

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

AGENDA Regular Meeting  
MONDAY November 14, 2011 4:30 pm

OLD BUSINESS:

- A. ORDINANCE 1393 Easement – Geothermal Field 2<sup>nd</sup> 3<sup>rd</sup> and final (1)

NEW BUSINESS:

- B. Resolution – Change Order #1 Firehouse Roof (2)  
C. Resolution – Chapter 159 Body Armor Replacement (3)  
D. Resolution - Transfers (4)  
E. Resolution – Utility Easement Agreement (5)

DISCUSSION

O & E Budget Discussion  
2<sup>nd</sup> Capital Budget Review

BOROUGH OF STONE HARBOR  
COUNTY OF CAPE MAY  
ORDINANCE NO.1393

**AN ORDINANCE AUTHORIZING THE BOROUGH OF STONE HARBOR TO  
CONVEY AN EASEMENT FOR INSTALLATION OF A GEOTHERMAL FIELD**

WHEREAS, the County of Cape May and the Cape May County Library Commission (the County) are construction a new public library facility in the Borough of Stone Harbor; and

WHEREAS, the design of the facility includes the use of a geothermal field to help reduce the use of polluting fuels associated with the operation of the building to the benefit of the environment and the resident of the Borough of Stone Harbor; and

WHEREAS, the installation of the geothermal field will be subterranean with no permanent surface disturbance, no loss of parking spaces and no aesthetic disruption of the area; and

WHEREAS, the County project requires the use of Block 94.01, LOTS 17, 19, 20, 21 and 22, on the Tax Map of the Borough of Stone Harbor in the County of Cape May and State of New Jersey as referenced in the Deed of Easement related hereto, a copy of which is attached hereto and also available for public inspection in the Borough Clerk's Office; and

WHEREAS, the granting of an easement by the Borough to the County is necessary in order to permit the installation and maintenance of the geothermal field; and

WHEREAS, as a result, the Mayor and Council have determined to grant approval for an easement to permit the installation of the geothermal field as set forth herein, and have also determined that such approval shall be for nominal consideration; and

WHEREAS, the purpose of this Ordinance is to confirm said approval and to grant the necessary easement, in accordance with the New Jersey Local Lands and Buildings Law, *N.J.S.A. 40A:12-1, et seq.*;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, as follows:

1. That the Preamble of this Ordinance be and hereby is incorporated by reference.
2. That, pursuant to the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12- 1, et seq., and specifically N.J.S.A. 40A:12-13(b)(3), the Borough of Stone Harbor is hereby authorized to convey an easement over Block 94.01, LOTS 17, 19, 20, 21 and 22, on the Tax Map of the Borough of Stone Harbor in the County of Cape May and State of New Jersey as reflected in the aforementioned Deed of Easement; and
3. That the easement referenced herein shall be granted for nominal consideration.
4. That the easement referenced herein shall be extinguished upon removal of the building which is serviced by the geothermal field or upon the taking of title to the building by the Borough of Stone Harbor.
5. That the Mayor is authorized to execute and the Municipal Clerk to attest any and all documents that are necessary in order to effectuate the granting of this easement, which documents shall be in a form satisfactory to the Borough Attorney.
6. That, following proper execution and notarization of the necessary easement documents, the same shall be recorded with the Cape May County Clerk's Office.
7. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.
8. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
9. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies

APPROVED:

\_\_\_\_\_  
Suzanne M. Walters

ATTEST:

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

(2)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**AUTHORIZING CHANGE ORDER #1 IN CONNECTION WITH FIREHOUSE ROOF REPLACEMENT**

WHEREAS, the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey has been presented with Change Order #1 in connection with the Firehouse Roof Replacement being conducted by GEN II Contracting Company, Inc., in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-U-044; and

WHEREAS, the Borough Engineer has recommended that Change Order #1, attached hereto and made a part hereof by reference, be approved, calling for a reduction of \$7,050.00 for Item 2 - Remove and Replace Wood Roof Sheathing (\$2,050.00) and Item 8 Allowance (\$5,000.00), neither replacement or work included was necessary; and

WHEREAS, Change Order #1, is a reduction of \$7,050.00 from the original contract amount of \$ 68,418.00, making the final amount of the amended contract to be \$61,368.00; and

NOW, THEREFORE, BE IT RESOLVED 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 14<sup>th</sup> day of November, 2011, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order #1, attached hereto and made a part hereof by reference, be and hereby is authorized;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and hereby are authorized to execute the Change Order 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 ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(3)

**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 2011 in the sum of \$1,948.53, which is now available as a revenue from the State Body Armor Replacement Fund Program, And

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$1,948.53 is hereby appropriated under the caption of Police Body Armor Replacement; and

SECTION III

BE IT FURTHER RESOLVED that the above is a result of a grant of \$1,948.53 from the State of New Jersey, Body Armor Replacement Fund Program.

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

The above resolution approved this ..... day of..... 2011  
.....  
Borough Clerk

.....  
Mayor

(4)

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

A Resolution authorizing the transfer of certain items in the 2011 Budget of the Borough of Stone Harbor.

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that the following transfers are hereby made in the 2011 Budget, the same to become effective immediately and the proper officer shall cause the same to be made as follows:

**TRANSFER TO:**

Municipal Clerk	Other Expenses	\$ 1,000
Collection of Taxes	Salaries & Wages	2,031
Unemployment Compensation		750
 <u>Water and Sewer Utility</u>		
Social Security		4,000
Unemployment Compensation		170

**TRANSFER FROM:**

Beach Patrol	Salaries & Wages	\$ 3,781
 <u>Water and Sewer Utility</u>		
	Salaries & Wages	4,170

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

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

Mayor