

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE
PRELIMINARY AGENDA FOR COUNCILMEMBERS
SUBJECT TO CHANGE

AGENDA Regular Meeting
TUESDAY April 16, 2013 4:30

PUBLIC HEARING – Energy 3:00 pm

DOCK HEARING – Block 200.03 Lots 462,463,464,465.01 a/k/a 10032
Corinthian Drive – Deluca – Frank Bowen, Channel Marine Construction

PRESENTATION – Safety Bags for Police – Safety Committee

OLD BUSINESS

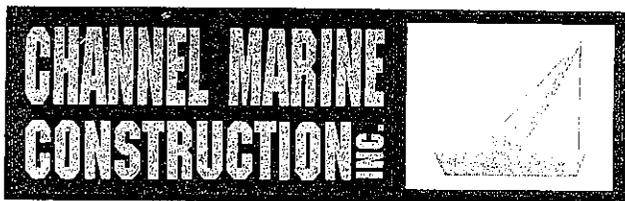
Ordinance 1422 WATER RATES 2nd 3rd and final (1) Lane

NEW BUSINESS:

Resolution – Cooperative Pricing System Energy (2) Mastrangelo
Resolution – 2012 Audit (3) Mastrangelo
Resolution - EUS Stone Harbor Boot Camp (Elisano) (4) Rich
Resolution- EUS Sport Performance Sessions (Yellin) (5) Davies-Dunhour
Resolution – EUS Cross Fit & Zumba (Craft) (6) Davies-Dunhour
Resolution – EUS – Just Desserts (7) Rich
Resolution – Taxi License (8) Carusi
Resolution – Transfer Workers Comp Insurance Fund to General Fund (9)
Mastrangelo
Resolution – Transfer Public Assistance Trust Fund to General Fund (10) Carusi
Resolution – Refund Escrows Bd of Adjust & Planning (11) Rich
Resolution – Release Surety Escrow – Street Openings (12) Lane
Resolution – Amend 2013-S-53 (dates of contract - Employee Benefits
Consultant) (13) Mastrangelo
Resolution – Designated Protected Beaches (14) Davies-Dunhour
Resolution – Setting Recreation Fees for 2013 (15) Rich
Resolution – Skate Park Fees (16) Davies-Dunhour
Resolution – Dogs on the Beach (17) Rich
Resolution – Cancel Taxes – Library (18) Mastrangelo
Resolution – Summer Officers Class I (19) Carusi
Resolution – Utility Exemptions (20) Lane
Motion: Permission St Mary’s Church, summer worship services (21)
Motion: Permission for Independent film to be filmed on the beach. (22)

DISCUSSION

Bird Sanctuary – Rich



31 Clermont Drive
Clermont, NJ 08210
Phone: 609-967-5600
Fax: 609-624-1225

March 20, 2013

Ju sy

Suzanne C. Stanford, R.M.C.
Borough Clerk
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

Dear Suzanne:

This letter is the request to schedule a meeting before the Mayor and Council for building a new dock system at:

Block: 200.03
Lot: 462, 463, 464, 465.01
a/k/a: 10032 Corinthian Drive
Owner: DeLuca

Attached please find the compliance letter from Zoning and Construction.

Sincerely,


Frank Bowen
President

FB/jks

April 5 - 8 Capital Planning



BOROUGH OF STONE HARBOR
CONSTRUCTION • ZONING
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247

TELEPHONE (609) 368-6813
(609) 368-6814
FAX (609) 368-0628

March 12, 2013

Channel Marine Construction Inc.
31 Clermont Drive
Clermont, NJ 08210

Re: Block: 200.03
Lots: 462, 463, 464, 465.01
a/k/a: 10032 Corinthian Drive
DeLuca

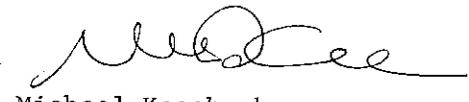
Dear Contractor:

Please be advised this office will issue the permit applied for regarding the above referenced property once Mayor and Council have approved same.

If you have any questions please feel free to contact this office at 368-6814.

Sincerely,


Joanne Mascia
Zoning Officer


Michael Koochembere
Construction Official

"The Seashore at its Best"



SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102

(1)

**BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1422

(Amending Service Line Installation and Water Rates and Fees and Sanitary Sewer Collection System Rates)

Section 1. Chapter 542 is hereby amended as follows:

[Amended only the portions indicated. The remainder of each section remains as currently codified.]

§542-5. Water service Lines.

E. When the Utilities Department makes a complete services line installation, the cost shall be as follows. [Amended 3-15-2005 by Ord. No. 1226; 3-7-2006 by Ord. No. 1251; and 11-18-2008 by Ord. No. 1325]

Size of Service (inches)	Previous Cost	Cost Effective 5/1/2013	Cost Effective 1/1/2014
3/4	\$1,171.00	\$1,347.00	\$1,549.00
1	\$1,579.00	\$1,816.00	\$2,088.00
1 1/2	\$2,317.00	\$2,665.00	\$3,064.00
2	\$2,930.00	\$3,370.00	\$3,875.00
4	\$3,998.00	\$4,598.00	\$5,287.00
6	\$6,347.00	\$7,299.00	\$8,394.00
8	\$8,173.00	\$9,399.00	\$10,809.00

§542-13. Schedule of water rates and fees.

A. Minimum charges. There shall be due and payable quarterly in each year, a minimum charge for each consumer or meter in accordance with the following schedule: [Amended 3-18-2008 by Ord. No. 1307; 10-5-2010 by Ord. No. 1364; and 5-4-2011 by Ord. No. 1377]

Size of Service (inches)	Previous Charge	All Meters Quarterly Minimum Charge	Regular Meters Quarterly Gallonage Allowance
5/8 and 3/4	\$70.00	\$86.00	13,000
1	\$101.00	\$123.00	13,000
1 1/2	\$136.00	\$166.00	13,000
2	\$179.00	\$219.00	13,000
3	\$241.00	\$294.00	13,000
4	\$301.00	\$366.00	13,000

§542-22. Sanitary sewerage collection system rates.

A. The annual sewerage system charges will be billed in equal quarterly installments.

1. Each installment shall be based upon the water consumption in the prior year's summer quarter (July, August, and September) and will consist of: **[Amended 3-15-2005 by Ord. No. 1226]**

(a) Customer charge: ~~\$43.00~~ **\$55.00 [Amended 3-18-2008 by Ord. No. 1307]**

Section 2. If any portion of this Ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. This Ordinance shall take effect immediately upon final adoption and publication in accordance with law.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

RESOLUTION OF THE BOROUGH OF STONE HARBOR AUTHORIZING THE ESTABLISHMENT OF A COOPERATIVE PRICING SYSTEM AND TO ENTER INTO COOPERATIVE PRICING AGREEMENTS WITH OTHER CONTRACTING UNITS

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes two or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Borough of Stone Harbor is desirous of establishing a Cooperative Pricing System and entering into a Cooperative Pricing Agreement with other contracting units;

WHEREAS, the Borough of Stone Harbor has agreed to serve as the Lead Agency for a Cooperative Pricing System; and

WHEREAS, the Borough Council of the Borough of Stone Harbor has duly considered the establishment of a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED as follows:

1) COOPERATIVE PRICING SYSTEM ESTABLISHED - The Borough Council of the Borough of Stone Harbor hereby authorizes the creation of a Cooperative Pricing System to be known as the Southern Shore Energy Aggregation Cooperative with the Borough of Stone Harbor serving as the Lead Agency.

2) COOPERATIVE PRICING AGREEMENT - The Mayor of the Borough of Stone Harbor is hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units and said Agreement shall be deemed a single Agreement.

3) COPY OF RESOLUTION TO DIVISION OF LOCAL GOVERNMENT SERVICES - A single certified copy of this resolution shall be forwarded to the Division of Local Government Services as part of the application for the registration of this Cooperative Pricing System.

4) EFFECTIVE DATE - This resolution shall take effect immediately upon passage.

DATED: _____

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

SOUTHERN SHORE ENERGY AGGREGATION COOPERATIVE
AGREEMENT FOR A COOPERATIVE PRICING SYSTEM

This Agreement made and entered into this ___ day of _____, 20___, by and between the Borough of Stone Harbor, with an address of 9508 Second Avenue, Stone Harbor, NJ 08247 and hereinafter referred to as “Stone Harbor” or “Lead Agency” and the following participants listed below, who desire to participate in the CM AREA Energy Cooperative (hereinafter referred to as “Cooperative Pricing System” or the “System”).

PARTICIPANTS

- a) The Township of Middle with an address of 33 Mechanic Street, Cape May Court House, NJ 08210 and hereinafter referred to as “Middle”; and
- b) The Township of Commercial with an address of 1768 Main Street, Port Norris, NJ 08349 and hereinafter referred to as “Commercial”; and
- c) The City of Wildwood with an address of 4400 New Jersey Avenue, Wildwood, NJ 08260 and hereinafter referred to as “Wildwood”.

With all above municipalities being hereinafter referred to collectively as “Participants.”

W I T N E S S E T H

WHEREAS, N.J.S.A. 40A:11-11(5), specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, Stone Harbor, the Lead Agency, is conducting a voluntary Cooperative Pricing System with other Participants; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all Participants hereto have approved the within Agreement by Resolution in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all Participants to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or services to be priced cooperatively shall include Electric Generation Service and Natural Gas Supply Service.
2. The items and classes of items which may be designated by the Participants hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
3. Stone Harbor, the Lead Agency, on behalf of all Participants, shall upon approval of the registration of the System and annually thereafter on the anniversary of the registration of the System, publish a legal ad in such format as required by N.J.A.C. 5:34-7.9(a) in its official newspaper normally used for such purposes by it to include such information as:
 - (A) The name of Lead Agency soliciting competitive bids or informal quotations.
 - (B) The address and telephone number of Lead Agency.
 - (C) The names of the Participant contracting units.
 - (D) The State Identification Code assigned to the Cooperative Pricing System.
 - (E) The expiration date of the Cooperative Pricing System.
4. Each of the Participant contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities desired, the location for delivery and other requirements, to permit the preparation of specifications as provided by law.
5. The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
6. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the Participant contracting units desiring to purchase any item.
7. The Lead Agency when advertising for bids or soliciting informal quotations shall receive bids or quotations on behalf of all Participant contracting units. Following the

receipt of bids, the Lead Agency shall review said bids and on behalf of all Participant contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:

(A) The quantities ordered for the Lead Agency's own needs, and

(B) The estimated aggregate quantities to be ordered by other Participant contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.

8. The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.

9. Each Participant contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.

10. No Participant contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other Participant contracting unit. Each Participant contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.

11. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the Participant contracting units.

12. No Participant contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.

13. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the Participant contracting units is either not beneficial or not workable.

14. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.

15. This Agreement shall become effective on _____ subject to the review and approval of the Director of the Division of Local Government Services and shall

continue in effect for a period not to exceed five (5) years from said date unless any party to this Agreement shall give written notice of its intention to terminate its participation.

16. Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this Agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.

17. All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.

18. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE LEAD AGENCY

Stone Harbor Township

BY:

(NAME AND TITLE)

FOR THE PARTICIPANT UNITS

Middle Township

BY:

(NAME AND TITLE)

Commercial Township

BY:

(NAME AND TITLE)

Wildwood City

BY:

(NAME AND TITLE)

COOPERATIVE PRICING AGREEMENT RIDER

Pursuant to Paragraph 16 of the Cooperative Pricing Agreement, the (INSERT NAME OF MEMBER) hereby requests that it be allowed to participate in the cooperative arrangement described in the above-mentioned Agreement.

The (INSERT NAME OF MEMBER) acknowledges that it has received and reviewed the Agreement in its entirety, and agrees to be bound by its promises, covenants, terms and conditions, as well as by any rules and regulations duly promulgated by the Lead Agency and the members of the Cooperative Pricing System.

The (INSERT NAME OF MEMBER) shall likewise be entitled to all the rights and benefits of a member of the Cooperative Pricing System.

IN WITNESS WHEREOF, the parties hereto have caused this Rider to be executed by their authorized officers on the _____ st day of _____, 20_____.

ATTEST: (MEMBER)

CLERK

AUTHORIZED SIGNATORY

Pursuant to Paragraph 16 of the Cooperative Pricing Agreement, the Lead Agency, Stone Harbor, does hereby accept [Insert Name of Member] as a member of the Cooperative Pricing System in consideration for the execution of the foregoing Rider and the promises, covenants, terms and conditions, as well as by any rules and regulations, referred to therein.

ATTEST: Stone Harbor

CLERK

AUTHORIZED SIGNATORY

SUBJECT: Authorization

TO: LDC and all Energy Suppliers (ES's)

RE: CUC Representation

Dear Sir/Madam:

Please be advised that our company has engaged the services of Commercial Utility Consultants, Inc. (CUC) to secure ES quotes to serve all of our accounts in the _____ service territory. We hereby authorize you to answer any questions and to furnish any information to CUC relative to our account(s).

This authorization remains in effect and CUC will be our exclusive provider of ES price quotes until further written notice. Thank you for your cooperation.

Sincerely,

(Company Name)

By: _____

Print Name: _____

Title: _____

Date: _____

(3)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, The Local Finance board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:
General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:
General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Stone Harbor hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Offered by Secoded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

**RESOLUTION AUTHORIZING AWARD OF CONTRACTS
FOR EXTRAORDINARY UNSPECIFIABLE SERVICES
FOR STONE HARBOR BOOT CAMP 2013 DURING THE SUMMER OF 2013**

WHEREAS, the Borough of Stone Harbor, in an effort to expand recreational opportunities for resident and visitors has pursued the provision of certain "sport camps" which are extraordinary and not amenable to typical specification processes; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as Extraordinary Unspecifiable Services; and

WHEREAS, a contract for the following services has been prepared and is on file with the Borough Clerk:

- 1. Stone Harbor Boot Camp 2013
Nick Elisano May 24, 2013 – September 30, 2013

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 16th day of April, 2013, as follows;

- 1. That the preamble of this Resolution is hereby incorporated herein by reference;
- 2. That the Mayor and Clerk are hereby authorized and directed to execute the aforementioned contract on behalf of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
EXTRAORDINARY UNSPECIFIABLE SERVICES
FOR SPORTS PERFORMANCE SESSIONS DURING THE SUMMER SEASON OF
2013**

WHEREAS, the Borough of Stone Harbor, in an effort to expand recreational opportunities for residents and visitors has pursued the provision of certain "sports sessions" which are extraordinary and not amenable to typical specification processes; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as Extraordinary Unspecifiable Services; and

WHEREAS, a contract for the following services has been prepared and is on file with the Borough Clerk:

- 1. Jason Yellin (Sports Performance Sessions-Youth Camp
May 27 through September 5, 2013)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 16th day of April, 2013, as follows:

- 1. That the preamble of this Resolution is hereby incorporated by reference as if set forth herein by reference; and
- 2. That the Mayor and Clerk are hereby authorized and directed to execute the aforementioned contract on behalf of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

(6)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR FITNESS CAMPS DURING THE SUMMER SEASON OF 2013

WHEREAS, the Borough of Stone Harbor, in an effort to expand recreational opportunities for residents and visitors has pursued the provision of certain "sports camps" which are extraordinary and not amenable to typical specification processes; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as Extraordinary Unspecifiable Services; and

WHEREAS, a contract for the following services has been prepared and is on file with the Borough Clerk:

1. Nancy Crafts – Fitness Camps (Cross Fit & Zumba)
May 24 through September 30, 2013

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 16th day of April, 2013, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth herein by reference; and
2. That the Mayor and Clerk are hereby authorized and directed to execute the aforementioned contract on behalf of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(7)

RESOLUTION

**RESOLUTION AUTHORIZING AWARD OF CONTRACTS
FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR KITCHEN WIZARDS
CULINARY CAMPS**

WHEREAS, the Borough of Stone Harbor's Recreation Department is desirous of having cooking camps during the 2013 summer season; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as an Extraordinary Unspecifiable Service; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 16th day of April, 2013, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Mayor and Borough Clerk are hereby authorized and directed to execute the attached contracts for Kitchen Wizards Culinary Camps during the summer of 2013.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

.....
Mayor

(8)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

GRANTING TAXICAB LICENSE

WHEREAS, Oleg Pismenny, G(Garibaldi) Taxi of 144 East Delaware Parkway, Villas, N.J. 08251 has applied to the Borough of Stone Harbor for a second taxicab license for the year 2013; and

WHEREAS, the vehicle has been inspected by the Stone Harbor Police Department and the applicant has paid the applicable fee, supplied a copy of proof of insurance and a copy of the rates to be charged within the Borough, to the Borough Clerk, all as required by Chapter 487of the Revised General Ordinances of the Borough of Stone Harbor 2005.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that a taxicab license be hereby approved to be issued by the Borough Clerk to Oleg Pismenny, G(Garibaldi) Taxi for a 1999 Ford Windstar Wagon 2FMVA5247XVC69800.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(9)

TRANSFER OF WORKERS' COMPENSATION INSURANCE FUND TO GENERAL FUND

WHEREAS, the Borough of Stone Harbor has a Workers' Compensation insurance fund which is no longer needed since the Borough of Stone Harbor has joined the Atlantic County Joint Insurance Fund; and

WHEREAS, said account is existing in Sturdy Savings Bank.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Workers' Compensation insurance account at Sturdy Savings Bank in the sum of \$61,877.41 plus any accrued interest, is approved for transfer into the General Fund.

BE IT FURTHER RESOLVED that the appropriate officers make the necessary changes in their records.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

.....
Borough Clerk

The above resolution approved this day of....., 2013

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(10)

TRANSFER OF PUBLIC ASSISTANCE TRUST FUND TO GENERAL FUND

WHEREAS, the Borough of Stone Harbor has a Public Assistance Trust fund which is no longer needed; and

WHEREAS, said account is existing at Sturdy Savings Bank.

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Public Assistance Trust Fund account at Sturdy Savings Bank in the sum of \$2,473.99, plus any accrued interest is approved for transfer into the General Fund.

BE IT FURTHER RESOLVED that the appropriate officers make the necessary changes in their records.

Offered by Secoded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(11)

RESOLUTION

WHEREAS, the following deposited escrow amounts for Board of Adjustment application fees; and

WHEREAS, part of these fees were used for Engineering and Legal Fees, and

WHEREAS, the Zoning Officer has requested and approved the return of the remaining fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor as follows:

1. Bruce R. Young, P.O. Box 33, Saylorsburg, Pa. 18353 deposited the sum of 500.00 and \$162.50 was used for Legal Fees, that the sum of \$ 337.50 be refunded (Zoning)
2. Jeffrey M. Mandler, 883 Echo Hill Road, West Chester, Pa. 19382 deposited \$ 500.00 and \$ 180.00 was used for Legal Fees, that the sum of \$320.00 be refunded.(Zoning)
3. SeaLuke, LLC, 22 Dartmouth Lane, Haverford, Pa. 19041 deposited \$500.00 and \$242.25 was used for Legal Fees, that the sum of \$242.25 be refunded (Zoning).
4. The Tanner Corp. 9614 Third Avenue, Stone Harbor, N.J. 08247 deposited \$3,000 and \$1,688.50 was used for Legal and Engineering Fees, that the sum of \$1,311.50 be refunded. (Zoning)
5. J. Craig Otton Custom Builders, LLC, 10003 Sunrise Drive, Stone Harbor, N.J. 08247 deposited the sum of \$2,000 and \$1,590.50 was used for Legal and Engineering Fees, that the sum of \$409.50 be refunded. (Planning Bd)

BE IT FUTHER RESOLVED that the Chief Financial Officer shall take any and all steps necessary to effectuate such refunds and shall make the proper adjustments to the financial records of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(12)

RESOLUTION

WHEREAS, the following Contractors submitted Escrow monies for Street Openings;
and

WHEREAS, the Zoning Officer has requested and approved the return certain fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the
following fees be returned as follows:

- | | |
|--------------------------------------------------------|-------------|
| 1. DL Miner 107 – 118 th Street | \$ 3,050.00 |
| 2. Tom Welsh 8702 Third Avenue | 4,390.00 |
| 3. Brandywine Construction 10725 Sunset Dr. | 1,950.00 |
| 4. Brandywine Construction 2 – 99 th Street | 2,200.00 |
| 5. Mr. Natale 408 – 99 th Street | 850.00 |

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2013

.....
Borough Clerk

The above resolution approved this day of, 2013

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(13)

RESOLUTION

**APPROVING AN AMENDMENT TO RESOLUTION 2013-S-53
TO CHANGE DATE OF CONTRACT – EMPLOYEE BENEFITS CONSULTANT**

WHEREAS, the Borough of Stone Harbor in the County of Cape May, State of New Jersey, by Resolution 2013-S-53 on March 5, 2013 approved an agreement for Employee Benefits Consultant March & McLennan Agency, Inc. as the Borough’s employee benefits consultants; and

WHEREAS, the Resolution stated that the contract started March 1, 2013 through December 31, 2013 and should have stated January 1, 2013 through December 31, 2013.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough Stone Harbor in the County of Cape May, State of New Jersey, duly assembled in public session this 16th day of April, 2013 that Resolution 2013-S-53 be amended to reflect the new date listed above.

Offered by Secoded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(14)

RESOLUTION

DESIGNATED PROTECTED BATHING BEACHES – 2013

WHEREAS, the Borough of Stone Harbor periodically receives reports from its Borough Beach Patrol Captain and Borough lifeguards relating to the proper location of bathing beaches in the Borough of Stone Harbor; and

WHEREAS, the information submitted to Mayor and Council for the year 2009 is that some changes to the distribution of bathing beaches should be made.

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that pursuant to Section 156-5 (B) of the Revised General Ordinances 2005 of the Borough of Stone Harbor, protected bathing beaches shall be located at 81st Street, 83rd Street, 86th Street, 87th Street, 90th Street, 93rd Street, 94th Street, 95th Street, 96th Street, 100th Street, 102nd Street, 103rd Street, 105th Street, 108th Street, 110th Street, 112th Street, 113th Street, 116th Street, 117th Street, 120th Street and 122nd Street. Additionally, the lifeguard captain, or his designated assistant, shall have the right during operations on a daily basis to move each bathing beach up to one-half block in either direction in order to take advantage of the best local conditions at the beach site. The lifeguard captain or his designated assistant, may also close a beach due to adverse weather conditions or lack of personnel, or for any other appropriate reason.

BE IT FURTHER RESOLVED that the use of surfboards (with leashes attached) shall be permitted at the beaches at 81st Street and 110th Street only, and all surfers shall be required to comply with the directions of the lifeguards based upon local conditions at the time. Also, the use of stand up paddleboards (with leashes attached) shall be permitted at 81st street only, and all users of stand up paddle boards shall be required to comply with the directions of the lifeguards based upon local conditions at the time. Kayaks will be permitted at 122nd Street through 126th Street only, and life jackets must be worn at all times while in the water.

BE IT FURTHER RESOLVED that rafts and body boards (not surfboards) shall be permitted at all protected beaches, except 81st, 86th, 105th, 110th, 112th and 122nd Streets.

BE IT FURTHER RESOLVED that selected protected beaches shall begin to open on the Saturday of Memorial Day week-end and shall be open through the Monday of Labor Day week-end. Post-season protected beaches will be open only if qualified personnel are available.

BE IT FURTHER RESOLVED that beach tags shall be required for all beaches commencing on the Saturday of Memorial Day week-end thru the Monday of Labor Day week-end.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

(15)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

SETTING RECREATION PROGRAM FEES FOR 2013

WHEREAS, Section 400.3 of the Revised General Ordinances 2005 of the Borough of Stone Harbor provides that fees and charges for the use of the tennis courts shall be established from time to time by Resolution; and

WHEREAS, on the advice of the Chief Financial Officer the Council has adopted a policy to promulgate other recreation fees by Resolution; and

WHEREAS, Borough Council has reviewed the rates for the tennis courts and other recreation programs and wishes to make certain adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that the new fees are as follows:

2013 TENNIS FEES

Seasonal Adult Membership	May-Sept	\$110
Seasonal Junior Membership	May-Sept	\$ 65
Monthly Adult Membership		\$ 60
Monthly Junior Membership		\$ 40
96 th Street Soft-Court Rental, per person		
	per hour	\$ 7
83 rd Street Court Rental, per person		
	per hour	\$ 7

ADULT PROGRAMS

Beginner Adult \$10/class
Advanced Adult \$10/class

JUNIOR PROGRAMS

Tiny Tots Jr. \$ 5/class
Junior \$10/class
Advanced Junior \$10/class
Intermediate \$10/class

PRIVATE LESSONS

Private Lessons with Pro \$40 /hour
\$20/1/2 hour
Private Lessons with Ass't \$20/hour
\$10/1/2 hour

OTHER PROGRAMS

The fee for the following recreation programs shall be \$35:

- Teeball,
- Jr. and Sr. Baseball
- Jr. and Sr. Soccer
- PeeWee, Jr. and Intermediate Basketball

The fee for Arts & Crafts shall be \$10 per session

The fee for Fishing Clinic shall be \$20 for the summer season, or payment of \$5 per class in not a seasonal member.

Offered by Secoded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

(16)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING AN ATTENDANT AT THE SKATE PARK AND SETTING FEES FOR USE

WHEREAS, the Borough of Stone Harbor, as part of its recreation program, maintains a skate park in the vicinity of 81st Street and Second Avenue; and

WHEREAS, the Borough is given authority under law to regulate the use of the skate park in the interests of the health, safety and welfare of its citizens; and

WHEREAS, it has been determined that the placement of an attendant at the skate park and the collection of a fee for use during the summer season best serves the interests of the health, safety and welfare of the citizens of the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, duly assembled in public session this 16th Day of April, 2013, as follows:

1. That the preamble of this Resolution is hereby adopted and incorporated by reference;
2. That the Department of Recreation is authorized to place an attendant from among its staff to monitor the skate park and collect fees from June 11, 2013, to September 3, 2013, inclusive of those days and the hours will be 10 am - 8 pm;
3. That the fees for use of the skate park shall be \$2.00 for a day pass, \$5.00 for a weekly pass and \$20.00 for a season pass.
4. The Director of Recreation shall, in consultation with the Chief Financial Officer, develop the appropriate procedure for the processing and accounting of such fee payments as may be received.

Offered by Secoded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

(17)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION ALLOWING THE WALKING OF DOGS (ON LEASHES) ON THE BEACH BETWEEN 80TH AND 122ND STREETS FROM 7:00 PM UNTIL SUNSET

WHEREAS, in accordance with R.G.O. 147-H(3), the Borough Council is empowered to allow, by Resolution, the walking of dogs on the beach as designated by said ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 16th day of April, 2013, as follows:

1. The walking of dogs under leash on the beach shall be permitted upon the public portion of the beach between 80th and 122nd Streets effective June 1, 2013, through September 30, 2013.
2. The time for the walking of dogs shall be 7 pm until the time of Sunset as published in the Press of Atlantic City, each day of the term of this Resolution.
3. This allowance is in the sole discretion of the Borough Council and may be repealed by subsequent Resolution of Borough Council. Additionally, the Chief of Police, upon the request of the Captain of the Lifeguards or on his own initiative, shall have the power to disallow such dog walking if he determines such disallowance is in the interest of public safety.
4. Any person allowing a dog to be upon the beach without being leashed, in the area designated above, continues to be subject to the provisions of R.G.O. 147.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(181)

RESOLUTION TO CANCEL PROPERTY TAXES

WHEREAS, Block 95.02, Lot 67 a/k/a 9516 Second Avenue has been deeded to the Cape May County Library Commission since December 10, 2012; and

WHEREAS, since that date, property taxes have been exempted, pursuant to N.J.S.A. 54:4-3.03, Exemption of Public Property.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that the Tax Collector is hereby authorized and directed to cancel the 1st and 2nd quarter taxes including interest calculated until April 16, 2013 in the amount of \$3,193.46.

BE IT FURTHER RESOLVED that the Tax Collector make the proper adjustments in her records.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(19)

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the following be appointed as SLEO Officers, with the Stone Harbor Police Department effective from May 1, 2013 through September 30, 2013.

CLASS I

Christopher Fernandez
Frank J. Ofner
Matthew J. Kochis

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2013

.....

Borough Clerk

The above resolution approved this day of....., 2013

.....
Mayor

(20)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A Resolution Reaffirming and Clarifying Certain Utility Fee Exemptions

WHEREAS, for many years it has been the policy of the Borough Council of the Borough of Stone Harbor to exempt certain civic and charitable organizations from certain utility charges; and

WHEREAS, it is the desire of the Borough Council to continue the long-standing exemption of certain charges, and to clarify those charges that are exempt;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor duly assembled in public session this 16th day of April, 2013, as follows:

1. The Preamble to this Resolution is incorporated here by reference and adopted as a finding of fact; and
2. The organizations listed below shall be exempt from all water and sewer charges for the year 2013 for the following accounts:
 - Evangelical Lutheran Church accounts # 06625 & 07040
 - Stone Harbor Board of Education accounts #07370 & 07390
 - St. Mary's Episcopal Church account #08020
 - Stone Harbor Women's Civic Club account # 08860
 - St. Brendon the Navigator Parish accounts # 11981 & 11990
 - Immaculate Heart of Mary, Villa Maria – Rectory account # 19945
 - Stephen C. Ludlum American Legion Post 331 account # 21150
3. The aforementioned organizations shall not be exempt from charges for irrigation system water usage.
4. The Utilities Collector shall be governed with regard to these organizations by this Resolution and shall handle the aforementioned accounts accordingly.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the day of, 2013

Borough Clerk

The above resolution approved this day of....., 2013

Mayor

(2)

Saint Mary's Episcopal Church

9425 Third Avenue
Stone Harbor, New Jersey 08247

The Rev. Susan Osborne-Mott, Interim Rector
The Rev. Ronald Lockhart, Assisting Clergy
The Rev. Lisa Hoffman, Outreach Minister
The Rev. Susan Cushinotto, Deacon

Parish Office Phone: 609-368-5922
Parish Fax Number: 967-1616

April 8, 2013

Borough Council
Borough of Stone Harbor
9508 Second Ave.
Stone Harbor, NJ 08247

Dear Borough Council members:

I am writing on behalf of the Vestry of St. Mary's Episcopal Church to request permission to use the 101st Street Beach Pavilion for our summer Saturday evening worship services, "Worship on the Beach," beginning June 1 and ending August 31st, from 5 pm to 6 pm. Our Certificate of Insurance is enclosed.

This event has become very popular over the past few years, and we are looking forward to another great summer in Stone Harbor. Please let us know if St. Mary's has the permission of the Borough to use the Pavilion for Summer 2013.

Thank you for your attention.

Sincerely,



Lawrence Schmidt, Senior Warden
St. Mary's Episcopal Church

(22)

Memorandum

To: Susanne Stanford, Borough Clerk. Jill Gougher, Borough Administrator

CC:

From: Liz Hargett, Department of Tourism

Date: 4/11/2013

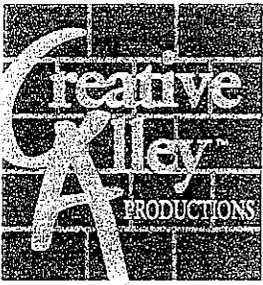
Re: Permission to Film on Stone Harbor Beach

Tyler Hollinger has contacted me to ask permission to shoot on the Stone Harbor beach for a small independent film. After reviewing his documents, I ask that this information be placed on the Agenda for 4/16/2013 for Council to discuss.

Included is a complete synopsis of the project. Why they would like to film in Stone Harbor and well as various Releases they ask participants to sign.

Tyler will also make himself available to council to answer any questions of Mayor and Council.

LH



LIFE'S TOO SHORT TO MAKE BAD MOVIES

211 East 51st Street Suite 3A New York, NY 10022 (917) 837-5197 tholinger@gmail.com
www.trustmelifeguardmovie.com

ATTN:
Elizabeth Hargett
Stone Harbor Tourism Director
& Stone Harbor Town Council Members

Enclosed in this letter of intent are the films synopsis, locations, copy of video release and a little more details of the project. This is a passion-project and a very low-budget short film aimed to capture the idea of summer in a fun care-free way. We are asking a lot of favors from friends and family and as of now it has no financial aims.

The real point of the film is the fact that I have had Stone Harbor in my heart since a child and have spent over 2 decades down the shore. I am a property owner on 102nd street (10108 1st ave.) and my family has been involved in the town for many years. We are hoping to shoot at various town locales such as the Stone Harbor Yacht Club, Quahogs, 96th street, and 102 street beach.

Sincerely,
Tyler Hollinger & Christian Keiber
Executive Producers
TRUST ME I'M A LIFEGUARD

--

"TRUST ME. I'M A LIFEGUARD"

thollinger@gmail.com

www.tylerhollinger.com

http://www.trustmelifeguardmovie.com/

http://www.imdb.com/title/tt2723782/combined

--

DATES: Summer 2013 (August 7th-14th)

LOCATION: Stone Harbor NJ

CREATIVE TEAM

Director: Tony Glazer

Executive Producers: Tyler Hollinger & Christian Keiber

Producer: Bryce C. Campbell (Open Road Films & Creative Alley Productions), Bree Michael Warner

Line Producer: Summer Crockett Moore

Writers: Tyler Hollinger & Christian Keiber

Insurance: Fractured Atlas

DP: TBD

PRODUCT SPONSER: DOGFISH HEAD BEER

CAST:

SAM- Tyler Hollinger (Brothers Keeper, Excuse me for Living)

MURPHY-Christian Keiber (No Way Back w/ Russell Crowe, Charmed)

STRATOS- Eric Wdowiak

MR. FITZGERALD- John Doman (The Wire, Blue Valentine)

GWEN- Bree Michael Warner (Officer Down, Without a Trace)

SANDY- TBD

MARGARET- Summer Crockett Moore (Junction)

JERRY THE FISH GUY- Robert John Keiber (All My Children)

SMITTY- TBD

BOUNCER- Sam Calagione (DogFish Head Beer)

--

Synopsis - Trust Me, I'm A Lifeguard

A romantic comedy about three slacker lifeguards who, when confronted with the end of summer, have to make adult decisions such as: what is the meaning of life? What makes a good Speedo? And are those clams safe to eat?

Every summer Sam, Murphy, and Wayne sit atop the lifeguard-stand pondering their future however, this summer is different. Sam is finally going to win back his childhood sweetheart and change his life for the better. Murphy is finally going to overcome his fear of the water and solidify his place a leader among guards by

winning the “Lifeguard Golden Can Award.” And finally Wayne, the rookie, is finally going to conquer the highest hurdle of all; getting a girlfriend.

A host of other hilarious beach characters come and go in this fast paced season. These long days of summer seem endless and our trio is faced with the reality that life is moving forward whether they want it to or not. This is the summer that changes everything for better or for worse. What happens when the summer of *your* life comes to an end?

Trust Me, I’m a Lifeguard is a timeless beach bum classic. It’s the CaddyShack of the shore.

--

Specific Locations:

- 102nd street beach or The Beach near the point
- 96th street Main Town Location
- Stone Harbor Yacht Club
- Quhogs Clam Shack

**PRODUCTION RELEASE AND WAIVER OF LIABILITY,
AGREEMENT NOT TO SUE, AND INDEMNIFICATION
AND HOLD HARMLESS AGREEMENT**

I UNDERSTAND THIS IS AN IMPORTANT LEGAL DOCUMENT RELATING TO MY PARTICIPATION IN THE PRODUCTION ENTITLED: _____ AND BY SIGNING THIS DOCUMENT, I AM ANY/ALL WAIVING LEGAL RIGHTS I MAY HAVE AGAINST THE FILMMAKER OF THE ABOVE PRODUCTION.

I HAVE VOLUNTARILY AGREED TO PARTICIPATE ON THE PRODUCTION ENTITLED:

I HEREBY UNCONDITIONALLY RELEASE AND FOREVER DISCHARGE ANY PERSONS, ENTITIES AND THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, PARTNERS, SHAREHOLDERS, SUCCESSORS, ASSIGNEES, PARENT OR SUBSIDIARY ENTITIES, REPRESENTATIVES, MEMBERS OR AFFILIATES RELATED IN ANY WAY TO THE FILMMAKER OF THE ABOVE PRODUCTION FROM ANY AND ALL ACTIONS, LIABILITIES, DAMAGES, LOSSES, COSTS, EXPENSES, CLAIMS OR DEMANDS (INCLUDING WITHOUT LIMITATION THOSE BASED ON NEGLIGENCE, GROSS NEGLIGENCE AND/OR PRODUCT LIABILITY, BREACH OF CONTRACT, OR BREACH OF ANY STATUTORY OR OTHER DUTY OF CARE OWED UNDER APPLICABLE LAWS) THAT I, MY HEIRS, NEXT OF KIN, SPOUSE, DISTRIBUTEES, GUARDIANS, LEGAL REPRESENTATIVES, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS NOW HAVE OR MAY HEREAFTER HAVE FOR ANY INJURY TO ME OR MY PROPERTY, RESULTING DIRECTLY OR INDIRECTLY FROM MY PARTICIPATION ON THE PRODUCTION ENTITLED:

I HEREBY AFFIRM: I AM 19 YEARS OF AGE OR OLDER. I HAVE CAREFULLY READ THIS DOCUMENT, AND I UNDERSTAND ITS CONTENTS. I AM AWARE THIS DOCUMENT IS A RELEASE OF ALL LIABILITY AND A CONTRACT ENFORCEABLE AGAINST ME (AND MY HEIRS, NEXT OF KIN, DISTRIBUTEES, GUARDIANS, LEGAL REPRESENTATIVES, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS) IN A COURT OF LAW. I HAVE SIGNED THIS DOCUMENT OF MY OWN FREE WILL.
DATED: _____ DATED: _____

PARTICIPANT: _____

Print: _____

WITNESS: _____

Print: _____

RELEASE AND ASSIGNMENT

For good and valuable consideration, including the possibility of appearing in a motion picture intended for theatrical release, receipt of which is hereby acknowledged, the undersigned hereby irrevocably authorizes the Production Company listed below and its representatives, licensees, and assigns (hereinafter "you") to film, videotape, photograph and/or record me or our product in connection with the project listed below and to use such film, videotape, photographs and/or recordings of me or our product in any number of times in any manner or medium now or hereafter known including, without limitation, home video, DVD, broadcast television, cable, pay-per-view, Pay TV, theatrical motion pictures, and in advertising and promotion of such uses and for purposes of trade. You shall not be obligated to use any such film, videotape, photograph and/or recording of me or our product.

The undersigned hereby releases and assigns to you all rights, worldwide and in perpetuity, relating to such film(s), videotape(s), photograph(s) and/or recording(s) and their uses, including, but not limited to, the sole and exclusive right to reproduce, distribute, exhibit, broadcast, transmit, display, sell, rent, lease, and otherwise exploit same by any means now or hereafter known or developed, in whole or in part, with the right to edit, modify, translate, dub and/or subtitle, and to secure copyrights in connection with the aforesaid uses, as your sole property. In addition, you may use the undersigned's name, likeness, voice, biographical information and any material supplied by me, for purposes of advertising, publicity, and sales promotion, but not as a direct endorsement of any product or service. The undersigned hereby releases you from all claims and demands arising out of or in connection with any use of said photographs, films or recordings, including, without limitation, all claims for invasion of privacy, infringement of my right of publicity, defamation and any other personal and/or property rights.

This grant is irrevocable so that you may proceed in reliance thereon. This instrument contains the entire understanding of the parties, may not be changed or terminated except by an instrument signed by you and Production Company and will be construed and enforced in accordance with the laws of the State of New York applicable to agreements made and performed in New York.

Signature (Name of Company)

Printed Name

Social Security Number/ FEIN

Address

Phone: _____

Dated as of: _____

Production Company:
TRUST ME, I'M A LIFEGUARD LLC

Name of Movie: "Trust Me, I'm A Lifeguard"

By: _____
An Authorized Signatory