

**MINUTES OF THE REGULAR MEETING OF
MAYOR AND COUNCIL OF THE BOROUGH OF
STONE HARBOR HELD IN THE MUNICIPAL
BUILDING, FEBRUARY 19, 2013**

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
Judith Davies-Dunhour, President
Joan Kramar
Joselyn Rich
Karen Lane
Barry Mastrangelo

ABSENT

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 4, 2013.

MOTION CONCERNING THE MINUTES

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of January 15, 2013 and the Work Session Meeting of February 5, 2013 if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Vote

5 Councilmembers AYE

REPORTS OF COMMITTEES AND OFFICERS

PUBLIC SAFETY – Councilmember Davies-Dunhour provided the Public Safety Report in Councilmember Carusi's absence. Councilmember Davies-Dunhour reported that the Public Safety Committee met on February 11, 2013 and discussed the following issues: the continued Shared Services Agreement with the Borough of Avalon for our Municipal Court Administrator as she splits her time between here and Avalon; the future of the dispatching services and the best course of action as discussions continue with local, county and State officials including discussions with Avalon about a Share Services Agreement and meetings are being scheduled to discuss same with Middle Township and the City of Ocean City. Chief Stanford reported the following highlights for January, 2013: 18 fire calls; 4 drills; 1 meeting; 353 man-hours; 1 mutual aid; and 8 EMS calls. Chief Stanford provided the following statistical report for the Fire Prevention Bureau: 155 inspections; 7 smoke detectors; and rental inspections continue daily. Captain Dan Mulraney provided the police statistical report for January, 2013 as follows: 714 incidents logged, 10,498 miles patrolled; 107 motor vehicle stops; 17 moving violation; 1 parking violation; 1 suspicious motor vehicle; 2 adult arrests; 1 driving while intoxicated; 13 alarms; 10 fire calls; 8 EMS; 30 open doors/windows; 32 heater lights; and 3 animal complaints. Captain Mulraney reported on training for the police department and dispatchers and several ongoing investigations, as well as various thank you notes received.

NATURAL RESOURCES - Councilmember Rich reported that the Natural Resources Committee met on February 1, 2013 and Peter J. Bosak, Ph.D., Superintendent of the CMC Mosquito Control Commission and Matt Diem, Assistant Superintendent were invited and attended the meeting and discussed the Commission's involvement at the Bird Sanctuary. Councilmember Rich stated that the Mosquito Commission will be working with Grant Russ and Public Works to plan projects for the Bird Sanctuary at no cost to the Borough. Councilmember Rich reported that on January 25, 2013, a Meet and Mingle was hosted at the Recreation Support Building for volunteers from the Shade Tree Committee, Go Green Committee, Natural Resources Advisory Committee and the Bird Sanctuary Committee. Councilmember Rich reported that the mixer was well attended and that Mayor and Council were also in attendance. Councilmember Rich reported that that beach replenishment project is scheduled to start in April and should be completed by May 23, 2013. Councilmember Rich reported that the meeting with Ocean Coastal has to be rescheduled regarding Site 103 and we are still

waiting on the final report. Councilmember Rich stated that Avalon invited the Borough to a “Waterway Debris Removal Meeting” sponsored by FEMA Recovery Department regarding an assessment of the debris and sand around town from Sandy. Councilmember Rich stated she believes we should have our own meeting with the FEMA Recovery Department. Councilmember Rich reported that the Bird Sanctuary Committee met on January 26, 2013 and selected Jack Berrigan as the Chairman and Diana Harris as the Secretary and at the meeting discussed plans for the Sanctuary and also welcomed new member, Lenore Tedesco, from the Wetlands Institute. Councilmember Rich reported that the Natural Resources Advisory Committee met on January 26, 2013 and selected Randall Bauer as the Chairman and Bill Stump as the Secretary and discussed ideas for the future including two projects including combining with the ROA and the Wetlands for the Clean Ocean Action Beach Sweeps and working with the ROA and the Wetlands on containers for disposing fishing lines, which is a grant that the Wetlands applies for. Councilmember Rich reported that the Planning Board met on February 11, 2013 where they discussed the ABFE Flood Maps and elevations and the emergency amendments to the New Jersey Flood Hazard Area Control Act rules adopted by the Governor on January 24, 2013 which were included in our Ordinance amending our Zoning Ordinance which is on the Agenda this evening.

BEACH & RECREATION – Councilmember Davies-Dunhour reported that the Recreation Advisory Committee met on February 4, 2013 and the Beach, Recreation and Tourism Committee met on February 15, 2013. Councilmember Davies-Dunhour reported that the February rec schedule is on-line and the March schedule will be available shortly and that the winter schedule continues to be going well and all the activities are well attended. Councilmember Davies-Dunhour reported that the Recreation Support Building will be on the Garden Club’s Annual House Torun this year which will be held on June 1. Councilmember Davies-Dunhour reported that the Administrator, the Engineer and the Director of Public Works will be meeting with representative from Game Time to finalize plans for the installation of the new playground at 81st Street and First Avenue with plans to be finished before Memorial Day weekend. Councilmember Davies-Dunhour reported that part of the plan is to temporarily set up the area for a splash park with removable tenting/awnings which will provide a shaded area for parents and children and the Administrator will be working with Game Time to bring this all together on schedule. Councilmember Davies-Dunhour reported that the Third Annual Stone Harbor Shiver is scheduled for March 9, 2013 and we continue to receive registrations online at Active.com. Councilmember Davies-Dunhour reported that there will be jitney services between the Golden Inn and 96th Street as packages are offered at the Golden Inn to Shiver participants. Councilmember Davies-Dunhour reported that there will be a web feed that will stream line the event online, including the parade up 96th Street at noon. Councilmember Davies-Dunhour announced that the winner of the King and Queen of the Shiver contest will be announced on March 1 and encouraged everyone to please vote. Councilmember Davies-Dunhour reported that hopefully the first weekend in May the Borough will be hosting an Art and Music Festival which will formally replace the Sail Into Summer event which has been moved to the month of June to take better advantage of the weather. Councilmember Davies-Dunhour reported that the Tourism Director will be working with the Chairman of the Centennial Committee, Jim Fisher, who will be at the next Council meeting to provide a progress report.

UTILITIES - Councilmember Lane reported that the Utilities Committee met on February 1, 2013 and discussed the ordinances and Grant Russ and Kim Stevenson will update the ordinances for discussion at the next Committee meeting; the Borough Administrator will be working with the Construction Office to create an ordinance for a Smart System for all new construction; discussion continues about the need for a code enforcement officer and a suggestion has been made for a Shared Services Agreement with Avalon; and discussed the Request for an Increase in our Water Allocation Permit and effect the Reeds at Shelter Haven will have on the current Permit during the summer months. Councilmember Lane reported water usage increased 8.33 million gallons in January, 2013 compared to January, 2012, however, we had 19 water leaks, the Phase II outfall pipe removal, jet-well points for de-watering groundwater during construction, and flushed new water-mains. Councilmember Lane reported that the Go Green Committee met on February 8, 2013 which was not well attended because many members were away on vacation and Zack Nickerson, Watershed Ambassador, and Katie Barnett, DEP, were here and are building a webpage on water conservation and the effects on our watershed. Councilmember Lane reported that Zack will also be holding a class on making rain barrels and he will inform us of the schedule and anyone may attend. Councilmember Lane reported that the Committee discussed having a paper shredding day and coordinating it with the Garden’s Club’s Yard Sale in May. Councilmember Lane reported that the Committee will begin working on its Certification for Sustainable New Jersey in March, when everyone on the Committee has returned from vacation. Councilmember Lane reported on the Library Committee which feels very

strongly that the library should be on the first floor of the building, there should always be a live person to greet anyone who enters the front door, the library is a community gathering spot, there should be programs for all age groups. Councilmember Lane reported that Mayor Walters, Councilmember Rich, and Jill Gougher and she attended a meeting with the new Freeholder, Marie Hayes, who is now responsible for the library, and County Architect, Annemarie McMann. Councilmember Lane stated that she will be giving Freeholder Hayes copies of everything discussed to date and Mayor Waters stressed to Freeholder Hayes that the Borough would like to see this building demolished before the summer season.

PUBLIC WORKS – Councilmember Kramar reported that Public Works does so much for our town including ongoing sanding of the crossovers, removal of trash and debris from the beaches, marina bubbler system is checked and maintained daily, stockyard maintenance continues, salt and snow removal, monthly checks on all fire/rescue vehicles, routine monthly service on all police cars, removal of holiday decorations required 98.50 man hours, 95th Street lights were repaired, Recreation Support Building wall brackets and TVs hung, painted and repaired all outdoor benches and tables at the beach shack, repaired roof leak at Public Works Building and Borough Hall, repaired holidays lights, and the flower beds are being cleaned for mulching in the spring. Councilmember Kramar reported that the Public Works Committee met on February 4, 2013 and discussed a bulkhead and further action, the maintenance of the Bird Sanctuary, the Single Stream Recycling program and the distribution of the bulletin, discussion about the Public Arts Enhancement Program lead by William Ris Galleries for placing art sculptures in different locations in town and how it would impact Public Works, discussed a plan by the Chamber headed by Fran Mastrangelo for the week of July 20 through the 27th and how it would impact Public Works, Councilmember Lane provided an update on the hanging baskets and urns, and discussed plans for Christmas, discussed Atlantic Electric and pruning of trees and decided to ask Shade Tree Committee to supervise this task, and February 1, 2013, was the end of the Sandy storm debris collection. Councilmember Kramar reported that the next Bulk Trash pick-up day is March 11, 2013. Councilmember Kramar reported on the 911 Artifact Memorial Committee and that the Revised County Open Space Application is on the Agenda this evening and after its approval, the application will be submitted to the County. Councilmember Kramar reported that the Brochure was approved by herself, the Mayor and the Borough Administrator and will be going out in the mail this week and asked everyone to consider it for donations for the Point of Peace which will be constructed at 123rd Street and 2nd Avenue. Councilmember Kramar reported that the Centennial Committee met several times and is producing ideas for the upcoming 100th Year Anniversary, several members of the Committee have been away, but hopefully the Committee will have a full compliment by the next meeting. Councilmember Kramar reported that Centennial Committee Chairman, Jim Fisher, will be at the Council Meeting on March 19th to give a full report.

ADMINISTRATIVE & FINANCE – Councilmember Mastrangelo reported that the A & F Committee met on February 4, 2013 and a review of the January revenue reports reveal that we have collected \$327,397 while we collected \$314,379 in January 2012 which is a 4% increase which is mostly due to fees and permits. Councilmember Mastrangelo reported that the Committee met with Marc Senior from Marsh and McCellan Agency and he will review our experience rating with the State Health Benefits Plans and compare it to other private plans to insure that we are still getting the best pricing and coverage, he will also be providing educational meetings for our employees and he will be investigating dental plans in lieu of our reimbursement plan. Councilmember Mastrangelo reported that there have been several meetings about the FEMA maps which will be introduced sometime during the summer, at which time there will be a public comment period of 18 to 24 months. Councilmember Mastrangelo stated that it is imperative that we stay on top of this and have as much scientific input as we can provide to help modify the final product for Stone Harbor. Councilmember Mastrangelo stated with that in mind, the Committee is recommending the Borough Administrator contact Stu Farrell for a proposal and cost to provide the necessary science for our discussions with FEMA. Councilmember Mastrangelo reported that the 2013 Budget will be introduced at the March 5, 2013 meeting. Councilmember Mastrangelo reported that a Bond Ordinance for \$999,000 is on the Agenda this evening for 2013 Capital projects.

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

Beach Outfall Elimination Project – Phase 2

- Contractor is continuing work on First Avenue improvements.
- 93rd Street to 98th Street infrastructure is complete
- 94th Street to 98th Street concrete work is complete.
- 96th Street to 98th Street roadway grading is underway.

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, 2013 and the apparent low bidder is Corrosion Control Corporation in the amount of \$484,200.00
- A pre-construction meeting was held on January 24, 2013.
- The contractor has submitted submittals and they are currently being reviewed by our office.

95th Street Well Redevelopment

- The bid opening occurred on February 7, 2013.
- The apparent low bidder was Uni-Tech Drilling in the amount \$112,900.00

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.
- Bid documents have been prepared and the bid opening is scheduled for February 27, 2013 at 10:00 AM.

Ocean Sport Rental Concession and Hobie Cat Rides

- Bid documents have been prepared and the bid opening is scheduled for February 27, 2013 at 10:30 AM.

9/11 Memorial Park

- We have completed the survey and base mapping for the project.
- We have authorized to complete bid documents and the design is approximately 30% complete.
- We have completed the Cape May County Open Space Application and we are ready to submit the application upon authorization by the Borough.

FEMA Hazard Mitigation Grant Program

- This grant program provides a 75% grant for various flood mitigation projects.
- The Borough has selected to submit five (5) grant applications and the first step is to submit a Letter of Intent for each project by March 31, 2013.
- The five (5) applications are as follows:
 - Replacement of Various Bulkheads
 - Raising of Various Private Homes
 - 111th Street Beach Outfall
 - Emergency Generators at Recreation Building
 - Various Pump Station Elevation Adjustments

Jill Gougher reported that she is attempting to schedule a meeting with DEP, DOT, the Army Corps of Engineers, Coast Guard, FEMA, to discuss Site 103, dredging of the back bay, the beach replenishment project, and the FEMA application; she received information/analysis from the DCA on the consolidation of dispatching and received information from the Captain and also spoke to Ocean City; and Union negotiations are ongoing and a proposal for one of the contracts will be on the March 5, 2013 Agenda.

Mayor Walters reported that there have been hundreds of meetings that everyone has been going to on the FEMA maps and that she and Mr. Donohue went to Trenton last week with all five County Freeholders and just about everyone of the 16 Cape May County municipalities were represented. Mayor Walters reported that the FEMA representatives did recommend that each municipality hire their own engineer/expert to fight these preliminary advisory maps. Mayor Walters reported that the County will be hiring Stu Farrell

TREASURER’S REPORT

Current Receipts.....	\$2,501,458.35
Current Disbursements.....	\$ 999,705.39
Utility Receipts.....	\$1,195,176.77
Utility Disbursements.....	\$ 276,189.97

BOROUGH CLERK’S REPORT

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>
54	Boat Slips	\$81,900.00
53	Boat Trailers	\$6,625.00
15	Sailcraft Permits	\$3,375.00
8	Certified Copies	\$80.00
2	Newspaper Vending Permits	\$660.00
2	OPRA Request	\$80.65
95	Floating Dock Permits	\$11,875.00
	SUB-TOTAL	\$104,595.65
10	Dogs	\$42.00
1	Cats	\$5.50
	TOTAL	\$104,643.15

CONSTRUCTION OFFICE

<u>PERMIT</u>	<u>NO. OF PERMITS ISSUED</u>	<u>FEES COLLECTED</u>
Building Permits	25	\$723,231.00
Electrical Permits	15	15,348.00
Plumbing Permits	10	7,680.00
Fire Permits	9	1,390.00
DCA Permits	27	2,595.00
Zoning Permits	11	14,616.00
CTT’s	2	100.00
Violations	0	0.00
Certificate of Occupancy	20	3,426.00
Contractor’s License	1	100.00
Public Records	0	0.00
Dumpster/Semi Trailer	8	2,000.00
Utility Street Openings	12	1,200.00
TOTAL FEES COLLECTED		\$61,686.00

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Karen Lane

That the reports of committees and officers be received and filed.

Vote 5 Councilmembers AYE

COMMUNICATIONS

None

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

No one from the public spoke.

OLD BUSINESS:

ORDINANCE 1413 (Jitneys)

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

That Ordinance 1413 be taken up on second reading

Vote 5 Councilmembers AYE

The Clerk read the title only of Ordinance 1413 on second reading because a copy of said Ordinance was posted on the Clerk's bulletin board.

The Public Hearing is now open.

No one spoke.

The Public Hearing was closed.

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

That Ordinance 1413 be passed on second reading and advanced to third and final reading.

Vote 5 Councilmembers AYE

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

That Ordinance 1413 be passed on third and final reading, adopted and published according to law.

Vote 5 Councilmembers AYE

ORDINANCE 1414 (Natural Resources Advisory Committee)

Upon motion of Councilmember Joselyn Rich
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1414 be taken up on second reading

Vote 5 Councilmembers AYE

The Clerk read the title only of Ordinance 1414 on second reading because a copy of said Ordinance was posted on the Clerk's bulletin board.

The Public Hearing is now open.

No one spoke.

The Public Hearing was closed.

Upon motion of Councilmember Joselyn Rich
Seconded by Councilmember Karen Lane

That Ordinance 1414 be passed on second reading and advanced to third and final reading.

Vote 5 Councilmembers AYE

Upon motion of Councilmember Joselyn Rich
Seconded by Councilmember Karen Lane

That Ordinance 1414 be passed on third and final reading, adopted and published according to law.

Vote **5 Councilmembers AYE**

ORDINANCE 1416 (Zoning Amendments – FEMA Maps)

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1416 be taken up on second reading

Vote **5 Councilmembers AYE**

The Clerk read the title only of Ordinance 1416 on second reading because a copy of said Ordinance was posted on the Clerk’s bulletin board.

Mr. Donohue explained that this Ordinance was referred to the Planning Board as required by law and that after the Planning Board reviewed the Ordinance, they recommended that the words “or constructing” be added at Section 560-38 (D)(1)(a). Mr. Donohue stated that it was the opinion of the Planning Board solicitor that this addition did not amount to a “material change” and was just a clarification and he also agreed with this legal opinion. Mr. Donohue explained to Council that they would need to make a Motion to amend the Ordinance to include this addition then Council could proceed to adopt the Ordinance as amended.

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Barry Mastrangelo

To amend Ordinance 1416 at Section 560-38(D)(1)(a) to read: “when elevating or constructing a building to be in conformance with ABFE FEMA Maps, etc.”

Vote **5 Councilmembers AYE**

The Public Hearing is now open.

No one spoke.

The Public Hearing was closed.

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1416 as Amended be passed on second reading and advanced to third and final reading.

Vote **5 Councilmembers AYE**

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1416 as Amended be passed on third and final reading, adopted and published according to law.

Vote **5 Councilmembers AYE**

NEW BUSINESS:

ORDINANCE 1417 (BOND ORDINANCE - \$999,000 - VARIOUS IMPROVEMENTS)

Upon motion of Councilmember Barry Mastrangelo
Seconded by Councilmember Joselyn Rich

That Ordinance 1417 be taken up on first reading.

Vote

5 Councilmembers AYE

The Clerk read the title only of Ordinance 1417 on first reading.

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Joselyn Rich

That Ordinance 1317 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 19th day of March, 2013.

Vote

5 Councilmembers AYE

RESOLUTION 2013-S-43 – Temporary Capital Budget

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Joan Kramar

TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Stone Harbor, County of Cape May, desires to establish a 2013 Temporary Capital Budget to permit various general improvements,

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

SECTION 1.

The 2013 Temporary Capital Budget of the Borough of Stone Harbor is hereby constituted as follows:

<u>Project</u>	<u>Estimated Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
<u>GENERAL CAPITAL</u>			
Purchase of Vehicular Equipment	\$ 411,000.00	\$ 20,000.00	\$ 391,000.00
Improvements to Municipal Buildings, Facilities & Property	93,000.00	4,500.00	88,500.00
Purchase Equipment for Borough Departments	308,000.00	15,000.00	293,000.00
Purchase of Computer Equipment for Borough Departments	238,000.00	11,500.00	226,500.00
	<u>\$ 1,050,000.00</u>	<u>\$ 51,000.00</u>	<u>\$ 999,000.00</u>
<u>WATER AND SEWER CAPITAL</u>			
Water and Sewer Upgrades	\$ 1,450,000.00	\$ 72,500.00	\$ 1,377,500.00
New South End Well	100,000.00	5,000.00	95,000.00
Dewatering System Improvements	75,000.00	3,750.00	71,250.00
	<u>\$ 1,625,000.00</u>	<u>\$ 81,250.00</u>	<u>\$ 1,543,750.00</u>

SECTION 2.

The Borough Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey.

SECTION 3.

The aforementioned capital projects shall be included in the 2013 Permanent Capital Budget as adopted.

Vote

5 Councilmembers AYE

RESOLUTION 2013-S-44 – Water Quality Management Plan Amendment

Upon motion of
Seconded by

Councilmember Karen Lane
Councilmember Judith Davies-Dunhour

A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Borough of Stone Harbor desires to provide for the orderly development of wastewater facilities within the Borough of Stone Harbor; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on January 7, 2013 for Water Quality Management Program has been prepared by NJDEP.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of February, 2013, by the Mayor and Council of the Borough of Stone Harbor that:

1. The Mayor and Council hereby consents to the amendment entitled Water Quality Management Plan, and publicly noticed on January 7, 2013 prepared by NJDEP for the purpose of its incorporation into the applicable WQM plan.

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

Vote

5 Councilmembers AYE

RESOLUTION 2013-S-45 – Refund Boat Trailer Fee

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Joselyn Rich

WHEREAS, Barry Mastrangelo of 8523 Sunset Drive rented trailer slip # A10 at the Borough Marina; and

WHEREAS, he no longer needs the trailer slip and has notified the Clerk that he would like a refund

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May that \$ 125.00 be refunded to Barry Mastrangelo and that the proper officers make the proper adjustments in their records.

Vote

4 Councilmembers AYE
Mastrangelo ABSTAINN

RESOLUTION 2013-S-46 – Authorize Mayor to Sign Revised County Open Space Application

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

**Authorizing the Mayor to Sign
The Revised Cape May County Open Space Program
Park/Recreation Development Application**

WHEREAS, the Cape May County Open Space Program has funds available to purchase open space and various other development activities throughout Cape May County; and

WHEREAS, the Borough of Stone Harbor wishes to submit an Open Space Program Park/Recreation Development Application to this program for funding of the Point of Peace Memorial Park.

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 the Mayor, Suzanne M. Walters be and hereby is authorized to sign the attached Revised Open Space Park/Recreation Development Application on this 19th day of February, 2013.

Vote

**4 Councilmembers AYE
1 Councilmember NAY (Councilmember
Judith Davies-Dunhour)**

RESOLUTION 2013-S-47 – Award Contract for Redevelopment of 95th Street Well

Upon motion of
Seconded by

Councilmember Karen Lane
Councilmember Joan Kramar

**AWARDING A CONTRACT
FOR REDEVELOPMENT OF THE 95TH STREET WELL**

WHEREAS, two (2) bids were received by the Stone Harbor Municipal Clerk on February 7, 2013, 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-054, 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, Uni-Tech Drilling Company, Inc., 61 Grays Ferry Road, P.O. Box 407, Franklinville, N.J. 08322 submitted the lowest responsible and conforming bid in the amount of \$ 112,900.00, and

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer's Certification attached hereto; 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 19th day of February, 2013, 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-054 be and the same is hereby awarded to Uni-Tech Drilling Company, Inc. in the amount of 112,900.00;
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

5 Councilmembers AYE

RESOLUTION 2013-S-48 – Approve Special Event Application and Authorize Fees

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

**RESOLUTION APPROVING THE SPECIAL EVENTS ON
PUBLIC LANDS APPLICATION
AND SETTING THE PERMIT FEES**

WHEREAS, pursuant to Chapter 275 of the Revised General Ordinances of 1982 of the Borough of Stone Harbor, Section 275.2, a permit is required to conduct any special event within the Borough; and

WHEREAS, also pursuant to Chapter 275 of the Revised General Ordinances of 1982 of the Borough of Stone Harbor, Section 275.2, the fee for processing the application, and any other costs or fees related to the event, shall be set by resolution of Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 19th day of February, 2013 as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the attached Special Events on Public Lands Application be approved; and
3. That the fees set forth in the attached Special Events on Public Lands Application be approved.

Vote **5 Councilmembers AYE**

MOTIONS

Upon motion of Councilmember Joselyn Rich
Seconded by Councilmember Karen Lane

To appoint Jane Rakestraw to the Natural Resources Advisory Committee.

Vote **5 Councilmembers AYE**

DISCUSSION:

Councilmember Lane stated that the Utilities Committee met with the James Nicola, CFO; Glen Ortman, Auditor, and Jill Gougher, Administrator and discussed the budget situation wherein the majority of the surplus has been used and the Department is now in a position where the rates need to be increased. Councilmember Lane explained that several factors are attributable to the rate increase including the removal of the outfall pipes and the replacement of infrastructure, debt service, and water conservation which has resulted in a revenue decrease of \$83,000. Councilmember Lane explained that water conservation is a double-edged sword in that when we conserve water, the water revenue decreases, but if we don't conserve, we will exceed our monthly allotment and will be fined by the DEP, regardless, the end-user will have to pay the bill. Councilmember Lane explained that these increases are necessary for the Water/Sewer Department to be self-liquidating. Glen Ortman, Auditor, explained that the debt service for Water/Sewer in 2010 was \$602,000 and in 2014 it will be \$994,000 and does not include the next phase of the infrastructure improvements (outfall pipe removal). Mr. Ortman explained the Water Revenue Current Quarterly Minimum Charges, the New Quarterly Minimum Charges, and the Quarterly Minimum Increase. Mr. Ortman stated that the Current Quarterly Minimum is \$70, the New Quarterly Minimum would be \$86.00 and the Quarterly Minimum Increase would be \$16.00. Mr. Ortman explained that the Current Quarterly Customer Charge for Sewer Revenue Charge is \$43 and the New Quarterly Customer Charge is \$55 for a Quarterly Increase of \$12.00. Mr. Ortman explained that these increases will make the Water/Sewer Department self-liquidating in 2013 and should last through 2104 depending upon the debt service on the next phase of the outfall pipe removal project. It was agreed that an Ordinance would be prepared for the next meeting.

Mayor Waters inquired about the Banners across 96th Street. Councilmember Davies-Dunhour stated that the Beach, Rec and Tourism Committee discussed this issue last fall and agreed that the banners need to get under control, the banners were undesirable, the banners had conflicting dates, etc. and decided on having four (4) generic banners – seasonal in nature and posted by the Borough.

Councilmember Davies-Dunhour indicated that she would like to approach Middle Township about using a piece of their ground on the other side of the bridge to have a uniform sign where we could have a display announcing Borough events. Mayor Walters responded that she has had this discussion many times with Middle Township and the people that live in Stone Harbor Manor strongly object to any type of signage out on the Boulevard. Councilmember Mastrangelo indicated that he remembered when the Borough contacted the MUA about having an electronic sign on the pumping station on the Boulevard and not being able to do that that was the reason the Borough installed those poles on Third Avenue so that banners could be strewn across the street. Councilmember Kramar commented that the Committee felt that the banners just did not aesthetically look good and had a lot of personal advertising and did not represent Stone Harbor. Councilmember Davies-Dunhour stated that the Committee agreed that there would be four generic (seasonal) banners for 96th Street and all other signs (including those at the Recreation building, etc.) would be uniform in size and sophisticated. Councilmember Rich suggested maybe revisiting the MUA again regarding an electronic sign on the pumping station on the Boulevard. Councilmember Mastrangelo suggested an electronic sign at the Waterworks Building.

The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
33376	02/11/13	USPO3 U.S.POSTAL SERVICE	5,000.00
33377	02/13/13	Alignment Check	
33378	02/13/13	BORSH BOROUGH OF STONE HARBOR	175,238.58
33379	02/20/13	ACELE ATLANTIC CITY ELECTRIC CO.	3,704.77
33380	02/20/13	ACESEWER ATLANTIC CITY ELECTRIC	393.78
33381	02/20/13	ACESTLIG ATLANTIC CITY ELECTRIC	7,613.89
33382	02/20/13	ACEWATER ATLANTIC CITY ELECTRIC	3,134.88
33383	02/20/13	ADVAN ADVANTAGE RENTAL & SALES	65.47
33384	02/20/13	ALEXBUIL ALEXANDRIA BUILDERS & SON, LLC	125.00
33385	02/20/13	ALLIN ALL INDUSTRIAL SAFETY PRODUCTS	1,118.35
33386	02/20/13	ATLANREG ATLANTIC REGIONAL MEDICAL CTR.	10.00
33387	02/20/13	AVAYA AVAYA, INC.	812.18
33388	02/20/13	BERCO BERCO FLEET SERVICES	63.45
33389	02/20/13	BESTU BEST UNIFORM	393.12
33390	02/20/13	BIRCHMEI JAMES R. BIRCHMEIER	400.00
33391	02/20/13	BROPHYTI TIMOTHY BROPHY	326.53
33392	02/20/13	BURKE BURKE MOTORS	1,154.15
33393	02/20/13	CALDW CALDWELL, REGINA	51.61
33394	02/20/13	CAPE4 CAPE 47 LUMBER CO.	9,646.23
33395	02/20/13	CASAP CASA PAYROLL SERVICES	205.15
33396	02/20/13	CMCTT C.M.C. TAX & TREASURER'S ASSO.	300.00
33397	02/20/13	COMCA COMCAST	126.90
33398	02/20/13	COMCASTR COMCAST	71.03
33399	02/20/13	COMPL COMPLETE CONTROL SERVICES, INC.	650.00
33400	02/20/13	CONNELLC CONNELL CONSULTING, LLC	360.00
33401	02/20/13	CPORT CAPE PORT MARINE SUPPLY	297.80
33402	02/20/13	DAVID DAVIDSON, PAMELA G.	70.00
33403	02/20/13	DUFFI DUFFIELD ASSOCIATES, INC.	6,547.20
33404	02/20/13	EASTERNW EASTERN WAREHOUSE DISTRIBUTORS	340.28
33405	02/20/13	FBILEEDA FBI - LEEDA	50.00
33406	02/20/13	FORDS FORD, SCOTT & ASSOCIATES, LLC	15,000.00
33407	02/20/13	FREDSTAV FRED'S TAVERN	527.00
33408	02/20/13	GALLS GALL'S, INC.	86.92
33409	02/20/13	GARYS GARY'S AUTOMOTIVE SERVICE	101.50
33410	02/20/13	GENTI GENTILINI FORD, INC.	329.17
33411	02/20/13	GFOACONF GOVERNMENT FINANCE OFFICERS'	90.00
33412	02/20/13	GIVLERFA FAYE GIVLER	220.00
33413	02/20/13	GOODCHIL JAMES GOODCHILD	68.00
33414	02/20/13	GPAJNJ GOVERNMENTAL PURCHASING ASSOC.	90.00
33415	02/20/13	GRUCC GRUCCIO, PEPPER, P.A.	304.50
33416	02/20/13	HALOBRAN HALO BRANDED SOLUTIONS	2,524.81
33417	02/20/13	HARBAUGH HARBAUGH DEVELOPERS	130.00
33418	02/20/13	HARRI HARRIS COMPUTER SYSTEMS	3,971.37
33419	02/20/13	HARTZ DAVID HARTZELL	136.96
33420	02/20/13	HESSCORP HESS CORPORATION	0.00
33421	02/20/13	HESSCORP HESS CORPORATION	10,045.24
33422	02/20/13	HOMED HOME DEPOT CREDIT SERVICES	320.23
33423	02/20/13	HOOVER HOOVER TRUCK CENTERS	42.99
33424	02/20/13	INTCP INTL. ASSN. CHIEFS OF POLICE	120.00
33425	02/20/13	INTEGRAT INTEGRATED TECHNICAL SYSTEMS	160.00
33426	02/20/13	JFBUILDE J F BUILDERS	160.00
33427	02/20/13	JPLPROPE JPL PROPERTIES	82.50
33428	02/20/13	KEENC KEEN COMPRESSED GAS	55.91
33429	02/20/13	LAURYHEA LAURY HEATING	138.00
33430	02/20/13	MAGELLAN MAGELLAN HILL TECHNOLOGIES	2,984.53
33431	02/20/13	MASTB MASTRANGELO, BARRY	125.00
33432	02/20/13	MCAAO M.C.A.A. OF NEW JERSEY	90.00
33433	02/20/13	MCANJ MUNICIPAL CLERK'S ASSO. OF NJ	30.00
33434	02/20/13	MCCAB MC CABE JR., JAMES	140.00

33435	02/20/13	MEADO	BEN MEADOWS CO	42.47
33436	02/20/13	MINERCON	D.L. MINER CONSTRUCTION	73.00
33437	02/20/13	MODER	MODERN GROUP LTD.	320.50
33438	02/20/13	MODGA	MODERN GAS CO.	49.20
33439	02/20/13	MONCOMUN	MONMOUTH CO. ASSESSOR'S ASSOC.	60.00
33440	02/20/13	MOTOR	MOTOROLA SOLUTIONS, INC.	12.75
33441	02/20/13	NEXTCOMM	NEXTEL COMMUNICATIONS	423.50
33442	02/20/13	NJPOL	N.J. POLICE TRAFFIC OFFICERS	35.00
33443	02/20/13	NJSACOP1	NJ STATE ASSO.CHIEFS OF POLICE	1,050.00
33444	02/20/13	NRG	NRG BUSINESS SOLUTIONS	1.56
33445	02/20/13	OCEAN	OCEANPORT, LLC	3,204.13
33446	02/20/13	ONECA	ONE CALL CONCEPTS, INC.	64.90
33447	02/20/13	ORCHARDH	ORCHARD HYDRAULICS, INC.	172.81
33448	02/20/13	PARAM	PARAMOUNT CHEMICAL & PAPER CO.	258.56
33449	02/20/13	PRESS	PRESS OF ATL.CITY MEDIA GROUP	1,158.67
33450	02/20/13	PUERTORI	PUERTO RICAN ACTION COMMITTEE	60.00
33451	02/20/13	REEVE	REEVES, CRAIG	160.00
33452	02/20/13	REMIN	REMINGTON, VERNICK & WALBERG	0.00
33453	02/20/13	REMIN	REMINGTON, VERNICK & WALBERG	38,609.58
33454	02/20/13	RIGGI	RIGGINS, INC.	3,568.32
33455	02/20/13	SCHUYMOB	SCHUYLKILL MOBILE FONE	60.00
33456	02/20/13	SEALUKE	SEALUKE, LLC	39.00
33457	02/20/13	SEETO	SEETON TURF WAREHOUSE, LLC	703.45
33458	02/20/13	SERV1	SERVICE TIRE TRUCK CENTERS	2,344.66
33459	02/20/13	SEVMILEC	SEVEN MILE CUSTOM HOMES	162.00
33460	02/20/13	SHEE2	SHEERAN, GREGORY	203.00
33461	02/20/13	SJCONTE	SOUTH JERSEY CONTINUING ED CTR	175.00
33462	02/20/13	SJGAB	SOUTH JERSEY GAS CO.	3,272.61
33463	02/20/13	SJGAW	SOUTH JERSEY GAS CO.	593.04
33464	02/20/13	STAPL	STAPLES CREDIT PLAN	225.26
33465	02/20/13	STAPLEBU	STAPLES BUSINESS ADVANTAGE	243.03
33466	02/20/13	STEVENSO	STEVENSON, KIMBERLY	609.40
33467	02/20/13	STRUE	SEASHORE ACE HARDWARE	1,269.86
33468	02/20/13	TAYLORST	STEVEN C. TAYLOR	123.00
33469	02/20/13	TCTNJ	T.C.T.A. MEMBERSHIP SERVICES	200.00
33470	02/20/13	TIRAD	TIRADO, FRANCISCO	79.95
33471	02/20/13	TOZER	TOZER, MICHELLE	310.05
33472	02/20/13	TRICO	TRICO EQUIPMENT	220.36
33473	02/20/13	VCABS	VERIZON	537.52
33474	02/20/13	VERITYRA	RAY VERITY MASONRY, LLC	140.00
33475	02/20/13	VERKIOSK	VERIZON WIRELESS	160.04
33476	02/20/13	VINAU	VINELAND AUTO ELECTRIC	190.00
33477	02/20/13	VITAL	VITAL COMMUNICATIONS, INC.	510.00
33478	02/20/13	WESTE	WESTERN PEST SERVICES	117.50
33479	02/20/13	WORKMAN	WORKMAN, MICHAEL	120.00

Checks: 101

318,278.66

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

That we pay the bills provided the vouchers are in proper order and sufficient funds exist.

Vote

5 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 2013S-49 (Executive Session)

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

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

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

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive

Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

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

1. *Matters Relating to the Employment Relationship, the relevant employees having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on February 19, 2013, that an Executive Session closed to the public shall be held on February 19, 2013 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

5 Councilmembers AYE

MOTION – To Return to Open Session

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Karen Lane

To return to Open Session.

Vote

5 Councilmembers AYE

PUBLIC COMMENT

Randall Turney – 9715 Third Avenue – stated that he had previously been to the Zoning Board of Adjustment for a height variance (which he was granted) and he has a house which is ready to be built; however, now that he is in the V Zone (on the new FEMA maps), and his property is in the Waterfront Business District, he will be unable to build his home and meet the height requirements. Mr. Turney stated that he was at the recent Planning Board Meeting and asked at the Meeting for a parallel ordinance to the Zoning Ordinance on the FEMA maps for the Waterfront Business District. Mr. Turney indicated that his main concern is the amount of time it will take to get this parallel ordinance adopted. Mr. Turney was assured that every attempt will be made to have this ordinance ready the March 5, 2013 meeting and fast tracked to be adopted at the March 19, 2013 meeting. Mr. Turney

stated that he is ready to build and that his plans have been changed for the new open piling foundation.

MOTION TO ADJOURN

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joselyn Rich

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

Vote

5 Councilmembers AYE

APPROVED _____, 2013

_____, Mayor

ATTEST: _____, Borough Clerk