

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

**AGENDA** **Regular Meeting**  
**SATURDAY** **September 22, 201**

**COMBINED WITH ROA MEETING, SATURDAY**

**ROA MEETING AT 8:30 A.M. – COUNCIL MEETING AT 9:30 A.M.**

**PROCLAMATION** – ROA 60<sup>th</sup> Anniversary (Mayor)

**OLD BUSINESS:**

**ORDINANCE 1410** (Handicapped Space, Museum) 2<sup>nd</sup>, 3<sup>rd</sup> and Final (1) (Carusi)

**NEW BUSINESS:**

- a. Resolution – Bonus – Public Works (2) (Kramar)
- b. Resolution – Playground Equipment State Contract (3) (Davies-Dunhour)
- c. Resolution – Mayor to sign Beach Replenishment documents (4) (Rich)
- d. Resolution – Police car State Contract (5) (Carusi)
- e. Resolution – Chapter 159 (6) (Lane)
- f. Resolution – Refund Tax Overpayment (7) (Mastrangelo)
- g. Resolution – Change Order #2 = NJEIT Sanitary Sewer Phase 2 (increase contract \$193,841.15) (8) (Kramar)

**DISCUSSION**

**Resolution - CLOSED SESSION - Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds, Potential Land Acquisition/Bank Property. (9) (Mastrangelo)**

(1)

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

**ORDINANCE NO. 1410**

**AN ORDINANCE AMENDING CHAPTER 520  
OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF STONE HARBOR 2005  
(ADDING HANDICAPPED PARKING SPACE )**

**Section 1.** Chapter 520-29 (A) is hereby amended as follows:

[add the following language to the schedule of handicapped parking spaces ]

“Stone Harbor Museum” 235 – 93 <sup>rd</sup> Street	1 space, south side, beginning at a point 182 feet West of South Westerly corner of Second Avenue and 93 <sup>rd</sup> Street extending to a point 24 feet thereof.
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**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of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.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 publication as provided by law.

APPROVED:

\_\_\_\_\_  
Suzanne M. Walters, Mayor

ATTEST:

\_\_\_\_\_  
Suzanne C. Stanford, Borough Clerk

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(2)

**RESOLUTION**

WHEREAS, the Public Works Committee of Borough Council has requested bonuses for the seasonal employees of the Public Works Department; and

WHEREAS, the bonuses shall be made only to those employees who work scheduled hours from July 1, 2012 through August 31, 2012; and

WHEREAS, those employees will receive an extra \$1.00 per hour, "end of season bonus" for every hour worked, with no unscheduled time off, from July 1, 2012 through August 31, 2012; and

WHEREAS, the bonus will be paid as a lump sum the first pay period in September and the \$1.00 per hour paid is not part of the hourly wage but a separate bonus earned by keeping the work schedule commitment to the Borough and having no unexcused absences.

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

1. That the bonus program outlined herein is hereby approved.
2. That the Chief Financial Officer shall take any and all steps necessary to effectuate such funds 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 ....., 2012

.....  
Borough Clerk  
The above resolution approved this ..... day of....., 2012

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(3)

**RESOLUTION**

**Purchase Playground Equipment**

**WHEREAS**, there is a need to purchase new playground equipment for 81<sup>st</sup> Street playground; and

**WHEREAS**, this equipment can be purchased from MRC, P.O. Box 106, Spring Lake, N.J. 08862, through State Contract #A81411; and

**WHEREAS**, the equipment includes:

- |   |             |
|---|-------------|
| 1. RCP Shelters, Inc. - 24' x 30' All Steel Hip Shelter     | \$25,620.00 |
| 2. Ultra Play – Benches, Table, Receptacles                 | \$ 8,225.11 |
| 3. Game Time – Swings, Tyke Town, Play House, Adult Fitness | \$65,130.00 |

**WHEREAS**, funds are available for said purchases as evidenced by the Chief Financial Officer's Certificate attached hereto; and

**WHEREAS**, public bids are not required when the purchase is under a State contract in accordance with 40A:11-12 of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, in the County of Cape May as follows:

1. The preamble of this Resolution is hereby incorporated by reference as if set forth here at length.
2. The Chief Financial Officer is hereby authorized and directed to prepare a Purchase Order for approval and forward same upon approval to the appropriate party in accordance with State Contract #A81411 for the purchase of the aforementioned Playground Equipment vehicle.
3. That all Borough officers and/or employees required to approve said Purchase Order are hereby directed to do so forthwith.

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 ....., 2012

The above resolution approved this ..... day of....., 2012

.....  
Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(4)

**RESOLUTION**

**AUTHORIZING EXECUTION OF STATE AID AGREEMENT FOR  
TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY SHORE  
PROTECTION PROJECT**

WHEREAS, the Borough of Stone Harbor in the County of Cape May and State of New Jersey is anticipating taking part in an upcoming beach replenishment project to be handled through the State of New Jersey and

WHEREAS, in order to move forward the process of planning and implementing the project, the State of New Jersey requires the Borough to execute a State Aid Agreement, a copy of which has been provided to the Borough, entitled STATE AID AGREEMENT BETWEEN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE BOROUGH OF STONE HARBOR FOR CONSTRUCTION OF THE TOWNSENDS INLET TO CAPE MAY INLET, NEW JERSEY SHORE PROTECTION PROJECT SECOND PARTIAL RENOURISHMENT CYCLE 2012 EMERGENCY PL 84-89 FUNDS , PROJECT NUMBER 6036-R2-12, a copy of which is on file with the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 22<sup>nd</sup> day of September, 2012, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth as length.
2. That the Mayor and Borough Clerk be and are hereby authorized and directed to execute the aforementioned STATE AID AGREEMENT on behalf of the Borough of Stone Harbor.

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(3)

**RESOLUTION**

**Purchase 2013 Chevrolet Tahoe – Police Department**

**WHEREAS**, there is a need to purchase a new vehicle for the Police Department; and

**WHEREAS**, this vehicle can be purchased from Municipal Equipment Enterprises 1600 Golden Mile Hwy, Monroeville, Pa. 15146 through State Contract #A79010; and

**WHEREAS**, the maximum amount of the purchase is \$42,702.31 and funds are available for said purchase as evidenced by the Chief Financial Officer’s Certificate attached hereto; and

**WHEREAS**, public bids are not required when the purchase is under a State contract in accordance with 40A:11-12 of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, in the County of Cape May as follows:

1. The preamble of this Resolution is hereby incorporated by reference as if set forth here at length.
2. The Chief Financial Officer is hereby authorized and directed to prepare a Purchase Order for approval and forward same upon approval to the appropriate party in accordance with State Contract #A79010 for the purchase of the aforementioned Police Department vehicle.
3. That all Borough officers and/or employees required to approve said Purchase Order are hereby directed to do so forthwith.

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(6)

**RESOLUTION**

WHEREAS, NJS 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

SECTION I

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$11,722.31, which is now available as a revenue from the State of New Jersey; And

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$11,722.31 is hereby appropriated under the caption of Clean Communities; and

SECTION III

BE IT FURTHER RESOLVED that the above is a result of a grant of \$11,917.96 from the New Jersey Department of Environmental Protection.

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(1)

**RESOLUTION**

**REFUND TAX OVERPAYMENT**

**WHEREAS**, a judgment was received from the Tax Court of New Jersey, docket no. 001696-2011 as a result of a successful 2011 Tax Court Appeal for Block 90.01, Lot 14, A.K.A, 3 90<sup>th</sup> Street,

**WHEREAS**, the judgment stipulates a refund is to be issued to Scott F and Linda L. Schaeffer and Zipp & Tannenbaum LLC, Attorneys At Law, and the refund check is to be forwarded to Zipp & Tannenbaum, LLC, Attorneys At Law,

**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 \$2,445.77 be issued to Scott F. and Linda L. Schaeffer and Zipp & Tannenbaum LLC Attorneys At Law, and delivered to 166 Gatzmer Avenue, Jamesburg, New Jersey 08831,

**BE IT FURTHER RESOLVED** that the Tax Collector make 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 the ..... day of ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

(8)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**WHEREAS**, the Borough of Stone Harbor is currently under contract with Asphalt Paving Systems, Inc. for the 2012 New Jersey Environmental Infrastructure Trust (NJEIT) Program for Sanitary Sewer and Water Main Replacement Project (Phase 2) file #05-10-U-040; and

**WHEREAS**, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 2 – 83<sup>rd</sup> Street Recreation Center Drainage and Golden Gate Drive Improvements and Contract Modification and Proposal and Acceptance No. 2 from the amended contract (copy attached hereto and made a part hereof by reference); and

**WHEREAS**, Change Order No. 2 will result in a \$193,841.15 increase to the contract; and

**WHEREAS**, approval of Change Order No. 2 will not result in a contract amount in excess of 20% of the initial contract amount and the Chief Financial Officer has certified that funds are available for Change Order No. 2.

**NOW, THEREFORE, BE IT RESOLVED**, this 22<sup>nd</sup> day of September, 2012 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 2 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. 2 in the amount of \$193,841.15 for total amended contract of \$3,542,522.15.

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk be and hereby are authorized to execute the Contract Modification Proposal and Acceptance in connection herewith.

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

(9)

**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, Potential Land Acquisition/Bank Property.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on September 22, 2012, that an Executive Session closed to the public shall be held on September 22, 2012 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 the .....day of ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor