

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

<u>AGENDA</u>	<u>Regular Meeting</u>
<u>TUESDAY</u>	<u>December 18, 2012</u> <u>4:30</u>

OLD BUSINESS

None

NEW BUSINESS:

Resolution – Refund Tax Payment (1) Mastrangelo
Resolution - Chapter 159 Alcohol Rehab (2) Carusi
Resolution – Transfers (3) Kramar
Resolution – Reject or Award ?? Water Tower Bid (4) Lane
Resolution – Directing Distribution of Net Returned Surplus Funds held in trust
ACMJIF (5) Mastrangelo
Motion – Authorize Borough Engineer to prepare specifications for 2013 Beach
Concession (6) Davies-Dunhour

DISCUSSION

Discussion – Other Expenses (Mastrangelo)
Agenda - Organization Meeting – comments and/or changes

RESOLUTION – Closed Session, Salary & Wages (Mastrangelo)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(11)

REFUND DUPLICATE TAX PAYMENT

WHEREAS, duplicate tax payments were received by Shore Title Agency and the owner of record for the 4th quarter 2012 tax installment on Block 108.03 Lot 49.01, A.K.A. 202 109th Street; and

WHEREAS, the owner of record, SASS LLC, requested a refund be issued to them,

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 \$1,132.29 be issued to SASS LLC, 145 Steeple Drive, Robesonia, PA., 19551; and

BE IT FURTHER RESOLVED that the CFO and Tax Collector make the proper adjustment 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, 2012

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

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 \$1,295.11, 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 \$1,295.11 is hereby appropriated under the caption of Municipal Court Alcohol Education and Rehabilitation Fund; and

SECTION III

BE IT FURTHER RESOLVED that the above is a result of a grant of \$1,295.11 from the State of New Jersey to aid municipal courts in their efforts to dispose of DWI cases.

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, 2012

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

A Resolution authorizing the transfer of certain items in the 2012 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 2012 Budget, the same to become effective immediately and the proper officer shall cause the same to be made as follows:

TRANSFER TO:

Solid Waste	Other Expenses	\$60,000
Fire Dept.	Other Expenses	7,000

TRANSFER FROM:

Beach Patrol	Salaries & Wages	\$ 8,000
Public Works	Salaries & Wages	59,000

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, 2012

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION DIRECTING THE DISTRIBUTION OF THE BOROUGH OF STONE HARBOR NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

(4)

WHEREAS, the Borough of Stone Harbor hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007 **and**

WHEREAS, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

WHEREAS, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

WHEREAS, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund, which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, or
3. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1 and 2 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

NOW THEREFORE, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the one box that applies**):

- Apply the full amount as a credit to the MUNICIPALITY's next FUND Year premium
- Apply the full amount to the MUNICIPALITY's share of the FUND's Aggregate Excess Loss Contingency Fund.

X Distribute the full amount among options 1, 2 as follows:

Option 1 - \$ 5,252.00, Option 2 - \$ 8,600.00, Option 3 - \$ _____.

This Resolution was duly adopted by the Borough Council of the Borough of Stone Harbor at a Public Meeting held on December 18, 2012.

Signature of Mayor

Name of Municipality

Signature of Clerk

Name of Municipality

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

(5)

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 Employment Relationship, the relevant employees having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on December 18, 2012, that an Executive Session closed to the public shall be held on December 18, 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