

**MINUTES OF THE REGULAR MEETING OF
MAYOR AND COUNCIL OF THE BOROUGH OF
STONE HARBOR HELD IN THE MUNICIPAL
BUILDING, JUNE 18, 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

PRESENT

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

Mayor Walters announced that the meeting was now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press and the Cape May County Herald on January 4, 2013.

MOTION CONCERNING THE MINUTES

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

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of May 21, 2013, 2013 and the Work Session Meeting of June 4, 2013 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 June 13. Councilmember Carusi reported that State Assignment Judge Menendez was here on June 3 to tour the Borough's Court facilities and recommended a metal detector be installed and Jill Gougher is investigating this issue. Councilmember Carusi reported that some members of the Committee discussed personnel issues as well. Chief Stanford provided the statistical report for the Fire Company for the month of May, 2013 as follows: 17 fire calls; 4 drills; 1 meeting; 471 man-hours; 0 mutual aid; and 22 EMS calls. Chief Stanford provided the Fire Prevention Bureau report for the month of May, 2013 as follows: 27 rental/business inspections; 0 life hazard inspection; 18 smoke detectors; 17 re-inspections; and 3 other (fire drill/complaint). Detective Sergeant Schutta provided the police statistical report for May, 2013 as follows: 1,036 incidents logged, 10,392 miles patrolled; 282 motor vehicle stops; 56 moving violations; 105 parking violation; 1 motorists assisted; 3 accidents handled; 6 suspicious motor vehicles; 6 ordinance violations; 11 adult arrests; 2 driving while intoxicated; 5 juvenile arrests; 10 alarms; 10 fire calls; 20 EMS; 29 open doors/windows; 0 heater lights; 2 domestic violence; 3 noise complaints; and 19 animal complaints. Detective Sergeant Schutta reported on training for the police department and dispatchers, investigations as well as three thank you notes were received.

NATURAL RESOURCES - Councilmember Rich reported that the beach replenishment project is currently on hold and that the dredge is in North Wildwood for a small project and should be returning to Stone Harbor in early July to complete our project. Councilmember Rich reported that the Natural Resources Committee discussed the dune fencing and signs and concluded that signs will be placed on the dunes so that no one can trespass and "orange" construction fencing will be placed along the dunes as well. Councilmember Rich reported that the Dewberry will be working in the Stone Harbor back bays to remove any debris from the waterway from Hurricane Sandy. Councilmember Rich stated that if you can prove that sediment was accumulated during Sandy, there is a possibility that sand may be removed by the State. Councilmember Rich reported that the majority of the maintenance at the Bird Sanctuary is complete and Public Works is working on a small list. Councilmember Rich reported that Dr. Tedesco, Director of the Wetlands Institute and a member of the Bird Sanctuary Committee was successful in securing a \$6,250.00 grant which will be used to begin the Invasive Species Control Project.

Councilmember Rich reported that the Planning Board met on June 10, 2013 and provided the following report: The Waterfront Business District Committee Sub-Committee is in the process of scheduling a meeting with the Planner; the Residential C Zoning Sub-Committee is in the process of scheduling its initial meeting and Planning Board accepted Mayor and Council's recommendation on the free-standing signs.

Councilmember Rich reported that the Library Committee is waiting hear from the County on what the next step will be and is also working with the County on plans for the lot where the bank was demolished.

BEACH & RECREATION – Councilmember Davies-Dunhour reported that the Beach, Recreation and Tourism Advisory Committee met on June 3, 2013 and this Committee does not meet in July and August. Councilmember Davies-Dunhour reported that the Beach, Recreation and Tourism Committee met on June 14, 2013. Councilmember Davies-Dunhour reported that compared to this time last year beach tag sales are down \$12,240.00 or 2%. Councilmember Davies-Dunhour stated that each Department Head will provide their report throughout the summer months. Lifeguard Captain Bosacco provided the following report: 4 rescues and 1 police call; annual tryouts on June 1, 2013 resulted in 16 new candidates who are currently being trained. Captain Bosacco reported that training consists of policies, procedures, rescues procedures, running, rowing, swimming, CPR certification, first aid, AED use, daily drills on the beach, etc. Captain Bosacco reported that all beaches should be open this coming weekend and stated that we have a great group of Guards and Please Do Not Swim where there are no guards on duty. Van Cathcart, Recreation Director, provided the following report: stated he has the exact same staff from last summer with the exception of one person who retired last summer. Mr. Cathcart reported that the programs started this week and include arts and crafts, adult fitness programs, one youth fitness program; morning sports will begin Monday, June 24th; and basketball on Wednesday, June 26th. Mr. Cathcart reported that the Recreation Department has many camps available including soccer camps, cross-fitness, cooking camps and all this information is available at the Recreation Center or on the Borough's website. Mr. Cathcart reported that movie night will start on July 3rd and the first movie will be Hook and will be shown at the Elementary School. Mr. Cathcart reported that the 4th of July Celebration will start with many activities and that schedule is available at the Recreation Center. Liz Hargett, Tourism Director, provided the following report on previous or upcoming events: the very successful beach opening with the Mayor cutting the Governor's "Stronger Than the Storm" ribbon as well as the Mayor cutting the ribbon at Uncle Bill's; the Memorial Day Parade; the successful Turtle Trot; the Seafood Festival which was successful despite the inclement weather; the Farmer's Market which starts June 23rd; Movie Night which starts on July 2nd; Trial on the Isle; Al Cunard Baby Parade; the Arts and Crafts Festival which is August 3rd and August 4th; the Barbeque and Brews Festival an event with 3 bands; and the Christmas Parade. Ms. Hargett reported that the Tourism Department is busy getting ready for a very busy summer.

UTILITIES - Councilmember Lane reported that Utilities Committee met on June 17 and have completed the work on the water conservation ordinance and the Ordinance is on the Agenda this evening to be introduced. Councilmember Lane stressed how important water conservation is and stated that with one of the rainiest springs on record, the Borough only used 42,000 gallons less water this year compared to the same time period last year. Councilmember Lane reported that the water tower project is complete, filled, the water has been tested and the tower is operating properly. Councilmember Lane reported that Committee is continuing to update various service fees on the ordinances. Councilmember Lane reported that the Go Green Committee will be meeting on June 28, 2013. Councilmember Lane stated that she did not have a Library Committee report to give this evening.

PUBLIC WORKS – Councilmember Kramar reported that the Public Works Committee met on June 10, 2013 and discussed ITS Kiosk, permit parking at the Borough Marina and tonight there is an Ordinance on the Agenda which will be introduced which will provide for permit parking at the Borough Marina; discussed the Interlocal Services Agreement with the School Board; trees being illegally planted in the dunes; proposed lights at 110th Street; 104th Street bridge; as well as the maintenance of the Bird Sanctuary. Councilmember Kramar reported that Public Works installed hobie cat poles on the beach; sod project at the 82nd Street Recreation Center; general beach maintenance and filling in the tunneling; cross-overs maintained; split rail replaced as necessary; building maintenance; daily checks at the marina and maintenance; automotive maintenance; lawns are cut daily; the hanging flower baskets and urns are watered daily; weeding is being done as necessary; etc. Councilmember Kramar reported that Special Events required 428.50 and is broken down as follows: Memorial Day – 53.25 hours; Music & Art Festival – 26.50 hours; Plant Sale – 19 hours; Beach Opening – 22 hours; Turtle Trot – 33.75 hours; Seafood Festival – 274 hours.

Councilmember Kramar thanked Public Works for all that they do. Councilmember Kramar informed the public that tickets for the kickoff party for the Borough's Centennial will be at the Reeds on December 28, 2013 are available and can be purchased from Mrs. Carusi and they are \$50.00 per ticket. Councilmember Kramar reported that the Borough is still waiting to hear from the County regarding the Open Space funding for the 911 Memorial.

ADMINISTRATIVE & FINANCE – Councilmember Mastrangelo reported that the A & F Committee met on June 10, 2013 and a review of the May revenue reports show that we have collected \$1,336,902.56 for 2013 while we collected \$1,294,689.77 in 2012 and we continue to see an increase in revenue for Uniform Construction fees, General Fees and Permits. Councilmember Mastrangelo reported 80% of our anticipated of our Uniform Construction Fees for the year. Councilmember Mastrangelo reported that as of May, we have spent 39.6% of our budget in 2013 compared to 33.8% in 2012. Councilmember Mastrangelo reported that the A & F Committee is working with the PW Committee and has come up with the proposed Ordinance for this evening for the permit parking as well as the presentation that is going to be made this evening. Councilmember Mastrangelo reported members of Council continue to attend informational meetings on the new FEMA maps and requirements and that the new maps have been released for Atlantic and Ocean Counties. Councilmember Mastrangelo indicated that based on the results of these new maps, he remains optimistic that we will see significant reductions in the V Zones in Stone Harbor.

Jill Gougher reported that the Fire Chief and the Chief of Police have met with Avalon to discuss the upgrades to the radios which could be incorporated into the system so that both towns could consolidate for dispatching. Mrs. Gougher reported that Middle Township is also discussing the possibility of an interlocal, however, there is no response as of this evening. Mrs. Gougher reported that a meeting has been scheduled with the new website designer, Lisa Stefankiewicz, Suzanne Stanford and herself for Thursday, June 20, 2013 to review the work that has been completed to date. Mrs. Gougher reported that the Back Bay Debris Removal project is currently still in Atlantic County, but she has met with representatives from Dewberry to discuss the need for dredging our back bays, and they have indicated that they support this project, but they would need the DEP to agree to fund the work. Mrs. Gougher reported that she is pursuing this project with the DEP and Dewberry. Mrs. Gougher reported that she is meeting weekly with Lisa Stefankiewicz and Suzanne Stanford to organize and report on the status of projects which is going well. Mrs. Gougher reported that she, Marc DeBlasio (Borough Engineer), and Grant Russ inspected the 96th Street sidewalks to determine if there was any damage from Sandy or from power washing and found none related to either event.

ENGINEER'S REPORT - Mark DeBlasio, Borough Engineer, provided the following report:

FY 2013 NJDOT Transportation Trust Fund

- The Borough was awarded a \$175,000.00 grant to reconstruct First Avenue from 89th Street to 80th Street.

Beach Outfall Elimination Project – Phase 2

- The Contractor is working on the punchlist.

NJDEP Water Allocation Permit

- The water allocation permit modification which increases monthly and annual diversion limits has been submitted to NJDEP BWA and deemed administratively complete. The application is under staff review.

USDA Rural Business Enterprise Grant (RBEG) Application

- The Borough was denied grant funding for planning and streetscape improvements.
- The application was re-submitted to USDA for FY 2013 consideration on June 18, 2013.

95th Street Water Tank Improvements and Repainting

- Work is substantially complete.
- Punchlist is being completed.

FY2014 NJDCA Small Cities Grant Application

- The Borough is applying for a grant to provide ADA improvements to the Borough Hall, Fire House and Public Works Department.

95th Street Well Redevelopment

- The bid opening occurred on February 7, 2013.
- Uni-Tech Drilling was awarded the contract in the amount of \$112,900.00.
- A pre-construction meeting was held on May 2, 2013 at 1:30 PM.

- Construction is scheduled to begin September 16, 2013.

Furnishing a Dump Truck

- Bid documents have been prepared and the project will be advertised for public bidding on June 22, 2013 with the bid opening occurring on July 9, 2013 at 10:30 AM.

Furnishing a Refuse Truck

- Bid documents have been prepared and the project will be advertised for public bidding on June 22, 2013 with the bid opening occurring on July 9, 2013 at 10:00 AM.

9/11 Memorial Park

- We have completed the survey and base mapping for the project.
- We have been authorized to complete bid documents and the design is approximately 60% complete.
- We have completed the Cape May County Open Space Application.

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

TREASURER’S REPORT

Current Receipts.....	\$3,309,905.90
Current Disbursements.....	\$4,167,139.65
Utility Receipts.....	\$ 545,754.73
Utility Disbursements.....	\$ 683,700.11

BOROUGH CLERK’S REPORT

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>
22	Business Registration	\$2,200.00
0	Boat Slips	\$0.00
1	Boat Trailers	\$125.00
38	Parking Permits	\$8,550.00
3	Sailcraft Permits	\$675.00
7	Certified Copies	\$70.00
7	Marriage Licenses	\$176.00
0	OPRA Request	\$0.00
1	Amusement License	\$300.00
4	Liquor Licenses	\$5,438.00
1	Beach Concession	\$15,000.00
	SUB-TOTAL	\$32,554.00
9	Dogs	\$43.80
0	Cats	\$0.00
	TOTAL	\$32,597.80

CONSTRUCTION OFFICE

PERMIT	NO. OF PERMITS ISSUED	FEES COLLECTED
Building Permits	44	\$28,171.00
Electrical Permits	28	\$8,111.00
Plumbing Permits	22	\$10,938.00
Fire Permits	18	\$2,115.00
DCA Permits	56	\$3,319.00
Zoning Permits	29	\$15,410.00
CTT's	15	\$750.00
Violations	1	100.00
Certificate of Occupancy	51	\$5,006.00
Contractor's License	4	\$400.00
Other (Bulkhead)	2	\$1,255.00
Dumpster/Semi Trailer	3	\$750.00
Utility Street Openings	13	\$1,300.00
TOTAL FEES COLLECTED		\$77,625.00

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

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

Vote

6 Councilmembers AYE

PRESENTATION

Joe Yarlano – ITS Kiosk provided a presentation on the Cell Phone application which can be used in conjunction our meters.

COMMUNICATIONS

None

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

John Ready – inquired about the water conservation and about tear downs and new construction. Mr. Ready stated that most of the tears downs properties are putting up new homes with 5 bedrooms with 5 bathrooms.

Tom Todd -- Swainton and a store owner on 96th Street – provided Mayor and Council with a copy of a survey he did on store owners on 96th Street regarding the closing of 96th Street during festivals. Mr. Todd stated that closing 96th Street hurts business owners and the majority of the business owners are against them. Mr. Todd stated that he see Public Works watering plans all the time and if the Borough is trying to conserve water, he does not understand why they would be watering the plants when its raining. Mr. Todd stated that he sees Public Works sitting around all the time.

OLD BUSINESS:

None.

NEW BUSINESS:

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 2013-S-119 (Executive Session)

Upon motion of

Councilmember Albert Carusi

Seconded by

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 the law.*
- 2. Matters Relating to Contract Negotiations and/or the Attorney, Client Privilege – Agreement, Borough and Local #2327 UAW.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on June 18, 2013, that an Executive Session closed to the public shall be held on June 18, 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 **6 Councilmembers AYE**

MOTION – To Return to Open Session

Upon motion of Councilmember Barry Mastrangelo
Seconded by Councilmember Karen Lane

To return to Open Session.

Vote **6 Councilmembers AYE**

MOTION – NEW PUBLIC WORKS DIRECTOR

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Barry Mastrangelo

To appoint Grant Russ as the Director of Public Works effective July 1, 2013.

Vote **6 Councilmembers AYE**

ORDINANCE 1425 (Establishing Allowable Irrigation Schedules)

Upon motion of Councilmember Karen Lane
Seconded by Councilmember Joselyn Rich

That Ordinance 1425 be taken up on first reading.

Vote **6 Councilmembers AYE**

The Clerk read the title only of Ordinance 1425 on first reading.

Upon motion of
Seconded by

Councilmember Karen Lane
Councilmember Joselyn Rich

That Ordinance 1425 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 16th day of July, 2013.

Vote

6 Councilmembers AYE

ORDINANCE 1426 (Regulating Nonconforming Structures)

Upon motion of
Seconded by

Councilmember Joselyn Rich
Councilmember Barry Mastrangelo

That Ordinance 1426 be taken up on first reading.

Vote

6 Councilmembers AYE

The Clerk read the title only of Ordinance 1426 on first reading.

Upon motion of
Seconded by

Councilmember Joselyn Rich
Councilmember Barry Mastrangelo

That Ordinance 1426 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 16th day of July, 2013.

Vote

6 Councilmembers AYE

ORDINANCE 1427 (Permit Parking at the Borough Marina)

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Albert Carusi

That Ordinance 1427 be taken up on first reading.

Vote

6 Councilmembers AYE

The Clerk read the title only of Ordinance 1427 on first reading.

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Albert Carusi

That Ordinance 1427 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 16th day of July, 2013.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-120 – Permit for Fireworks Display

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Joan Kramar

**FIREWORKS DISPLAY
July 4, 2013**

WHEREAS, the Volunteer Fire Company of the Borough of Stone Harbor has applied to the Governing Body of the Borough of Stone Harbor for permission to have a fireworks display on July 4, 2013 with an inclement weather date of July 5, 2013; and

WHEREAS, N.J.S.A. 21:3-3 permits the governing body of a municipality, upon posting of a suitable bond, to grant a permit for the purchase, possession and public display of fireworks by organizations approved by the governing body; and

WHEREAS, the Chief of the Fire Department shall be the person who will purchase and receive delivery of the fireworks and is satisfied that the display shall be made in a location where same shall not be hazardous to persons and property;

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that permission is hereby granted to the Fire Department of the Borough of Stone Harbor to hold a fireworks display in Stone Harbor on July 4, 2013, with an inclement weather date of July 5, 2013, so long as the location thereof and the operator thereof are approved by the Chiefs of the Stone Harbor Police and Stone Harbor Fire Department.

BE IT FURTHER RESOLVED that Roger W. Stanford, Fire Chief, is the person authorized to purchase, or otherwise order, and receive delivery of the fireworks, and the fireworks shall be of the specific types and/or kinds as set forth on the attached sheets.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-121 – Liquor License Renewal – Fred’s Tavern

Upon motion of
Seconded by

Councilmember Karen Lane
Councilmember Judith Davies-Dunhour

WHEREAS, Fred’s Tavern and Liquor Store, Inc., License #0510-32-002-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2013 to June 30, 2014; and

WHEREAS, the Issuing Authority has found that:

- a) the submitted application forms for renewal are complete in all respects;
- b) the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations; and
- c) the applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensing businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant.

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Fred’s Tavern and Liquor Store, Inc. of 310-320 96th Street. That said license shall become effective on July 1, 2013 and be for the one year from said date expiring at the close of business on June 30, 2014 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-122 – Liquor License Renewal – The Yacht Club of Stone Harbor

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Joan Kramar

WHEREAS, The Yacht Club of Stone Harbor, License #0510-31-005-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Club License

for the year beginning July 1, 2013 to June 30, 2014; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$188.00 for the Club License has been attached to the application.

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 Club License for the sale of alcoholic beverages shall be signed, issued and delivered to The Yacht Club of Stone Harbor of 90th Street and Sunset Drive, Stone Harbor, New Jersey. That said license shall become effective on July 1, 2013 and be for the one year from said date expiring at the close of business on June 30, 2014 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

Vote

4 Councilmembers AYE
2 Councilmembers ABSTAIN
(Councilmembers Carusi and Rich)

RESOLUTION 2013-S-123 – Liquor License Renewal – Harbor Liquors, LLC t/a Kuishimbo

Upon motion of
Seconded by

Councilmember Joselyn Rich
Councilmember Joan Kramar

WHEREAS, Harbor Liquors LLC t/a Kuishimbo License #0510-32-004-010 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2013 to June 30, 2014; and

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application shall be granted and a license issued; and

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant;

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Harbor Liquors LLC t/a Kuishimbo 330 – 96th Street, Stone Harbor, N.J. 08247 under the provisions of Resolution

2003-S-119, a copy of which is annexed hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that said license shall become effective on July 1, 2013 and be for the one year from said date expiring at the close of business on June 30, 2014 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-124 – Liquor License Renewal – Harbor Pub, Inc.

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

WHEREAS, Harbor Pub, Inc., License #0510-33-001-010 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2013 to June 30, 2014; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant.

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Harbor Pub, Inc., of 261-265 96th Street (Unit 101 as shown on site plan dated 11/1/83 and revised to include 202, 207 and the second level walkway 2/4/86, and revised again on 11/3/87 to include 201, 203 and 204), and subject to the following conditions:

- a) Unit #201 is the former kitchen and is to be used for storage purposes only;
- b) Unit #207 is to be used for the walk-in freezers and storage only;
- c) Attached hereto are the layouts approved by the Construction Office as follows: 1st and 2nd floor layout, entitled "Snickers Bar and Restaurant", which is to be used to identify the Unit numbers only, and P.J. Ryan's floor layout, dated 12/5/95 and revised 3/19/96, prepared by Macallister Group, Sheet #P-1, which identifies all bar areas, restrooms, storage areas, dining areas, etc.d)

Licensee is responsible for the removal and disposal of its trash on a daily basis during operations under the liquor license, in addition to the removal done by Borough employees, and in order to comply with the intent, shall supply four (4) 2 ½ yard dumpsters with tight fitting lids, to be located behind the Harbor Plaza for the storage of trash and garbage.

BE IT FURTHER RESOLVED, that said license shall become effective on July 1, 2013 and be for the one year from said date expiring at the close of business on June 30, 2014 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 1982, Borough of Stone Harbor, New Jersey.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-125 – Release Surety Bond Escrows for Street Opening Permits

Upon motion of

Councilmember Karen Lane

Seconded by

Councilmember Joselyn Rich

WHEREAS, the following submitted Surety Bond Escrow monies for Street Openings; and

WHEREAS, the Zoning Officer has requested and approved the return certain fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the following fees be returned as follows:

- | | |
|--|-------------|
| 1. DL Miner 10618 First Avenue | \$ 2,650.00 |
| 2. DL Miner 180 – 114 th Street | 7,910.00 |
| 3. Melicahe Enterprises LLC James Jones
237 – 81 st . Street | 1,220.00 |
| 4. Brandywine Construction 6 – 90 th Street | 1,850.00 |
| 5. Zaucha Family Limited Partnership
11811 Second Avenue | 1,400.00 |
| 6. Sea Luke/Samples 11023 Sunset Drive | 1,210.00 |
| 7. Sea Luke/Samples 10202 Second Ave
(171 – 102 nd Street) | 3,800.00 |

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-126 – Authorize Award of Extraordinary Unspecifiable Services Contract – Surf Camp

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Barry Mastrangelo

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR A SURF CAMP**

WHEREAS, the Borough of Stone Harbor’s Recreation Department is desirous of offering a surf camp for the 2013 summer season; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as an Extraordinary Unspecifiable Service; 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 18th day of June, 2013, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Mayor and Borough Clerk are hereby authorized and directed to execute the attached contract for establishment of a Surf Camp 2013.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-127 – Appointing an Acting Police Sergeant

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Joan Kramar

WHEREAS, one of the positions of Sergeant in the Stone Harbor Police department is presently vacant due to the appointment of Sergeant Thomas Schutta to Acting Captain; and

WHEREAS, the Borough’s Public Safety Committee recommends and believes it to be in the best interest of the Borough to appoint an Acting Sergeant to temporarily fill the vacant Sergeant position; and

WHEREAS, the Borough’s Public Safety Committee recommends that Officer Michael Workman be appointed Acting Sergeant; and

WHEREAS, the appointment shall be in accordance with the policies and procedures of the Borough and the Police Department and in accordance with applicable law;

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 18th day of June, 2013 that:

1. Effective June 19, 2013 the Borough Council of the Borough of Stone Harbor hereby appoints Officer Michael Workman to serve as Acting Sergeant of the Stone Harbor Police Department.
2. While in the position of Acting Sergeant, Michael Workman shall have all the duties, rights and obligations of the position of Sergeant in the Stone Harbor Police Department, until such time as the selection process for a Sergeant can be completed.
3. While in the position of Acting Sergeant, Michael Workman shall receive an increase in salary, in accordance with the PBA Collective Bargaining Agreement which provides that an employee promoted to Sergeant shall receive the greater of Ten Thousand Dollars or Twenty-five percent of the differential between their current step or rank and that of Sergeant. Therefore, he shall receive a salary of \$83,012 while serving as the Acting Sergeant.
4. While serving as Acting Sergeant, Michael Workman will continue to be covered by the PBA collective bargaining agreement and all employee benefits, shall be governed in accordance with said collective bargaining agreement.
5. In the event Michael Workman is returned to the position of Patrolman in the sole discretion of the Borough, his salary shall return to that which he currently receives as of the date of this appointment.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-128 – Appointing an Acting Police Captain

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Joselyn Rich

WHEREAS, the position of Captain in the Stone Harbor Police department is presently vacant; and

WHEREAS, the Borough's Public Safety Committee recommends and believes it to be in the best interest of the Borough to appoint an Acting Captain to temporarily fill the vacant Captain position; and

WHEREAS, the Borough's Public Safety Committee recommends that Sergeant Thomas Schutta be appointed Acting Captain; and

WHEREAS, the appointment shall be in accordance with the policies and procedures of the Borough and the Police Department and in accordance with applicable law;

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 18th day of June, 2013 that:

1. Effective June 19, 2013 the Borough Council of the Borough of Stone Harbor hereby appoints Sergeant Thomas Schutta to serve as Acting Captain of the Stone Harbor Police Department.
2. While in the position of Acting Captain, Thomas Schutta shall have all the duties, rights and obligations of the position of Captain in the Stone Harbor Police Department, until such time as the selection process for a Captain can be completed.
3. While in the position of Acting Captain, Thomas Schutta shall receive an increase in salary of five percent (5%) in wages, which would include stipends. Therefore, he shall receive a salary of \$101,600.00 while serving as the Acting Captain.

4. As of June 18, 2013, Thomas Schutta will have accrued forty-four (44) hours of vacation time. He will be eligible to either take that time off or be compensated for that time in November, 2013.
5. While serving as Acting Captain, Thomas Schutta, will not be eligible for overtime.
6. While serving as Acting Captain, Thomas Schutta will not be covered by the PBA collective bargaining agreement and all employee benefits, except those set forth above, shall be governed by the employee handbook.
7. In the event Thomas Schutta is returned to the position of Sergeant in the sole discretion of the Borough, his terms and conditions of employment, including salary and benefits will be governed by the collective bargaining agreement between the PBA and the Borough of Stone Harbor.

Vote

6 Councilmembers AYE

RESOLUTION 2013-S-129 – Authorize the Mayor and the Clerk to Sign the Memorandum of Agreement Between the Borough of Stone Harbor and the American Federation of State, County and Municipal Employees, District Council #71 (AFSCME) Contract

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

WHEREAS, the Borough of Stone Harbor and the American Federation of State, County, and Municipal Employees, District Council #71 (“AFSCME”), through collective negotiations, have come to an Agreement concerning the terms and conditions of employment covering the period January 1, 2013 through December 31, 2016 which is memorialized by way of a Memorandum of Agreement dated June 17, 2013; and

WHEREAS, the Memorandum of Agreement reflects a change in the salary structure for the contract period; and

WHEREAS, the parties shall incorporate the changes agreed upon in the Memorandum of Agreement into a new collective bargaining agreement; and

WHEREAS, after execution by the parties, the new collective bargaining agreement will be on file in the Office of the Borough Clerk.

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 18th day of June, 2013 that:

1. That the Memorandum of Agreement between the Borough of Stone Harbor and AFSCME, dated June 17, 2013 is hereby ratified and approved.

2. That Mayor of the Borough of Stone Harbor, Suzanne M. Walters, and the Borough Clerk, Suzanne C. Stanford, are hereby authorized to execute a new collective bargaining agreement which includes the terms and conditions of employment that are set forth in the Memorandum of Agreement dated June 17, 2013.

Vote

6 Councilmembers AYE

MOTIONS

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Barry Mastrangelo

To appoint Josh Otton to the Stone Harbor Volunteer Fire Company.

Vote

5 Councilmembers AYE
Rich ABSTAIN

Upon motion of

Councilmember Judith Davies-Dunhour

Seconded by

Councilmember Barry Mastrangelo

To authorize the residents of Berkley Road (Diane Wade, Fred Laubker, Nancy Walker and Kelly Stiles) to have an end of the Street at Sunset and Berkley Road Yard Sale on Saturday, June 22, 2013 from 8:00 a.m. to 1:00 p.m.

Vote

6 Councilmembers AYE

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Judith Davies-Dunhour

To appoint Richard Kajander as the Borough's Sub-Code and Plumbing Inspector.

Vote

6 Councilmembers AYE

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Karen Lane

To authorize the Borough Engineer to advertise a Notice to Bidders for a Dump Truck and a Refuse Truck on June 22, 2013 with a Bid Opening Date on July 9, 2013 and a possible Award Date on July 16, 2013.

Vote

6 Councilmembers AYE

DISCUSSION:

Mayor Walters reminded the public that Saturday, June 29, 2013 is the Fire Company's Annual Hoagie Sale.

The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
34263	06/19/13	ACELE ATLANTIC CITY ELECTRIC CO.	3,039.46
34264	06/19/13	ACESEWER ATLANTIC CITY ELECTRIC	209.28
34265	06/19/13	ACESTLIG ATLANTIC CITY ELECTRIC	6,643.12
34266	06/19/13	ACEWATER ATLANTIC CITY ELECTRIC	3,922.71
34267	06/19/13	ACMEM ALBERTSONS	100.60
34268	06/19/13	ALEXA ALEXANDER & CO., NAT	3,445.00
34269	06/19/13	ATWOO ATWOOD, JOHN W.	71.70
34270	06/19/13	AVAYA AVAYA, INC.	866.43
34271	06/19/13	BERCO BERCO FLEET SERVICES	94.96
34272	06/19/13	BILLO BILLOWS ELECTRIC SUPPLY CO.	196.86
34273	06/19/13	BLANEYDO BLANEY & DONOHUE	696.00
34274	06/19/13	BORSH BOROUGH OF STONE HARBOR	258,680.41
34275	06/19/13	BROPHYTI TIMOTHY BROPHY	80.00
34276	06/19/13	BURKE BURKE MOTORS	146.21
34277	06/19/13	CAPE4 CAPE 47 LUMBER CO.	191.75
34278	06/19/13	CAPEMINI CAPE MINING & RECYCLING, LLC	525.95
34279	06/19/13	CAPRI CAPRIONI PORTABLE TOILETS	520.00
34280	06/19/13	CATAM CATAMARAN MEDIA CO., LLC	74.00
34281	06/19/13	COMCA COMCAST	129.85
34282	06/19/13	DRAEGER DRAEGER SAFETY DIAGONOSTICS	750.00
34283	06/19/13	EASTERNW EASTERN WAREHOUSE DISTRIBUTORS	618.36
34284	06/19/13	ENFORSYS ENFORSYS, INC.	1,185.00
34285	06/19/13	EZPAS E-Z PASS TRANSPORTATION	50.00
34286	06/19/13	FUNFLICK FUNFLICKS OUTDOOR MOVIES	655.00
34287	06/19/13	GALLS GALL'S, INC.	109.51
34288	06/19/13	GARDS GARDEN STATE HWY. PRODUCTS	400.00
34289	06/19/13	GARYS GARY'S AUTOMOTIVE SERVICE	101.50
34290	06/19/13	GOVDEALS GOV DEALS, INC.	11.62
34291	06/19/13	GRUCC GRUCCIO, PEPPER, P.A.	1,044.00
34292	06/19/13	HARBOUTF HARBOR OUTFITTERS	960.00
34293	06/19/13	HESSCORP HESS CORPORATION	0.00
34294	06/19/13	HESSCORP HESS CORPORATION	6,538.75
34295	06/19/13	HOMED HOME DEPOT CREDIT SERVICES	109.24
34296	06/19/13	HOTAL HOTALING, JOHN	500.00
34297	06/19/13	INTEGRAT INTEGRATED TECHNICAL SYSTEMS	160.00
34298	06/19/13	ISLANDAE ISLAND AEROBICS	201.60
34299	06/19/13	JSECO JSE COMPUTERS	112.50
34300	06/19/13	KEENC KEEN COMPRESSED GAS	55.91
34301	06/19/13	LAURYHEA LAURY HEATING	1,180.50

34302	06/19/13	LOWES	LOWE'S	159.75
34303	06/19/13	MAGELLAN	MAGELLAN HILL TECHNOLOGIES	2,951.28
34304	06/19/13	MARSHMCL	MARSH & MCLENNAN AGENCY, LLC	2,500.00
34305	06/19/13	MARTI	MARTINDALE'S TIRE & AUTO	462.36
34306	06/19/13	MASCI	MASCIA, JOANNE	80.00
34307	06/19/13	MEMPH	MEMPHIS EQUIPMENT COMPAY	34,000.00
34308	06/19/13	MONZO	MONZO CATANESE, P.C.	293.25
34309	06/19/13	NATBUSFU	NATIONAL BUSINESS FURNITURE	266.01
34310	06/19/13	NEWPIG	NEW PIG CORPORATION	413.41
34311	06/19/13	NEXTCOMM	NEXTEL COMMUNICATIONS	586.41
34312	06/19/13	ONECA	ONE CALL CONCEPTS, INC.	75.24
34313	06/19/13	ORIENTAL	ORIENTAL TRADING CO.	435.77
34314	06/19/13	PARAM	PARAMOUNT CHEMICAL & PAPER CO.	1,536.88
34315	06/19/13	PARDO	PARDO'S TRUCK SERVICE PARTS WH	736.08
34316	06/19/13	PEDRO	PEDRONI FUEL COMPANY	6,014.36
34317	06/19/13	PENDERGA	PENDERGAST SAFETY EQUIPMENT CO	604.07
34318	06/19/13	POLET	POLE TAVERN EQUIPMENT SALES	18,876.00
34319	06/19/13	REMIN	REMINGTON, VERNICK & WALBERG	0.00
34320	06/19/13	REMIN	REMINGTON, VERNICK & WALBERG	23,729.75
34321	06/19/13	RIGGI	RIGGINS, INC.	5,985.40
34322	06/19/13	ROSSEVI	ROSS ENVIRONMENTAL SOLUTIONS	525.00
34323	06/19/13	RUSSMEGA	MEGAN RUSS	47.53
34324	06/19/13	RUTGERPU	RUTGERS, THE STATE UNIVERSITY	583.00
34325	06/19/13	SCHU2	SCHULER SECURITY, INC.	480.00
34326	06/19/13	SCOTT	SCOTT, DEBORAH	194.10
34327	06/19/13	SEASHASP	SEASHORE ASPHALT CORP.	519.48
34328	06/19/13	SIGPR	SIGNATURE PROMOTIONS	826.15
34329	06/19/13	SJGAB	SOUTH JERSEY GAS CO.	521.80
34330	06/19/13	SJGAW	SOUTH JERSEY GAS CO.	80.74
34331	06/19/13	SORENSEN	MICHAEL A. SORENSEN, ESQUIRE	875.00
34332	06/19/13	STAPL	STAPLES CREDIT PLAN	0.00
34333	06/19/13	STAPL	STAPLES CREDIT PLAN	2,351.62
34334	06/19/13	STAPLEBU	STAPLES BUSINESS ADVANTAGE	303.42
34335	06/19/13	STOCK	RICHARD STOCKTON COLLEGE OF NJ	12,449.03
34336	06/19/13	STRUE	SEASHORE ACE HARDWARE	1,885.49
34337	06/19/13	SUNSHWEL	SUNSHINE WELLNESS	960.00
34338	06/19/13	SURRANNU	SURRAN'S NURSERY LLC	340.00
34339	06/19/13	TOZER	TOZER, MICHELLE	60.00
34340	06/19/13	TRCOU	TRI COUNTY BUILDING SUPPLIES	96.00
34341	06/19/13	USABL	U.S.A. BLUE BOOK	1,512.48
34342	06/19/13	USPO3	U.S.POSTAL SERVICE	10,000.00
34343	06/19/13	VANDU	VAN DUYNE BROTHERS, INC.	2,280.00
34344	06/19/13	VCABS	VERIZON	534.74
34345	06/19/13	VCIEE	VCI EMERGENCY VEHICLE SPECIAL	182.00
34346	06/19/13	VERKIOSK	VERIZON WIRELESS	160.06
34347	06/19/13	WAGNE	WAGNER, PATRICIA H.	217.00
34348	06/19/13	WESTE	WESTERN PEST SERVICES	117.50
34349	06/19/13	WIRELESS	WIRELESS COMMUNICATIONS/ELECTR	538.19
34350	06/19/13	WOODR	WOODRUFF, LEONIDAS	60.00
34351	06/19/13	WORKNETP	WORKNET. OBOM	7,475.00

Checks: 86 440,259.13

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 6 Councilmembers AYE

PUBLIC COMMENT

No one from the public spoke.

MOTION TO ADJOURN

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Judith Davies-Dunhour

That the Regular Meeting of Mayor and Council be adjourned at 7:15 p.m.

Vote

6 Councilmembers AYE

APPROVED _____, 2013

_____, Mayor

ATTEST: _____, Borough Clerk