

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

<u>AGENDA</u>	<u>September 6, 2011</u>	<u>Work Session</u>
TUESDAY		4:30 p.m.

NEW BUSINESS:

- a. ORDINANCE 1388 (Amend Salary Ordinance- add Assistant Administrator) INTRO (1)
- b. ORDINANCE 1389 Bond Improvement of Water & Sewer (General Capital) INTRO (2)
- c. ORDINANCE 1390 Bond Improvement of Water & Sewer (Water & Sewer Utility) INTRO (3)
- d. ORDINANCE 1391 (Changes to Site Plan Review Regulations) INTRO (4)
- e. Resolution – Application to Local Finance Board – NJEIT Phase II (5)
- f. Resolution - Award Bid – Recreation Support Building (Straga Brothers base bid plus alternates #2 and 4) (6)
- g. Resolution – Tax Refund (7)
- h. Resolution – Authorize Clerk to sign Incidental Modification to Project Scope FY 2011 NJDOT Municipal Aid (8)
- i. Resolution – Authorize Mayor and Clerk to Sign FY 2012 NJDOT State Aid Application (9)
- j. Resolution – Authorize Change Order No. 3 – Beach Outfall Improvement Project – Paramount Enterprises, Inc. (Decrease of \$67,507.36) (10)
- k. Resolution - Sedge Island permission Black Lagoon Letter of approval (11)
- l. Motion – Out to Bid – 114th Street Generator (Advertise Sept 10, Receive bids September 27, possible award October 4) (12)
- m. Motion – Prepare Specifications – Trash Packer (13)
- n. Motion – Special Event – Cape Express Soccer (14)
- o. Motion – Special Event – Thomas Jefferson Emergency Medicine Beachside Retreat (15)

- p. Resolution – Closed Session (16)

(1)

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE No. 1368
– THE 2011 SALARY ORDINANCE
(Adding position of Senior Deputy Emergency Management Coordinator)

Section 1. Ordinance No. 1368 is hereby amended by adding the following:

	<u>MIN</u>	<u>MAX</u>
“Assistant Administrator”	\$75,000	\$105,000”

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of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.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 passage and publication as provided by law.

8/24/11

(2)

ORDINANCE # 1389

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER AND SEWERAGE SYSTEM IN AND BY THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION (GENERAL CAPITAL).

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,300,000, said sum being inclusive of all appropriations heretofore made therefor except for (a) an appropriation in the amount of \$1,300,000 made for said improvement by Section 3(d) of ordinance number 1356 of the Borough, (b) an appropriation in the amount of \$345,000 made for said improvement by Section 3(a) of ordinance number 1342 of the Borough and (c) an appropriation in the amount of \$1,800,000 made for said improvement by a water and sewer utility bond ordinance of the Borough adopted simultaneously herewith (collectively, the "Other Bond Ordinances").

Section 2. For the financing of said improvement or purpose and to meet the said \$1,300,000 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,300,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$1,300,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water and sewerage system in and of the Borough, including the installation of new water and sewer mains in and along First Avenue from 92nd Street to 98th Street, 97th Street from Shelter Haven to First

Avenue, and the 93rd Street, 94th Street, 96th Street, 97th Street and 98th Street ends from First Avenue to the ocean side bulkheads, together with all roadway reconstruction, concrete curbs, gutters, structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this bond ordinance is \$1,300,000, said amount being exclusive of the \$3,445,000 amount of bonds authorized to be issued for said purposes pursuant to the Other Bond Ordinances.

(c) The estimated cost of said purpose is \$4,745,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$3,445,000 appropriated for said purpose by the Other Bond Ordinances.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40).

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,300,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section

40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorized obligations of the Borough solely for purposes described in paragraph (d) of section 40A:2-7 of said Local Bond Law; and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough and the amounts to be expended for said purposes pursuant to this bond ordinance are not unreasonable or exorbitant and the issuance of the said obligations authorized by this bond ordinance will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts and supply other essential public improvements and services, and the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, the

Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

8/24/11

(3)

ORDINANCE # 1390

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER AND SEWERAGE SYSTEM IN AND OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,800,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION (WATER AND SEWER UTILITY).

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,800,000, said sum being inclusive of all appropriations heretofore made therefor except for (a) an appropriation in the amount of \$1,300,000 made for said improvement by Section 3(d) of ordinance number 1356 of the Borough, (b) an appropriation in the amount of \$345,000 made for said improvement by Section 3(a) of ordinance number 1342 of the Borough and (c) an appropriation in the amount of \$1,300,000 made for said improvement by a general capital bond ordinance of the Borough adopted simultaneously herewith (collectively, the "Other Bond Ordinances").

Section 2. For the financing of said improvement or purpose and to meet the said \$1,800,000 appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,800,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$1,800,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water and sewerage system in and of the Borough, including the installation of new water and sewer mains in and along First Avenue from 92nd Street to 98th Street, 97th Street from Shelter Haven to First

Avenue, and the 93rd Street, 94th Street, 96th Street, 97th Street and 98th Street ends from First Avenue to the ocean side bulkheads, together with all roadway reconstruction, concrete curbs, gutters, structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this bond ordinance is \$1,800,000, said amount being exclusive of the \$2,945,000 of bonds authorized to be issued for said purposes pursuant to the Other Bond Ordinances.

(c) The estimated cost of said purpose is \$4,745,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$2,945,000 appropriated for said purpose by the Other Bond Ordinances.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40).

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,800,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section

40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) This bond ordinance authorized obligations of the Borough solely for purposes described in paragraph (d) of section 40A:2-7 of said Local Bond Law; and said purposes are in the public interest and are for the health, welfare, convenience or betterment of the inhabitants of the Borough and the amounts to be expended for said purposes pursuant to this bond ordinance are not unreasonable or exorbitant and the issuance of the said obligations authorized by this bond ordinance will not materially impair the credit of the Borough or substantially reduce its ability to pay punctually the principal of and interest on its debts and supply other essential public improvements and services, and the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless

paid from the revenues of the water and sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(4)

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY
ORDINANCE NO. 1391**

**AN ORDINANCE AMENDING CHAPTER 345, SECTION 47 OF
CHAPTER 560 OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR
(Site Plan Review Regulations)**

Section 1. §345-47 is hereby amended as follows:

345-47 Where Required

A. Preliminary site plan review and approval shall be required where a zoning, occupancy or building permit is required for any new construction (including, without limitation, enlargement or reconstruction), relocation of existing improvements, change in use or establishment of an open parking area, accessory or otherwise, whether by right, variance, or conditional use, unless deemed to be exempt from site plan requirements pursuant to subsection B of this Section 345-47. Such application shall be referred to the appropriate municipal board for review of the site plan.

B. The provisions of this Section 345-47 shall not apply to:

(1) Single-family dwellings or duplex dwellings or any use, building or structure accessory thereto;

(2) any construction constituting normal maintenance or replacement such as a new roof, painting, new siding or a similar activity;

(3) any change in use to a permitted use within the Business or Waterfront Business zoning district, provided the proposed change in use (i) does not include the alteration of existing conditions upon the subject property including, without limitation, the location of existing structures, drive aisles, parking spaces, walkways, means of ingress and egress, drainage facilities, landscaping areas, or screening devices; (ii) does not involve exterior construction, enlargement or reconstruction of any improvements upon the subject property including, without limitation, structures, parking areas, drive aisles or fences; (iii) does not create, expand or otherwise increase any nonconformity upon the subject property; and (iv) will comply in all respects with 560-17(F) or 560-17.4(C), as appropriate.

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 passage and publication as provided by law.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

RESOLUTION OF THE BOROUGH OF STONE HARBOR
MAKING APPLICATION TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:2-7, 40A:2-26(e) AND 53:11B-9(a)

WHEREAS, THE Borough of Stone Harbor desires to make application to the
Local Finance Board for its review and/or approval of a proposed nonconforming maturity
schedule in connection with a water supply and distribution system and sanitary sewerage
system project to be financed through the New Jersey Environmental Infrastructure Trust
financing program.

WHEREAS, the Borough of Stone Harbor believes:

- (a) It is in the public interest to accomplish such purpose;
(b) said purpose or improvements are for the health, wealth, convenience or
betterment of the inhabitants of the local unit or units;
(c) the amounts to be expended for said purpose or improvements are not
unreasonable or exorbitant;
(d) the proposal is an efficient and feasible means of providing services for the needs
of the inhabitants of the local unit or units and will not create an undue financial
burden to be placed upon the local unit or units;

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

Section 1. The application to the Local Finance Board is hereby approved,
and the Administrator, Chief Financial Officer, Auditor, Engineer, Bond Counsel and financial
advisor, along with other representatives of the Borough, are hereby authorized to prepare such
application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough is hereby directed to prepare and file a
copy of the proposed bond ordinance and nonconforming maturity schedule with the Local
Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to
consider such application and to record its findings, recommendations and/or approvals as
provided by the applicable New Jersey Statute.

Recorded Vote

AYE

NO

ABSTAIN

ABSENT

The foregoing is a true copy of a resolution adopted by the governing body of the Borough of
Stone Harbor on September 6, 2011

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, 2011

Borough Clerk

The above resolution approved this day of, 2011

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(6)

RESOLUTION

**AWARDING A CONTRACT
FOR THE CONSTRUCTION OF THE RECREATION SUPPORT BUILDING**

WHEREAS, eight (8) bids were received by the Stone Harbor Municipal Clerk on August 24, 2011, for the aforementioned project in accordance with the specifications prepared by Olivieri, Shousky & Kiss, P.A., bearing project number 1000.11, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, Straga Brothers, Inc. of Glassboro, New Jersey, submitted the lowest responsible and conforming bid, with a Lump Sum Base Bid of \$1,541,000, Alternate 2 – Operable Glass Partitions in the amount of \$30,260 and Alternate 4 – Provide Gym Equipment in the amount of \$2,300, for a total bid in the amount of \$1,573,560; and

WHEREAS, the Olivieri, Shousky & Kiss, P.A. has recommended that the contract be awarded to Straga Brothers, Inc., and the bid has been found to be responsible and in conformity by the Borough Solicitor; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer’s Certification attached hereto.

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 6th day of September, 2011, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned project bearing Olivieri, Shousky & Kiss, P.A. project number 1000.11 be and the same is hereby awarded to Straga Brothers, Inc., in the amount of \$1,573,560.00;
3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above.
4. That Olivieri, Shousky & Kiss, P.A. is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as called for within the contract.
5. That the Borough Clerk is authorized to return the bonds of the unsuccessful bidders.

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, 2011

.....
Borough Clerk

The above resolution approved this day of, 2011

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(7)

RESOLUTION

Refund of Tax Overpayment

WHEREAS, MMRR, LLC was overbilled \$1,290.92 for the 1st and 2nd Quarter Preliminary Tax Bill on Block 83.03. Lots 100.01 and 100.02 located at 261 83rd Street Condominiums; and

WHEREAS, the Tax Collected has requested that a refund be issued.

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 a refund check in the amount of \$1,290.92 be issued to MMRR, LLC, 1200 Gulph Creek Drive, Wayne, PA 19087.

BE IT FURTHER RESOLVED that the Tax Collector makes the proper adjustment 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, 2011

.....
Borough Clerk

The above resolution approved this day of....., 2011

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(8)

**Authorizing Borough Clerk to Sign
Incidental Modification to Project Scope/Limits
For the FY 2011 NJDOT Municipal Aid Allotment**

WHEREAS, the Borough of Stone Harbor was allotted \$200,000 in Municipal Aid from the New Jersey Department of Transportation (NJDOT) for the reconstruction of First Avenue from 82nd Street to 88th Street; and

WHEREAS, the Borough of Stone Harbor wishes to modify the scope and/or limits of the proposed project to reconstruct First Avenue from 82nd to 98th Street; and

WHEREAS, the Borough Engineer's estimate for the modified project is \$663,920.

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 Suzanne C. Stanford, Borough Clerk, is authorized to sign the Incidental Modification to Project Scope/Limits attached hereto and made a part hereof.

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, 2011.

.....
Borough Clerk

The above resolution approved this day of, 2011

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(9)

**Authorizing Application to NJDOT for FY 2012 State Aid
To Reconstruct First Avenue**

WHEREAS, the Borough of Stone Harbor desires to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for FY2012 for the reconstruction of First Avenue.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Stone Harbor, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA2012 -- Borough of Stone Harbor -- 00179 to the New Jersey Department of Transportation on behalf of the Borough of Stone Harbor.

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Stone Harbor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Borough Council on the 6th day of September, 2011.

Suzanne C. Stanford, Borough Clerk

My signature and the Borough Clerk's seal to acknowledge the above Resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the Resolution above.

ATTEST AND AFFIX SEAL

Suzanne C. Stanford
Borough Clerk

Suzanne M. Walters
Mayor

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, 2011

.....
Borough Clerk

The above resolution approved this day of....., 2011

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(10)

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Paramount Enterprises, Inc. for the Beach Outfall Improvement Project; and

WHEREAS, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 3 – for additional work requested by the Borough and final As-Built quantity adjustment; and

WHEREAS, Change Order No. 3 will result in a \$67,507.36 decrease to the amended contract amount of \$1,992,254.34 for a revised contract price of \$1,924,746.98; and

NOW, THEREFORE, BE IT RESOLVED, this 6th day of September, 2011 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, duly assembled in public session this 6th day of September, 2011, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 3 be and hereby is authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 3 in the amount of a decrease of \$67,507.36 to the amended contract amount of \$1,992,254.34 for a revised contract price of \$1,924,746.98.

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, 2011

.....
Borough Clerk

The above resolution approved this day of....., 2011

.....
Mayor

(16)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC
IN ACCORDANCE WITH THE PROVISIONS OF
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,
N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, 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 Borough Council of the Borough of Stone Harbor 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:

1. *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*
2. *Personnel Matters Relating to the Employment, Appointment or Termination of current or prospective employees.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on September 6, 2011, that an Executive Session closed to the public shall be held on September 6, 2011 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

Official action may be taken as a result of said executive session.

It is anticipated that, in accordance with law and in a timely manner, the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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, 2011

.....
Borough Clerk

The above resolution approved this day of....., 2011

.....
Mayor