

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, May 13, 2008 at Borough Hall, 100 First Avenue, Atlantic Highlands, New Jersey.

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

PRESENT: Hoffmann, McDonald, Eaton, Curry, Marchetti, Doyle, Frotton

ABSENT: None

Also present were Attorney Corodemus, Mr. Hubeny, Mr. Bate and Mrs. Cassese.

Mrs. Frotton announced that this meeting is in compliance with the Open Public Meetings Act by virtue of the Annual Schedule Notice of January 2, 2008. 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.

CORRESPONDENCE:

Mrs. Frotton read letter from A.H. Recreation Committee requesting to use the gazebo area for outdoor movie nights on June 24 and July 22, 2008. Mrs. Marchetti offered a motion to grant the request, seconded by Mr. Curry and upon roll call was unanimously carried.

Mrs. Frotton read letter from Dosil's Marine Service requesting a current list of boat owners moored and docked at the Harbor. Discussion followed and the matter was referred to the Operations Committee.

Mrs. Frotton read letter from A.H. Yacht Club inviting all to attend the annual Blessing of the Fleet on June 14th at 1300 hours.

Mrs. Frotton read letter from the Youth Commission requesting to hold a car wash at the senior building on June 1, 2008. The request was granted.

Mrs. Frotton read letter from A.H. Historical Society requesting to hold the Annual flea Market on 9/13/08 rain date 9/20/08. The request was granted.

ADMINISTRATION:

Mrs. Marchetti offered a motion approving minutes of the Regular Meeting held 4/08/08, as recorded, seconded by Mr. McDonald and upon roll call was carried.

Mr. Hoffmann offered a motion approving the minutes of the Executive Session held 4/8/08 as recorded, and that the minutes remain sealed until the need for confidentiality is no longer necessary, seconded by Mr. Curry and upon roll call was carried.

May 13, 2008

Mrs. Marchetti offered a motion approving minutes of the Special Meeting held 4/24/08 as recorded, seconded by Mr. Curry and upon roll call was unanimously carried.

Mr. McDonald offered a motion approving minutes of the Executive Session held 4/24/08 as recorded and that the minutes remain sealed until the need for confidentiality is no longer necessary, seconded by Mr. Hoffmann upon roll call was unanimously carried.

Mr. Curry offered a motion approving the Payment of Bills, seconded by Mr. McDonald and upon roll call was unanimously carried.

Mrs. Frotton led a discussion on giving a free launch after the purchase of a certain amount of launches. Customers would be given a card and it would be punched at the time of purchase. The matter was referred to the Operations Committee and all Commissioners thought it would be a good idea.

COMMITTEE REPORTS:

CLEAN MARINA:

Mrs. Marchetti advised she had received a list of customers who were given verbal warnings for the month of April. Most were regarding sanders and tarps.

OPERATIONS:

Mr. McDonald led a discussion on the proposed parking permits. He suggested that two permits be mailed to all customers and if additional permits are required for over-night parking they could be obtained at the Police Department. Mr. McDonald will contact Chief Vasto regarding this.

LEASES: No report.

FINANCE:

Mr. Doyle reported is they are still working on the budget.

PERSONNEL/PLANNING:

Mr. Curry advised he has met with Mr. Glietz several times regarding security and customer service.

SPECIAL EVENTS FIREWORKS:

Mr. Hoffmann discussed the Deck the Dock contest to be held July 1-July5th

May 13, 2008

Categories will be daytime (unlighted) nighttime (lighted) and the Pier category. Prizes will be awarded for first place (\$300 toward slip or mooring fees), second place (\$200 toward slip or mooring fees) for the individual categories. A bronze plaque will be awarded to the best pier.

There will also be a fund raiser for the fireworks on May 30th at 7:30 PM at the Shore Casino.

Mr. Hoffmann asked about the status of the empty Head Boat slip.

Mr. Bate advised that Mr. Bevins was having difficulty with paying the berth fee in full up front. The matter was referred to the Lease Committee to determine if Mr. Bevins could make installment payments.

LONG TERM PLANNING: No report.

ADMINISTRATOR'S REPORT:

Mr. Hubeny advised two new handicapped spaces will be added near the office.

Mr. Hubeny advised he still has some issues with the Shore Casino roof.

A discussion was held on the purchase of a vehicle for Security and Customer Service. The trial with the electric car proved it to be unsuitable.

ATTORNEY'S REPORT:

Mr. Corodemus reviewed the Pleasure boat leave of absence program. Discussion followed the matter was referred to the Operations Committee.

Mr. Corodemus led a discussion on the Public Access & Marina Safety Act.

Mr. Hoffmann offered the following Resolution and moved for adoption:

RESOLUTION NO. 17/08

WHEREAS, the Harbor Commission of Atlantic Highlands (hereinafter "Commission") oversees the operations of the Municipal Harbor in the Borough of Atlantic Highlands, Monmouth County, New Jersey, and

WHEREAS, the Commission currently provides access to its harbor facilities, and

WHEREAS, the New Jersey Department of Environmental Protection (hereinafter DEP) has proposed regulations to require waterfront property owners, including marinas, to provide public access to the waterfront by a Statewide-uniform policy without regard to specific concerns individual property owners may have with regard to safety, security or interference with operations; and

May 13, 2008

WHEREAS, the DEP has conditioned all future application to it by demanding compliance with its proposed public access regulations that may include dedication of private lands for these purposes; and

WHEREAS, the Commission believes a more balanced approach should be employed by DEP insure the public's right to waterfront access and the rights of private property owners; and

WHEREAS, a proposed new law introduced by New Jersey Senator Andrew R. Ciesla as S1553 seeks a mote balanced approach to these issues while eliminating the proposed application preconditions set forth in the proposed DEP regulations.

NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby support and approves the legislative proposal sponsored by Senator Ciesla S1553

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

AYES: Hoffmann, McDonald, Curry, Marchetti, Doyle, Frotton

NAYS: None

ABSTAIN: Eaton

Mr. Corodemus reviewed proposed form to be used in the future for those who wish to take a leave of absence. There will also be a fee which will be discussed, as well as the rate that the customer will pay upon their return.

The matter was referred to the Operations Committee.

Mr. Corodemus discussed the electric bill of \$450.00 for Mr. Lauricella for running his air-conditioner excessively. Mr. Corodemus has forwarded a copy of the contract to Mr. Lauricella's attorney.

A meter will be installed at Mr. Lauricella's slip.

The Farmer's Market will be held on the grassy area near the gazebo. There will be five vendors to start and will be held on Fridays through October.

Mr. Hubeny reported the Hesse Pier lease has been returned. The term is for one year only. All other conditions of the lease are the same and we will continue to pay the taxes.

Mr. Eaton inquired about leasing the entire pier. Discussion followed and Mr. Hubeny will give Mr. Eaton a list of required improvements.

HARBOR MASTER'S REPORT:

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

May 13, 2008

OLD BUSINESS: None

NEW BUSINESS: None

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

No one appeared.

Mrs. Frotton advised the commission would now go into Executive Session. The Regular meeting would re-convene and formal action might be taken at that time.

At 8:40 PM Mrs. Marchetti offered the following resolution and moved for adoption:

RESOLUTION NO.18/08
EXECUTIVE SESSION

WHEREAS, the Harbor Commission of the Borough of Atlantic Highlands 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. 10:4-12b and designated below:

Pending litigation

NOW, THEREFORE, BE IT RESOLVED by the Atlantic Highlands Harbor Commission assembled in public session on May 13, 2008, that it proceed into Executive Session for discussion 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.

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

AYES: Hoffmann, McDonald, Eaton, Hoffmann, Marchetti, Doyle, Frotton

NAYS: None

May 13, 2008

At 9:55 P.M Mr. Hoffmann offered a motion to re-open the Regular Meeting, seconded by Mr. Curry and upon roll call was carried.

All Commissioners were present as well as Mr. Corodemus, Mr. Bate and Mrs. Cassese.

Mr. Hoffmann offered a motion to have Mr. Corodemus respond to the Order to Show Cause served by the Harborside Grill, Inc. as long as there is no conflict, seconded by Mr. Curry and upon roll call was unanimously carried.

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

Meeting adjourned at 9:55 P.M.

Secretary

