

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, September 8, 2009 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, Administrator Hubeny, Harbor Master Bate, Assistant Harbor Master Amici, and Mrs. Cassese.

Mrs. Frotton announced that this Regular Meeting of the Atlantic Highlands Harbor Commission is called pursuant the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and The Two River Times and by posting it on the bulletin boards in the Harbor Office and Borough Hall reserved for such announcements and by filing it with the Municipal Clerk on January 7, 2009. This agenda is complete to the extent known and formal action will be taken.

CORRESPONDENCE:

Mrs. Frotton read letter from AH Recreation Committee requesting to use the tennis courts September 26 through November 14, 2009 on consecutive Saturdays from 9:00 AM to 2:00 PM.

Mr. Curry offered a motion to grant the request, seconded by Mrs. Marchetti and upon roll call was unanimously carried.

Mrs. Frotton read letter from Seastreak requesting permission for a special event cruise on Friday, October 23, 2009 at 4:15 PM for Army football.

Mr. Hoffmann offered a motion to grant the request, seconded by Mr. Eaton and upon roll call was unanimously carried.

Mrs. Frotton invited members of the Yacht Club to address the Commission. Al Zager, Alan Asher, Alex Cheyne, Emily Smith and Robert Thuss appeared. The main topic discussed was the relocation clause. Mr. Zager advised the club is not against a relocation clause, however they object to the current language regarding relocation notices, costs for relocation. He also discussed the definition of "comparable space" and terms that the tenant can terminate the lease if a relocation notice is received.

Mrs. Frotton explained that several years ago it was discussed by the Commission that the Yacht Club be moved to the area that On The Deck is located now. This is no longer the case.

Mr. Eaton advised all items would be discussed by the Lease Committee and also asked for a list of improvements over the years.

Mr. Corodemus advised that the Commission would be flexible and reasonable and was sure language could be created that would be acceptable to all parties.

ADMINISTRATION:

Mrs. Marchetti offered a motion approving minutes of the Regular Meeting held 7/14/09 as recorded, seconded by Mr. McDonald and upon roll call was unanimously carried. Mr. Eaton abstained.

Mr. Curry offered a motion approving the payment of bills, seconded by Mr. Doyle and upon roll call was unanimously carried.

COMMITTEE REPORTS:

CLEAN MARINA:

Mrs. Marchetti reported that there were no violations this month.

Mrs. Marchetti reviewed letter from Paul Boyd, Environmental Commission Chairman containing several suggestions for consideration by the commission. Mrs. Marchetti will address litter and trash and cigarette butts near the party boats.

A Kayak launch site would not be permitted in the Harbor. Access to the boardwalk next to the launch ramp will be addressed by the Operations Committee.

Mrs. Frotton reviewed memo from Emily Smith which she referred to Mr. Bate.

OPERATIONS:

Mr. McDonald advised the bid for the sewer lift will be returnable on 9/29/09.

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Mr. Hubeny advised a bid for electrical work in the storage yard will be advertised shortly.

Mrs. Frotton inquired about repair to the bulkhead between Pier 5 and Pier 6. Mr. Hubeny advised the engineer is working on the plan

LEASES: No report.

FINANCE COMMITTEE:

Mr. Doyle reported on borough bonding.

Mr. Doyle advised the Mayor had some concerns about the new rate for the Head Boats and thought they should not be raised. Mrs. Frotton advised they have a five year contract.

PERSONNEL/PLANNING :

Mr. Curry discussed some of the recent thefts in the Harbor. He also met with Mr. Amici regarding security procedures. There was also a discussion on cameras.

SPECIAL EVENTS FIREWORKS:

Mr. Hoffmann reported the Snapper Tournament will be held 9/19/09.

LONG TERM PLANNING: No report.

ADMINISTRATOR'S REPORT: No report.

Mrs. Frotton advised a check in the amount of \$9500.00 has been received by Mr. Rielly from Commerce Bank for monies due on the Atlantic Highlands Princess formerly owned by Mr. Pituk.

Mrs. Frotton led a discussion on year round land storage customers who are habitually late with payments. Mr. Corodemus led a discussion on law suits and seizure of the vessels. Mrs. Frotton advised a policy should be established regarding this matter.

HARBOR MASTER'S REPORT: The Harbor Master's report is on file in the Harbor Office for reference.

Mr. Bate has met with Mr. Amici regarding security.

Mr. Bate also led a discussion on the repair of the drainage pipe near the launch ramp. French & Parello have advised they will proceed with the permit process.

ASSISTANT HARBOR MASTER'S REPORT:

Mr. Amici reviewed his monthly report. He also reported on results of solicitations for point of sale systems. Three quotes were received. He advised that Marina Office soft wear cost is \$6239. and hard ware costs are estimated at \$11,107. Discussion followed.

Mr. Doyle offered a motion to purchase the systems, seconded by Mrs. Marchetti and upon roll call was unanimously carried.

ATTORNEY'S REPORT:

Mr. Corodemus has heard nothing from Seastreak regarding their lease. We are in court with a customer who is in arrears. The Tidelands License fee has been paid. Mr. Corodemus also reviewed letter from Tidelands commission informing us that we have jurisdiction of the mooring field .Mr. Corodemus also advised that the mooring installed by Mr. Ritter should be removed by the Harbor and he should be charged for the removal plus any Attorney fees.

A discussion was held on the removal by Mr. Ritter. Mrs. Frotton advised he should also be advised that he will not receive a contract for winter storage until all issues are resolved. Mr. Corodemus advised he has contacted the Municipal Prosecutor in relation to charges against Mr. Ritter. Mrs. Frotton advised that Mr. Ritter has contacted the Public Advocates office.

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Mr. Corodemus also reported that Mr. Zaccoli has moored his boat on mooring O-2 which is owned by Mr. Morse, who did not give him permission to do so. Mr. Corodemus has also contacted the Prosecutor regarding this matter.

Mr. Corodemus also advised there will be a meeting with the Tidelands Commission.

OLD BUSINESS: None

NEW BUSINESS:

Mr. McDonald and Mr. Curry questioned the helix installations and some complaints regarding improper installation. Mr. Bate advised that the sub-contractor will be here shortly to inspect the moorings in question.

Mrs. Marchetti questioned Mrs. Smith's comment on the fuel delivery system suggesting that a lower speed pump with a smaller nozzle be provided for sail boats. Mr. Bate will check to see if this can be done.

Mrs. Frotton asked is anyone from the public cared to address the Commission. Emily Smith advised that boaters have adapted to the fuel dock but would appreciate Mr. Bate's assistance to see if an alternate nozzle could be used.

Mrs. Frotton advised the Commission would not go into Executive Session. Minutes of the Session will be kept and made available to the general public when the need for confidentiality is no longer necessary.

At 9:00 P.M. Mr. Curry offered the following resolution and moved for adoption:

RESOLUTION NO.13/09

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.10:4-6etseq, 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:

Leases and property acquisition

THEREFORE, BE IT RESOLVED by the Atlantic Highlands Harbor Commission assembled in public session on September 8, 2009 that it proceed into Executive Session for discussion of matters relating to the specific items listed 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 Mrs. Marchetti and adopted upon the following roll call vote:

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

NAYS: None

Regular meeting reconvened at 9:45PM with all Commissioners in attendance except Mr. Eaton who was excused.

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

Meeting adjourned at 45 PM.

Carol Cassese
Secretary

