60
33014	12/19/12	SSUPP	SEASHORE SUPPLY COMPANY	817.00
33015	12/19/12	STAPL	STAPLES CREDIT PLAN	0.00
12/19/12	VOID	0		
33016	12/19/12	STAPL	STAPLES CREDIT PLAN	606.69
33017	12/19/12	STAPLEBU	STAPLES BUSINESS ADVANTAGE	770.78
33018	12/19/12	STRAGABR	STRAGA BROTHERS, INC.	37,561.48
33019	12/19/12	STROBESN	STROBES N'MORE	542.55

33020	12/19/12	STRUE	SEASHORE ACE HARDWARE	1,258.43
33021	12/19/12	TIRAD	TIRADO, FRANCISCO	55.00
33022	12/19/12	VALAS	VAL ASSO. LABORATORY INC.	2,345.00
33023	12/19/12	VERI1	VERIZON	543.54
33024	12/19/12	VERKIOSK	VERIZON WIRELESS	160.04
33025	12/19/12	VINAU	VINELAND AUTO ELECTRIC	499.26
33026	12/19/12	VITAL	VITAL COMMUNICATIONS, INC.	530.00
33027	12/19/12	WESTE	WESTERN PEST SERVICES	117.50
33028	12/19/12	WESTP	WEST GROUP PAYMENT CENTER	173.88
33029	12/19/12	WWORK	WATER WORKS SUPPLY CO., INC.	11,532.00

Upon motion of  
Seconded by

Councilmember Joan Kramar  
Councilmember Barry Mastrangelo

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 2012-S-192** (Executive Session)

Upon motion of  
Seconded by

Councilmember Barry Mastrangelo  
Councilmember Albert Carusi

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC  
IN ACCORDANCE WITH THE PROVISIONS OF  
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,  
N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters Relating to the Employment Relationship, the relevant employees having been properly notified in accordance with law.*
2. *Contract Negotiations – Change Orders – Recreation Building*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on December 18, 2012, that an Executive Session closed to the public shall be held on December 18, 2012 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 Barry Mastrangelo  
Councilmember Albert Carusi

To return to Open Session.

**Vote**

**6 Councilmembers AYE**

**RESOLUTION 2012-S-193** (Change Order #4 – Recreation Building)

Upon motion of  
Seconded by

Councilmember Judy Davies-Dunhour  
Councilmember Joselyn O. Rich

**WHEREAS**, the Borough of Stone Harbor is currently under contract with Straga Brothers, Inc.

for the construction of the Recreation Support Building; and

**WHEREAS**, it is the recommendation of the Borough's Architect, Olivieri, Shousky & Kiss, to authorize Change Order No. 4 – as outlined in AIA Document G701-2001 dated December 15, 2012 attached hereto and incorporated herein by reference; and

**WHEREAS**, Change Order No. 4 will result in a \$14,695.00 increase to the amended contract amount of \$1,581,105.00 for an amended contract price of \$1,595,800.00; and

**NOW, THEREFORE, BE IT RESOLVED**, this 18<sup>th</sup> day of December, 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. 4 be and hereby is authorized; and

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 4 pursuant to AIA Document G701-2001 dated December 15, 2012 attached hereto and made a part hereof.

Vote

6 Councilmembers AYE



Regular Meeting, December 18, 2012

MOTION:

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

Council authorized Jim Nicola CFO to process the bill for Straga Brothers provided the funds are available and the vouchers have been property endorsed.

Vote 6 Councilmembers AYE

MOTION:

Upon motion of Councilmember Karen Lane  
Seconded by Councilmember Barry D. Mastrangelo

To authorize the Administrator to proceed as discussed in private session with regard to salaries.

Vote 6 Councilmembers AYE

PUBLIC COMMENT

None

MOTION TO ADJOURN

Upon motion of Councilmember Barry Mastrangelo  
Seconded by Councilmember Joan Kramar

That the Regular Meeting of Mayor and Council be adjourned at 6:30 p.m.

**Vote 6 Councilmembers AYE**

APPROVED \_\_\_\_\_, 2012

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

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