

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held, Tuesday, July 13, 2004 at Borough Hall, 100 First Avenue, Atlantic Highlands, N.J.

Meeting was called to order at 6:30 P.M. with the following roll call:

PRESENT: Nolan, McDonald, Creutzburg, Hoffmann, Marchetti, Ladiana, Frotton  
ABSENT: Mrs. Cassese, Mr. Phair

Also present were Attorney Leahey, and Mr. Bate.

Minutes of this meeting were taken by Mr. Bate.

Mr. Frotton advised this meeting is in compliance with the Open Public Meetings Act by virtue of notice having been published in The Courier. Copy of the notice has been posted on the bulletin board in the Harbor Office and Borough Hall. The notice is also on file in the Borough Clerk's office. Formal action will be taken.

#### ADMINISTRATION:

Mr. Hoffmann offered a motion approving minutes of Regular Meeting held 6/08/04 as recorded, seconded by Mrs. Marchetti and upon roll call was carried. Mrs. Frotton abstained.

Mrs. Marchetti offered a motion approving minutes of Executive Session Meeting held 6/08/04 as recorded, and that the minutes remain sealed until the need for confidentiality is no longer necessary, seconded by Mr. McDonald and upon roll call was carried. Mrs. Frotton abstained.

Mr. McDonald offered a motion approving the payment of bills, seconded by Mrs. Ladiana.

Mr. Hoffmann questioned amount of \$1600.00 for mulch for the playground. Mr. Nolan suggested that a line item in the Council budget be created for playground maintenance.

Mr. Nolan questioned the amount of refunds. Mr. Hoffmann explained part of the problem is Summer Land Storage competing with Winter Storage for the same space in the spring. Also, said that too many boats from the winter storage are not going in the water in a timely fashion; suggested we start charging all winter storage customers for extended storage even though they might have a summer contract with us. Mr. Creutzburg said that he had had a discussion with Mr. Bate about this and was of the opinion we allow our summer contract holders until June 15<sup>th</sup> to launch and then start charging them. He suggested we change the rules when we change the rate resolution in the fall. Discussion followed.

Mr. Creutzburg asked about charge for state of NJ for Fish Tales. Mr. Bate will research this.

Mrs. Ladiana asked about charge for mooring field work by Derrick Marine. Mr. Bate explained charge.

Upon roll call vote the motion was carried. Mr. Hoffmann abstained.

#### COMMITTEE REPORTS:

LEASES: Mr. Creutzburg mentioned letter from Bayshore Restaurant Group to the Mayor and Council. Council advised Leahey they were not inclined to give any relief. Mr. Hoffmann said the Harbor Commission could permit BRG to defer the payment of rent, but not payment. Mrs. Marchetti said the letter from the Council should be read.

Mr. Leahey also advised of letter to Atlantic Highlands Bait & Tackle regarding lease violations. Discussion followed.

Mr. Bate advised he had received complaints that Pete Crosta was sitting outside the tackle shop and yelling at people going into the Dockside Cafe to the effect that they were traitors, trading with the enemy, etc.

Mr. Leahey suggested the Commission should obtain complaints in writing from dockside Café regarding sales of food, etc. by the Tackle Shop.

#### OPERATIONS COMMITTEE:

Mr. McDonald reported he has a meeting with Adaptive Sailing regarding requests for ramps for handicapped access. It was determined this was not practical to do presently. Mr. McDonald will contact Mrs. Early.

Sampling for dredge spoil testing will begin late this week or early next week.

ADVERTISING: No report.

#### FINANCE:

Mrs. Ladiana reported on the Harbor income for June and the year to date, both are up. Mrs. Frotton mentioned that some of the increase is due to the higher cost of fuel.

Mrs. Ladiana also said she had discussed the cost of funding Security with the CFO and it was determined funds are available for this purpose. She also said she had gone over the expenses with the CFO for the first 6 months and that expenses were in line with the budget.

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PERSONNEL:

Mrs. Marchetti reported very favorable reports have been received regarding the new Security arrangement.

SPECIAL COMMITTEE:

Mr. Hoffmann reported the Firemen's Fair was very successful as well as the fireworks display. The Sandy Hook Bay Anglers fishing tournament was a great success, the Snapper Tournament will be held on September 18, 2004 and a trip on the Mi Jo for handicapped children is planed.

Mr. Hoffmann presented copy of parking study done in 2001. Mrs. Frotton advised the Operations committee be involved. Mr. Nolan advised he will be meeting with the DOT regarding parking.

ADMINISTRATOR'S REPORT: None.

ATTORNEY'S REPORT: No report.

HARBOR MASTER'S REPORT:

The Harbor Master's Report is on file in the Harbor Office.

OLD BUSINESS: None

NEW BUSINESS: None

CORRESPONDENCE:

Mrs. Frotton read letter from A.H. Historical Society regarding Flea Market to be held 9/11/04, rain date 9/12/04. Mr. Creutzburg offered a motion to grant the request, seconded by Mrs. Marchetti and upon roll call was carried.

Mrs. Frotton read letter from Rosemary Richards of the Middletown board of Education regarding dockage for the replica of the "Amistad". Mr. Bate will reply to Mrs. Richards.

Mrs. Frotton asked if anyone from the public cared to address the Commission.

Laura Chamberlain advised the Commission it was acceptable to place parking bumpers on the Hesse property.

Rich DeLorenzo of 32 Center Ave. asked about proposed building by Hovnanian.

Micky Rast of 49 8<sup>th</sup> Avenue said she would write a letter to the Commission regarding Mr. Crosta's comments to Dockside customers.

Lou Flegor asked about Annual Maintenance Agreement.

Bill Wiemer thanked the Commission for his packet and asked several questions about Harbor spending.

LuAnn Rathemacher of the Yacht Club advised that club will have a speaker on 7/29/04 at 7:30 P.M. to discuss Clean Harbor issues.

At 7:35 P.M. Mrs. Frotton advised the Commission would go into Executive Session.

Mrs. Marchetti offered the following resolution and moved for adoption:

RESOLUTION

WHEREAS , the Atlantic Highlands Harbor Commission 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 Commissioners of the Atlantic Highlands Harbor Commission to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-4-12b and designated below:

Leases

NOW, THEREFORE, BE IT RESOLVED, by the Atlantic Highlands Harbor Commission, assembled in public session on July 13, 2004 that it proceed into Executive Session for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon determination of the Commissioners that the public interest will no longer be served by such confidentiality.

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Resolution was seconded by Mr. McDonald and carried upon the following roll call vote:

AYES: Nolan, McDonald, Creutzburg, Marchetti, Ladiana, Hoffmann, Frotton

NAYS: None

Regular Meeting re-convened at 7:55 P.M.

There being no further business to come before the meeting, Mr. Hoffmann offered a motion to adjourn, seconded by Mrs. Marchetti and upon roll call was unanimously carried.

Meeting adjourned at 7:55P.M.

A handwritten signature in cursive script, appearing to read "William F. Patton".

Harbor Master