

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, March 1, 2005 at Borough Hall, 100 First Avenue, Atlantic Highlands, N.J.

Meeting was called to order at 7:00 P.M. with the following roll call:

PRESENT: Nolan, McDonald, Eaton, Hoffmann, Frotton, Ladiana, Marchetti

ABSENT: None

Also present were Attorney DuPont and Mrs. Cassese. Mr. Bate was on vacation.

Mrs. Marchetti advised this meeting is in compliance with the Open Public Meetings Act by virtue of the Annual Schedule Notice of January 5, 2005. Copy of the notice has been posted on the bulletin board in the Harbor Office and Borough Hall. Formal action will be taken.

ADMINISTRATION:

Mr. McDonald offered a motion approving minutes of Regular Meeting held 2/1/05 with corrections, seconded by Mr. Hoffmann and upon roll call was carried. Mr. Nolan abstained.

Mr. McDonald offered a motion approving minutes of Executive Session meeting held 2/1/05, with corrections, seconded by Mr. Eaton and upon roll call was carried. Mr. Nolan abstained.

Mr. McDonald offered a motion approving minutes of Special Meeting held 2/10/05, seconded by Mr. Eaton and upon roll call was carried. Mrs. Marchetti abstained.

Mr. Eaton offered the following resolution and moved for adoption:

#### RESOLUTION

WHEREAS, there exists a need for legal services of a Special Conflict Attorney by the Harbor Commission of the Borough of Atlantic Highlands, N.J. County of Monmouth; and

WHEREAS, funds are or will be available for this purpose.

WHEREAS, the Local Public Contracts Law, N.J.S.A.40A:11-1 requires that the resolution awarding the contract shall state the supporting reason and be printed in a newspaper of general circulation not more than ten days after passage of the resolution;

NOW, THEREFORE BE IT RESOLVED, by the Harbor Commission of the Borough of Atlantic Highlands, N.J. County of Monmouth, that the appointment for the year 2005, made by the Harbor Commission of RICHARD C. LEAHEY, JR. as Special Conflict Attorney for the Harbor Commission be and the same is hereby fixed. The person appointed is a member of the legal profession and it is not possible to obtain competitive bids.

BE IT FURTHER RESOLVED that this resolution be published in an official newspaper of the Harbor Commission as required by law, within 10 days.

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

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

NAYS: None

LEASES:

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Mr. Hoffmann advised that one bid had been received for the vacant head boat slip, from Jeff Gutman on behalf of Moore's Cruise Line in the amount of \$20,000.00. Mr. Hoffmann asked if the Commission wished to accept the bid.

Mr. Eaton advised that the Commission offered the bid to existing head boat captains and those on the waiting list, with a minimum bid of \$20,000.00. If a bid of not more than \$20,000 was received or if no bids were received the Commission would go out for Requests for Proposals.

Discussion followed.

Mr. Eaton offered a motion to go out for Requests For Proposals, seconded by Mrs. Ladiana.

Motion was carried upon the following roll call vote:

AYES: Nolan, Eaton, Frotton, Ladiana  
NAYS: McDonald, Hoffmann, Marchetti

Letter from Mike Romeo requesting to sell hot dogs in the Harbor was discussed. The Commission denied the request at this time.

Letter from Bayshore Restaurant Group requesting interest in acquiring the current available seasonal Food Vendor Permits was discussed and tabled at this time.

Letter from Dawn McCahon requesting to sell Girl Scout cookies on Frank's Pier during the second week in March from 3-7 P.M. was discussed.

Mr. Nolan offered a motion to grant the request, seconded by Mr. Hoffmann and upon roll call was carried. Mrs. Ladiana abstained.

Letter from the Sandy Hook Anglers requesting to hold the Annual Fluke Tournament on July 9 and 10, 2005 and the Snapper Tournament on September 10, 2005 was discussed.

Mrs. Frotton offered a motion to grant the requests, seconded by Mr. Nolan and upon roll call was carried.

Letter from Dr. Alan Weinstein, Fleet Surgeon of the Yacht Club recommending the joint purchase of a defibrillator, which would be kept on the Yacht Club Launch, was discussed. It was determined that the Port Security van is equipped with a defibrillator and is available at all times.

Letter from Seastreak requesting changes to morning departures was read. Mr. David Stafford of Seastreak was present and withdrew the request.

Mr. Hoffmann reported on the request of the Earth Day Committee to place an osprey nest near the boardwalk area in the Harbor. Mr. Hoffmann had some conversations with members of the DEP who advised that this might inhibit future uses of that area. Mr. Hoffman recommended Mr. Fligor contact Council to inquire if the Avenue A beach *would be acceptable.*

#### OPERATIONS:

Mr. McDonald advised that the decking of Pier 4 is complete, and work on the new dinghy floats is progressing. The new pump-outs have arrived.

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ADVERTISING:

Mr. Nolan reported that Cit-e-Net made a presentation to Council regarding possible changes to the web site. Mrs. Frotton mentioned Liz Nederberger, as she has seen her work.

Mr. Hoffmann advised that the Commission not renew membership in the Northern Monmouth County Chamber of Commerce and should focus on the Atlantic Highlands Chamber.

FINANCE:

Mrs. Ladiana advised that Mrs. Cassese will compile the Payment of Bills list in the future.

Mrs. Ladiana advised that income for the month of January was \$250,882.00

A discussion was held on the proposed preliminary budget for 2005. Shared expenses and surplus in 2004 were \$836,000 and this year would be increased to \$936,000.00.

Mrs. Marchetti commented on the increase in land fill fees, and Mrs. Frotton commented on the increase for the police department salaries. Discussion followed on amount of surplus and Capital Improvement Fund.

Mrs. Frotton asked that \$50,000 be cut from the surplus.

Mrs. Ladiana offered a motion to approve the proposed 2005 budget, seconded by Mr. Eaton.

Motion was not carried upon the following roll call vote:

AYES: Nolan, Eaton, Ladiana

NAYS: McDonald, Hoffmann, Frotton, Marchetti

PERSONNEL:

Mrs. Frotton advised a new security employee had been hired.

SPECIAL COMMITTEE:

A discussion was held on the traffic study done by the DEP. Mr. Hoffmann advised that no surveys had been done on weekends. Mr. Nolan advised that the DEP is waiting for feedback from people who attended the meeting.

HARBOR MASTER'S REPORT:

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

ATTORNEY'S REPORT: No report.

OLD BUSINESS:

Mr. McDonald asked if a permit was need for proposed work on Pier 3. Mrs. Marchetti advised she will speak to Mr. Bate when he returns from vacation.

Mrs. Ladiana advised she attended a presentation conducted by the Bayshore Watershed Council. Cindy Ziff of the DEP was present and lengthy discussions were held on regional dredge facility as well as alternate disposal areas.

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

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Captain Ronald Santee asked about slip rates for the head boats in the future and also advised the Head Boat captains should have been contacted about the traffic survey.

Mr. Richard Moore addressed the Commission regarding his bid for the head boat slip. Mr. DuPont advised Mr. Moore that the Commission did not accept his bid.

Mr. Bill Weimer of East Avenue asked that meeting packets continue to be sent to him. Mrs. Marchetti agreed. Mr. Weimer also asked why Seastreak customers do not pay for parking.

Mrs. Frotton advised some of the property used for parking is leased from Mr. Hesse and his permission to charge would be necessary.

Jackie Jones, 22 Keystone Drive asked what the "mission" of the Harbor is? It is her opinion that it is to make money for the town.

Captain Hal Hagamen asked if a letter could be sent to Seastreak advising their customers not to park in the Head Boat parking area now that the season has begun. Mrs. Cassese will contact Seastreak regarding this matter.

Mr. Alan Dean, Second Avenue, asked if the 2005 budget will still go to Council as it was not approved by the Commission.

Emily Smith, of the Yacht Club asked if the new dinghy dock spaces had been assigned. She was advised that this has not been done. Mrs. Smith also advised that the Club is working with the Mr. Sweeney to update the common entry hall way.

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

Meeting adjourned at 9:10 P.M.



Secretary