

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

AGENDA Regular Meeting
MONDAY **December 20, 2011** 4:30 pm

PUBLIC HEARING – STONE HARBOR MUNICIPAL PUBLIC ACCESS PLAN

OLD BUSINESS:

NEW BUSINESS:

- A. Resolution – Stone Harbor Municipal Access Plan (1)
- B. Resolution – Refund Duplicate Tax Payment (2)
- C. Resolution - Transfer (3)
- D. Resolution – Change Order #2 2010 NJEIT Program – Sanitary & Water Replacement Project (4)
- E. Resolution – Award Contract Firehouse Foundation (5)

DISCUSSION

O & E Budget Third Review Discussion
Salary & Wages

Resolution – Closed Session – Salary & Wages, Contract Negotiations (6)

Resolution – PBA Contract (7)

Letter of Resignation (8)



BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

APPROVING STONE HARBOR MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, in the Spring of 2011 NJDEP proposed revised rules for public access the ocean and bay waters of the State; and

WHEREAS, the proposed rules required all municipalities adjacent to State waters to produce a Municipal Public Access Plan that describes local waterfront access availability.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough Stone Harbor in the County of Cape May, State of New Jersey, duly assembled in public session this 20th day of December 2011, that, the preamble of this Resolution is hereby incorporated by reference as if set forth at length;

BE IT FURTHER RESOLVED that a Public Hearing was held on this date and that the aforementioned Municipal Public Access Plan be hereby approved, and a copy of the approved Municipal Public Access Plan sent to NJDEP along with a copy of this Resolution.

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

(2)

RESOLUTION

REFUND OF DUPLICATE TAX PAYMENT

WHEREAS, duplicate tax payments were received from First Niagra Loan Serving Agent and the homeowner, causing an overpayment on the 4th qtr of 2011 in the amount of 1,855.35 on Block 200.01 Lot 416.01; and

WHEREAS, First Niagra has requested that 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 \$1,855.35 be issued to First Niagra, PO Box 514, Lockport, NY 14095-9973; and

BE IT FURTHER RESOLVED that the Tax Collector and the CFO make the proper adjustment 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, 2011

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

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:

General Administration	Salaries & Wages	\$7,500
Municipal Clerk	Salaries & Wages	2,200
UFCO	Other Expenses	500
Gasoline		19,000
Street Lighting		6,000

TRANSFER FROM:

Beach Patrol	Salaries & Wages	\$30,000
Recreation	Salaries & Wages	5,200

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

(4)

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Asphalt Paving Systems, Inc. for the 2010 New Jersey Environmental Infrastructure Trust (NJEIT) Program for Sanitary Sewer and Water Main Replacement Project; and

WHEREAS, it is the recommendation of the Borough's Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 2 – replacement of existing sanitary sewer and water main on 100th Street from First Avenue to Second Avenue and as-built quantity reductions from 87th Street and 90th Street from the original contract (copy attached hereto and made a part hereof by reference); and

WHEREAS, Change Order No. 2 will result in a \$255,292.78 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 20th day of December, 2011 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 \$255,292.78 for total amended contract of \$2,138,435.72.

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

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

.....
Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

**AWARDING A CONTRACT
FOR THE FIREHOUSE FOUNDATION & WALL REPAIRS**

WHEREAS, two (2) bids were received by the Stone Harbor Municipal Clerk on December 6, 2011, for the aforementioned project in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-U-047, 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, Shared Systems Technology, Inc. of Sewell, New Jersey, submitted the lowest responsible and conforming bid in the amount of \$135,450.00 for Contract #1 and \$45,100.00 for Alternate for a total contract amount of \$180,550.00; and

WHEREAS, the Borough Engineer has recommended that the contract be awarded to Shred Systems Technology, 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 20th day of December, 2011, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned bearing Remington and Vernick project number 05-10-U-047 be and the same is hereby awarded to Shared Systems Technology, Inc., in the amount of \$180,550.00;
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 the Borough Engineer 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 theday of, 2011

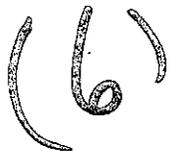
.....
Borough Clerk

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

.....
Mayor

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on December 20, 2011, that an Executive Session closed to the public shall be held on December 20, 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 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

APPROVING AN AGREEMENT BETWEEN THE BOROUGH OF STONE HARBOR AND PBA LOCAL 59 FOR THE PERIOD January 1, 2012 THROUGH December 31, 2015

WHEREAS, the Borough of Stone Harbor recognizes Local 59 of the Policeman's Benevolent Associates (PBA) the sole and exclusive representative of certain employees of the Borough of Stone Harbor for the purpose of collective bargaining negotiations concerning wages, hours and other terms and conditions of employment; and

WHEREAS, represented employees consist of the sergeants and patrolmen serving as members of the Stone Harbor Police Department; and

WHEREAS, the Borough and the PBA have engaged in and completed collective bargaining negotiations and reached an agreement covering the time frame of January 1, 2012 through December 31, 2015, which, when approved by both parties shall become the controlling Collective Bargaining Agreement between the Borough and the PBA.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the agreement aforementioned, a copy of which is on file with the Borough Clerk and incorporated herein by reference, be and the same is hereby approved and adopted by the Borough of Stone Harbor;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute the Collective Bargaining Agreement and deliver same to PBA Local 59.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor will undertake to enact any rule regulation, resolution or ordinance required, as the law may allow or require, in order to fully carry out the terms and conditions of the agreement approved by this Resolution.

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



(8)

BOROUGH OF STONE HARBOR

9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247

TELEPHONE
(609) 368-6811

FACSIMILE
(609) 368-2619

KENNETH J. HAWK
BOROUGH ADMINISTRATOR

TO: Mayor & Council
FROM: Kenneth J. Hawk *KJH*
RE: Resignation
DATE: December 20, 2011

Please accept my resignation as of December 31, 2011 for my positions as Borough Administrator, Coordinator/Office of Emergency Management, Planning Board Member, Community Rating Systems Coordinator and Amusement Licensing Board Member.

It has been a pleasure working with you in these positions. I wish you all the best in the future.

"The Seashore at its Best"



SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102
WWW.STONE-HARBOR.NJ.US