

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, June 8, 2010 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, Thompson, McDonald, Marchetti, Curry, Archibald, 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 8, 2010. This agenda is complete to the extent known and formal action will be taken.

#### CORRESPONDENCE:

Mrs. Frotton read letter from A.H. Yacht Club inviting members to the "Blessing of the Fleet" on Saturday, June 12, 2010 at 1300 hours.

Mrs. Frotton read letter from Erinn Tarpey-Hill regarding use of the gazebo on June 26, 2010 for a child's birthday party.

#### ADMINISTRATION:

Mr. Archibald offered a motion approving the minutes of the Regular Meeting held May 11, 2010 as recorded, seconded by Mrs. Marchetti and upon roll call was unanimously carried.

Mr. Hoffmann offered a motion approving the minutes of the Executive Session Meeting held May 11, 2010 as recorded and that the minutes remain sealed until the need for confidentiality is no longer necessary, seconded by Mr. Thompson and upon roll call was unanimously carried.

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

#### COMMITTEE REPORTS:

##### CLEAN MARINA:

Mrs. Marchetti led a discussion on fish racks in the Harbor. Discussion followed on methods to prevent this occurrence. Mr. Amici will post new signs regarding fish cleaning regulations, citing the violation of Ord. #026-007 and the fine of \$500.00 for the first offense.

Mrs. Marchetti also advised the pump out boat is in operation.

##### OPERATIONS:

Mr. Curry reported the new fire department boat is now in its berth and there have been problems with boats docking on the 15 minute float and blocking their slip. Discussion followed and Mr. Amici will have new signs posted on all of the 15 minute floats advising of no idling, that no boat shall be left unattended. This is a violation of Ord. #206-007 and the fine for the first offense is \$500.00.

LEASES: Mr. Thompson reported the Yacht Club lease will be discussed in Executive Session.

FINANCE: No report.

PERSONNEL: No report.

##### SPECIAL EVENTS/FIREWORKS:

Mr. Hoffmann reported the council has approved the \$10,000 expenditure for the fireworks display will be July 2<sup>nd</sup>, rain date July 3<sup>rd</sup>.

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ADMINISTRATOR'S REPORT:

Mr. Hubeny reported we are still working on storm damage and clean-up. An additional part-time employee has been discussed as well as an outside contractor for maintenance of parks and grounds.

Mr. Hubeny also reported that Birdsall Engineering is re-working the Bayshore Trail.

Our insurance company has denied coverage for storm damage and Mr. Hubeny has been in communication regarding this matter.

ATTORNEY'S REPORT:

Mr. Corodemus will report in Executive Session on leases and litigation.

Mr. Corodemus presented members with items for the policy manual to be discussed at a later date after their review.

HARBOR MASTER'S REPORT: The Harbor Master's report is on file in the Harbor Office for reference. Mr. Bate reported that work on Frank's Pier and Pier 2 has been completed.

ASSISTANT HARBOR MASTER'S REPORT:

Mr. Amici reported he is continuing to submit bills to FEMA for re-imbusement for damages sustained in the March storm. Security and Customer Service personnel have begun taking a proactive approach to curb violations regarding the Clean Marina Ordinance. We are now offering a service to transient boaters, transporting to and from shopping.

As soon as the remainder of the boats that are on land from winter storage are put in the water, he will work with Ozzie to relocate the land storage boats to the east side of the yard in order to free up parking for customers on Piers 7,8&9.

OLD BUSINESS:

Mr. Archibald led a discussion on rack storage. Mrs. Frotton advised this had been discussed several times in the past. Residents on Ocean Boulevard objected to the project and it was never pursued. Mr. Bate advised that this would also require specially trained personnel dedicated to this service.

NEW BUSINESS: None

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

Rev. George Hancock- Stefan, Pastor of Central Baptist Church addressed the Commission on his request to hold a Gospel Concert Series at the gazebo. He advised there was a typo in his original letter and he would like only Saturday's during the month of August.

Discussion followed and Mr. Curry offered a motion to grant the request, pending review by the Attorney, seconded by Mr. Hoffmann and upon roll call was carried.

Jim Krauss, 77 Bayside Drive gave a fishing update and advised the Assembly and the Senate have legislation pending for further protection of Menhaden/Mossbunker fishery.

William Eaton, 77 Bay Avenue asked that the Commission adopt a Resolution in support of A2304 and S1140 now pending before the NJ Senate. The Commission agreed to the request.

At 8:00 P.M. Mrs. Frotton advised the Commission would now go into Executive Session. Minutes of the Session would be kept and made available to the general public when the need for confidentiality is no longer necessary. Mrs. Frotton advised the Regular Meeting would re-convene and formal action might be taken at that time.

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

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RESOLUTION 24 -2010  
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.10:4-6etseq, 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, litigation

THEREFORE, BE IT RESOLVED by the Atlantic Highlands Harbor Commission assembled in public session on June 8, 2010 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 Mr. Curry and adopted upon the following roll call vote:

AYES: Hoffmann, Thompson, McDonald, Curry, Marchetti, Archibald, Frotton

NAYS: None

Regular meeting re-convened at 8:15 PM with all Commissioners present.

Mr. Hoffmann offered a motion to have the Chairwoman and the Secretary execute the lease with the Atlantic Highlands Yacht Club pending approval of the Mayor and Council, seconded by Mr. Curry and upon roll call was carried. Mrs. Marchetti abstained.

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

RESOLUTION 25/2010

WHEREAS, the Atlantic Highlands Harbor Commission has been advised that A2304 and S1140, now pending before the New Jersey Senate have been introduced for the further protection of the menhaden/mossbunker fishery; and

WHEREAS, the Atlantic Highlands Harbor Commission recognizes the importance of the menhaden/mossbunker fishery to the economic well being of the fisheries of the State of New Jersey, to fishermen in the territorial waters of the State of New Jersey, and to the economy of the borough and its harbor; and

WHEREAS, this litigation is intended to restrict menhaden harvesting to historical levels and prevent New Jersey waters from being overrun by commercial fishermen from outside of New Jersey,

NOW, THEREFORE, BE IT RESOLVED by the Atlantic Highlands Harbor Commission that the Commission hereby urges the New Jersey Senate and Governor to take immediate and positive action on A2304 and S1140, now pending before the New Jersey Senate to provide further protection of the menhaden/mossbunker fishery in the State of New Jersey.

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Resolution was seconded by Mr. Curry and adopted upon the following roll call vote:  
AYES: Hoffmann, Thompson, McDonald, Curry, Marchetti, Archibald, Frotton  
NAYS: None

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

Meeting adjourned at 8:20 P.M.

Carol Cassese  
Secretary







