

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, March 9, 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, McDonald, Thompson, 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 Robert O'Connor of FilmOneFest requesting to have food vendors at the festival this year. Discussion followed and the Commission agreed to the request.

Mrs. Frotton read letter from Mike Skirka regarding the launch ramp and suggestions for maintenance. Mr. Amici will respond.

ADMINISTRATION:

Mrs. Marchetti offered a motion approving minutes of the Regular Meeting held 2/9/10 as recorded, seconded by Mr. Hoffmann and upon roll call was unanimously carried.

Mr. Thompson offered a motion approving the minutes of the Executive Session meeting held 2/9/109 as recorded and that the minutes remain sealed until the need for confidentiality is no longer necessary, seconded by Mr. Hoffmann 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 the Fourth Avenue extension and the problem of pet waste. Signs will be posted and a Mutt Mitt dispenser will be installed.

Mrs. Marchetti led a discussion on upland washing of boats. Mr. Corodemus advised there has been no movement by the DEP to change the order. He also advised there would be no flushing of engines. Discussion followed.

Mrs. Marchetti discussed the location of the new pump out station on Pier 1 in the unused Head Boat slip instead of on Pier 4. Plans were distributed to all Commissioners.

Mrs. Marchetti advised she had met with Mr. Hawley from the Water Department and toured the Harbor. There is no sewer line coming into the Harbor, only service lines. Discussion followed and Mrs. Marchetti suggested that an engineering appraisal be obtained to remedy this situation. Mr. Hubeny said he had already contacted an engineer to submit a proposal.

OPERATIONS:

Mr. Hoffmann reported Wickberg Marine is on site and has made good progress with the piling removal and Fishing Pier work.

LEASES: Report in Executive Session on the Seastreak and A.H. Yacht Club leases.

March 9, 2010

FINANCE:

Mr. Archibald reported that income is up \$100,000 from last year.

Mr. Archibald advised that the CFO has suggested a 2.5 million dollar Bond Ordinance be retired. This Ordinance was for the proposed purchase of the Giuliani property and there is no longer any interest in the purchase.

Mr. Archibald offered a motion to retire the Bond Ordinance, seconded by Mr. Curry and upon roll call was unanimously carried.

Mr. Archibald presented a new plan for AHSOP ramp. The plan was referred to the Operations Committee. Mr. Hubeny advised the plan would have to be submitted to the Building Department for approval.

PERSONNEL:

Mr. Curry reported a new employee has been hired for work in the yard.

SPECIAL EVENTS/FIREWORKS: Mr. Hoffmann advised he not met with the firework's contractor as yet due to the weather. He also commended employees for the good job of snow removal.

ADMINISTRATOR'S REPORT:

Mr. Hubeny reported underground storage tank previously located at Tony's U-Drive that has never been brought to a conclusion. French & Parrello started work on this matter years ago and the issue has not been resolved. The cost for completing the closure is estimated at \$16,000. This tank was apparently discovered during the installation of the new bulkhead. Discussion followed.

Mr. Hoffmann offered a motion to recommend that Council adopt a resolution awarding this work to French & Parrello in the amount of \$16,000, seconded by Mr. Curry and upon roll call was unanimously carried

Mr. Hubeny responded to letter from Mr. Herbst.

Mr. Hubeny advised that the Bayshore Trail construction required a relocation of wetlands (The Wagner Creek Project). We have been paying a fee of \$100/year for this license. The Tidelands Bureau has suggested we apply for a grant of the property. Mr. Hubeny advised that Birdsall Engineering is working on the grant.

Mr. Hubeny advised that work on the Bayshore Outfall Pipe being done by French & Parrello was never approved by Council. Discussion followed.

Mrs. Marchetti offered a motion to request that Council adopt a resolution awarding this work to French & Parrello in the amount of \$11,000, seconded by Mr. McDonald and upon roll call was unanimously carried.

Mr. Hubeny said he is awaiting a price from the engineer regarding a Meets and Bounds survey required by the Tidelands Council.

ATTORNEY'S REPORT:

Mr. Corodemus advised he had received a letter from Mr. Kenny, Attorney for Mr. Lauricella and he will respond. Mr. Corodemus advised he is doing research on the request of NOAH to load bio-diesel from a truck here at the Harbor. He suggested that NOAH do a demonstration of the fuel loading at another marina which could be observed by Mr. Bate and himself. Mr. Bate advised we have a policy against fueling boats from the bulkhead.

Mr. Corodemus will report on leases in Executive Session.

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

ASSISTANT HARBOR MASTER'S REPORT:

Mr. Amici reported that we have been having some problems with our computer system. Apparently the server cannot handle all of the additional operating systems that are running and information that is being stored. A new server will cost in the area of \$6,000.00.

Mr. Amici also discussed On The Deck. The project will be done in the beginning of October.

March 9, 2010

OLD BUSINESS:

Mrs. Marchetti inquired about the NJ Baykeeper and the proposed pump out boat. Mrs. Marchetti said no further payments should be made until Mr. Amici contacts the Baykeeper to determine the status of the boat. All agreed.

NEW BUSINESS: None

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

Jim Krauss, 77 Bayside Drive said the Environmental Committee had discussed the bio-diesel fueling at the Harbor and they recommended not allowing this practice at the Harbor due to spill concerns. He also reported on fishing regulations.

Mrs. Frotton advised the Commission would now go into Executive Session. She advised that minutes of the Session would be kept and made available to the general public when the need for confidentiality is no longer necessary. The Regular Meeting would be re-convened and formal action might be taken at that time.

At 8:32 PM Mrs. Marchetti offered the following resolution and moved for adoption:

RESOLUTION NO.21/2010
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

THEREFORE, BE IT RESOLVED by the Atlantic Highlands Harbor Commission assembled in public session on March 9, 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. McDonald and adopted upon the following roll call vote:

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

NAYS: None

Regular meeting re-convened at 9:10PM with all Commissioners present.

Mr. McDonald offered a motion to authorize the Chairwoman, in conjunction with the Lease Committee, to execute the Seastreak Lease subject to the resolution of some details in question, seconded by Mr. Archibald and upon roll call was unanimously carried.

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

Meeting adjourned at 9:10 P.M.

Carol Cassese, Secretary

