

Regular meeting of the Harbor Commission of the Borough of Atlantic Highlands was held Tuesday, February 12, 2013 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: Commissioner Jacob Hoffmann, Commissioner Albert Thompson, Commissioner Frank McDonald, Commissioner Walter Curry, Commissioner Helen Marchetti, Commissioner Jack Archibald, and Commissioner Jane Frotton

ABSENT: None

Also present were Attorney Corodemus, Adam Hubeny, Administrator, Harbor Manager John Amici, Carol Cassese, Secretary, and Richard White.

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 a Public Notice 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 3, 2013. This agenda is complete to the extent known and formal action will be taken.

CORRESPONDENCE: Mrs. Frotton read letter from the Yacht Club requesting a light in the vicinity of the club entrance door, mold remediation for the building and needed repair to the emergency fire egress ladder. Mr. Amici advised these matters are being addressed.

Mrs. Frotton read letter from the Yacht Club commending the staff for the hard work done to help boaters and members after the destruction of Hurricane Sandy.

Mrs. Frotton read letter from the Yacht Club concerning the leak into the Shore Casino. Measures have been taken to assure this will not occur again.

Mrs. Frotton read letter from Dannie Schade requesting to dock his 54' charter boat at the Harbor. The matter was referred to the Lease Committee. Commissioner Archibald suggested a multi year lease.

ADMISTRATION:

Commissioner Marchetti offered a motion approving minutes of the Regular Meeting held 1/22/13 as recorded, seconded by Commissioner Hoffmann and upon roll call was unanimously carried.

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

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Commissioner Frotton invited Eric Nathansen T&M Associates to address the Commission. He advised J.H. Reid had done an excellent job with the demolition.

Twenty five sets of plans have been picked up for the reconstruction project and bids will be opened on Friday at 2PM.

Five sets of plans for the CDF project have been picked up and bid will be awarded on Friday at 11AM.

COMMITTEE REPORTS:

CLEAN MARINA: Commissioner Marchetti commended employees for the continued clean-up of the Harbor. Mrs. Marchetti suggested that fish cleaning stations be supplied to as many piers as possible. Mrs. Marchetti also supported the dock box project.

FINANCE: Commissioner Archibald advised the preliminary budget has been completed and has been forwarded to the finance Committee.

OPERATIONS: Mr. Hoffmann- no report.

LEASES: Commissioner Curry advised the Committee is discussing letter from Head Boat captains regarding payment of berths for 2013.

Discussion was held on the error with Seastreak rental/berth payments resulting in an overpayment of \$10,693.84. This amount will be deducted from the March 2013 rent/berth payment. Discussion followed and Commissioner Curry offered a motion to approve the deduction, seconded by Commissioner Thompson and upon roll call was unanimously carried.

CAPTIAL IMPROVEMENTS AND SPECIAL PROJECTS: Commissioner Hoffmann- no report.

ADMINISTRATOR'S REPORT: Mr. Hubeny advised bids had been received for the walk-in freezer and refrigerator for On The Deck. After review by the Borough Attorney, Todd Devlin of Yardley, PA in the amount of \$45,000 was recommended. Commissioner Hoffmann offered a motion to recommend to Council to award the bid, seconded by Mr. Curry and upon roll call was unanimously carried.

ATTORNEY'S REPORT: Mr. Corodemus reported the Appellate Division of the superior Court ruled in favor of the Harbor Commission on an appeal by Mr. Ritter for access to the facility.

Mr. Corodemus also advised that the survey for the extension of the bulkhead should be done for the Tidelands license.

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Signs regarding the Abandoned Vessel Ordinance should be posted throughout the Harbor.

HARBOR MANAGER'S REPORT:

Mr. Amici advised the Gasboy for the land pumps needs to be replaced due to the storm. And he would like to use the previous supplier. Discussion followed and Commissioner Hoffmann offered a motion to request Council to adopt a Resolution for the purchase of the system in the amount of \$10,555.30 from Whitemarsh Corp., seconded by Commissioner Curry and upon roll call was unanimously carried.

A discussion was held on the dock box policy to be added to the existing general conditions as follows: The Atlantic Highlands Harbor Commission shall provide and install a dock box for those tenants who wish to have a dock box at their slip. All dock boxes must be supplied by the Atlantic Highlands Harbor and not privately owned dock boxes will be permitted. The tenant shall advise the Harbor Office personnel of their request and leave a \$275.00 deposit for the dock box. After installation by the Harbor personnel, the dock box will be inspected with the tenant for any damages and not the condition of the box at the time of rental. When the slip holder is no longer a tenant of the Atlantic Highlands Municipal Harbor, the dock box will be inspected and if in the same condition as when rented, their \$275.00 deposit will be refunded. Only one (1) dock box is permitted per slip unless other arrangements have been made with the Harbor Manager. The Atlantic Highlands Municipal Harbor is not responsible for content loss due to theft or storms. Any damages caused by the tenant will be corrected by Harbor personnel at the expense of the tenant.

Commissioner Marchetti offered a motion approving the policy, seconded by Commissioner Curry and upon roll call was unanimously carried.

Harbor Manager Amici presented his report as follows:

2013 Berth Rentals:

We are accepting 50% berth deposits from new customers. The invoice for the balance will not be mailed until we know a date that the tenant can put his/her boat in the slip. This will avoid having to issue refunds after pro-rating the slip price. At this time we are about 55% full.

Material Storage Areas:

Designated storage areas have been put in place. Frank's Pier: Part of the Senior Building Parking lot. This may be changed to the area near the Ice House. Pier 6: An area of the parking lot between Piers 5&6 has been cleared of boats. Fishing Pier; An area by the hoist pit will be cleared. between Piers 5&6

Dock Boxes:

The Operations committee is in agreement that the dock boxes should be supplied by the Harbor Commission and be installed by harbor employees. The tenant would be required

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to pay a deposit to cover the cost of the dock box, which would be refunded when they leave the harbor as long as the box is in good condition. There will be two sizes of boxes, smaller ones for the floating docks.

Some issues have arisen regarding boarding boats from the floating docks. Attached is an example of steps which can be fastened to the dock by personnel.

Atlantic Highlands Yacht Club

There is a light switch at the bottom of the stairway to turn on the hallway lights, the fire egress ladder is on the list of items to be repaired. And the mold remediation issue was sent to Mr. Corodemus for review.

Fencing in the Harbor:

Bid for replacing fencing in the harbor that was destroyed by Hurricane Sandy is being prepared.

Sullivan Floatation Piers 5a, 7, 8, 9 Change Order:

A change order to have the proper type and location of the hoops that will be installed on the floating docks and to have the docks delivered with the decking installed is being prepared.

Sea Streak Lease:

Due to an error in their monthly rent payments, an adjustment in the March rent payment is needed. They overpaid \$10,693.94 over the past two years so the payment for the month of March will be \$12,768.23.

OLD BUSINESS: None

NEW BUSINESS: Mr. Hubeny led a discussion on business interruption insurance, which the borough has with Zurich Insurance. Several companies have submitted proposals to compile information needed, and should be investigated by the Commission as soon as possible.

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

Jim Kraus, 77 Bayside Drive inquired about the shed for the Environmental Committee. Mr. Amici advised that one would be provided to replace the loss from the storm.

Mrs. Frotton announced the Commission would now go into Executive Session. The Regular Meeting would then re-convene and no formal action would be taken at that time.

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Commissioner Curry offered the following resolution and moved for adoption:

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. 10-14-6etseq, 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 February 12, 2013 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 Commissioner Thompson was adopted upon the following roll call vote:

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

NAYS: None

Regular Meeting reconvened at 8:00 P.M. with all Commissioners present.

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

Meeting adjourned at 8:05 P.M.

Carol Cassese, Secretary

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