

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

AGENDA Regular Meeting  
TUESDAY February 21, 2012 4:30 pm

BULKHEAD – 360 – 104<sup>TH</sup> Street – Frank Bowen – Representative Channel  
Marine (1)

HARDSHIP EXCEPTION – Electrical Service - 161 – 89<sup>th</sup> Street (2)

PUBLIC PRESENTATION OF BUDGET (3)

REPORTS OF COMMITTEES AND OFFICERS

OLD BUSINESS:

ORDINANCE 1397 (Utility Easement Agreement, Pole Location – Recreation Building) 2<sup>nd</sup> 3<sup>rd</sup> and final (4)

NEW BUSINESS:

- A. Resolution – Combination of Certain Bonds, Determining the Form and Providing for their Sale (5)
- B. Resolution – Change Order #2 Final Public Works Building – Painting \$5,000 reduction (6)
- C. Resolution- Raffle License VIM (7)
- D. Motion – Out to Bid – Trash Packer - advertise Feb 25, Bid opening March 15, 10 am - award March 20<sup>th</sup> (8)
- E. Motion – Use of Beach – testing dry suits (9)
- F. Motion – Easter Egg Hunt – Fire Department (10)

DISCUSSION



**Shoreland**  
Environmental Consulting LLC

February 3, 2012

*Cheryl Manna*  
*Frank Brown*

*425-1116*

cc: *adm*  
*m sc*  
*Asst. Dir.*  
*Greg*

*2/7/12*

Mayor and Council, Borough of Stone Harbor  
9508 Second Avenue  
Stone Harbor, NJ 08247

RE: Property Owner: Margaret Brown  
Location: 360 104<sup>th</sup> St.  
Block 103.05, Lots 121, 122, 123, 124.01  
Borough of Stone Harbor, Cape May County .

Attn: Stone Harbor Borough Clerk:

I am contacting your office on behalf of my client Margaret Brown. Ms. Brown has a pending Waterfront Development Permit Application for a bulkhead replacement with the NJDEP, Land Use Regulation Program (Land Use) for the referenced property. Most recently we received a request from Land Use for a letter from your office giving Ms. Brown permission to reconstruct 77.5' of bulkhead in place, which runs along the side of the referenced property, and within the Right of Way of Corinthian Drive.

According to Margaret Brown, she purchased the property on May 2, 1987, with the bulkhead in the present location. It is also important to note that the bulkhead is shown on the State's 1977 historic aerial Photography, provided with this request.

The State has given Ms. Brown until February 10, 2012 to submit the required document from your office or they will issue a Denial or we will have to withdrawal this application. Therefore, we request your immediate attention to this matter.

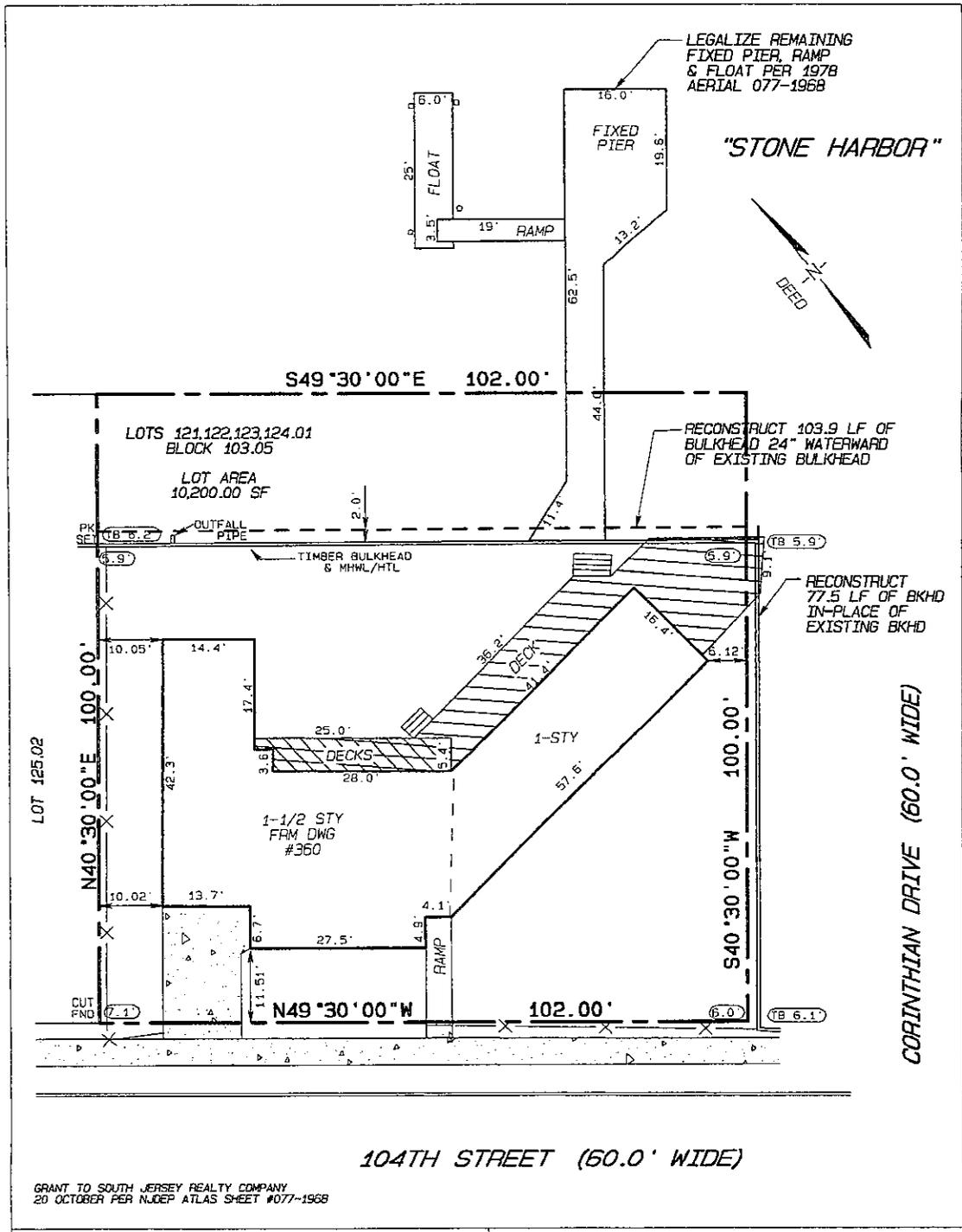
If there are any additional questions or additional information that we may provide to have the Borough issue a letter of approval to reconstruct the bulkhead in-place on the side of the referenced property please do not hesitate to contact this office at the address or phone number listed below or by email at [mkirk@shorelandconsulting.com](mailto:mkirk@shorelandconsulting.com). Thank you for your time on this matter.

Sincerely,



Michele Kirk

Phone/Fax: 609-646-1133  
P.O. Box 1729 • Absecon, NJ 08201-1117  
[www.shorelandconsulting.com](http://www.shorelandconsulting.com)



CERTIFY TO:

BROWN, MARGARET, H.

and in consideration for the fee paid for making this survey, I hereby certify to its accuracy (except such easements if any, that may be located below the surface of the lands, or on the surface of the lands and not visible) as an inducement for any insurer of title, to insure the title to the lands and premises shown hereon.

**Sam Deneka PE, LS #12659**  
PROFESSIONAL ENGINEER & LAND SURVEYOR

*Thomas R. Deneka*

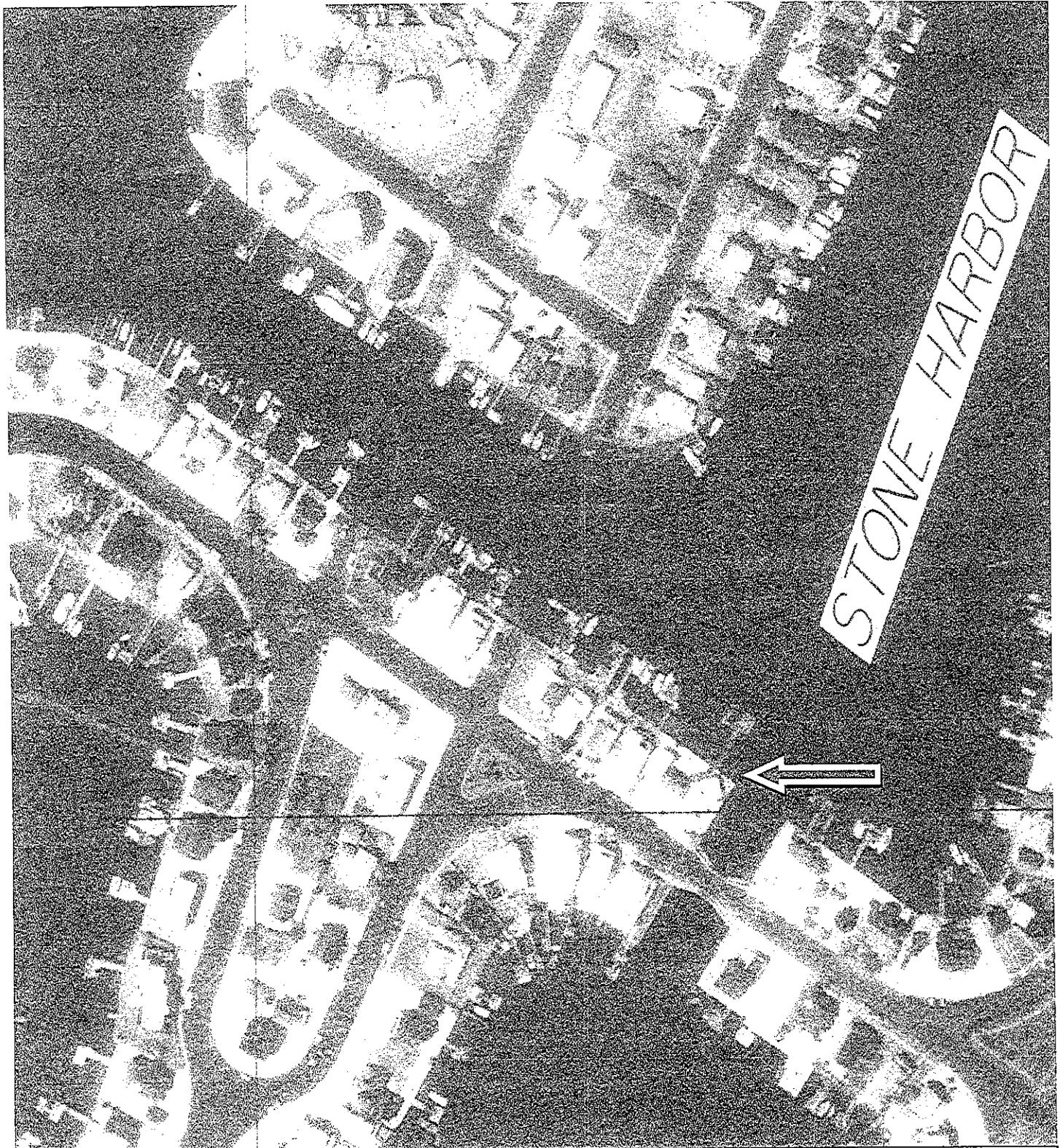
**Thomas R. Deneka PLS #35828**  
PROFESSIONAL LAND SURVEYOR

PROPOSED WFD PLAN  
LOTS 121, 122, 123, 124.01  
BLOCK 103.05 (TAX MAP)  
BOROUGH OF STONE HARBOR  
CAPE MAY COUNTY, N. J.

**STONE HARBOR SURVEYORS**

P.O. Box 511  
9809 Third Avenue  
Stone Harbor, NJ 08247  
(609) 368-7451 Fax (609) 368-3147  
EMAIL: shsurveyor@comcast.net

Scale: 1"=20' Date: 1/26/2012 Disk: 0/S Job No. 0322



**BUREAU OF TIDELANDS AERIAL  
PHOTOGRAPHY FROM 1977**

**(Map # 077-1968)**

Margaret H. Brown  
360- 104<sup>th</sup> St.

Borough of Stone Harbor, Cape May County

*Shoreland*

Environmental Consulting, LLC  
609-646-1133  
P.O Box 1729, Absecon, NJ 08201

## Joanne Mascia

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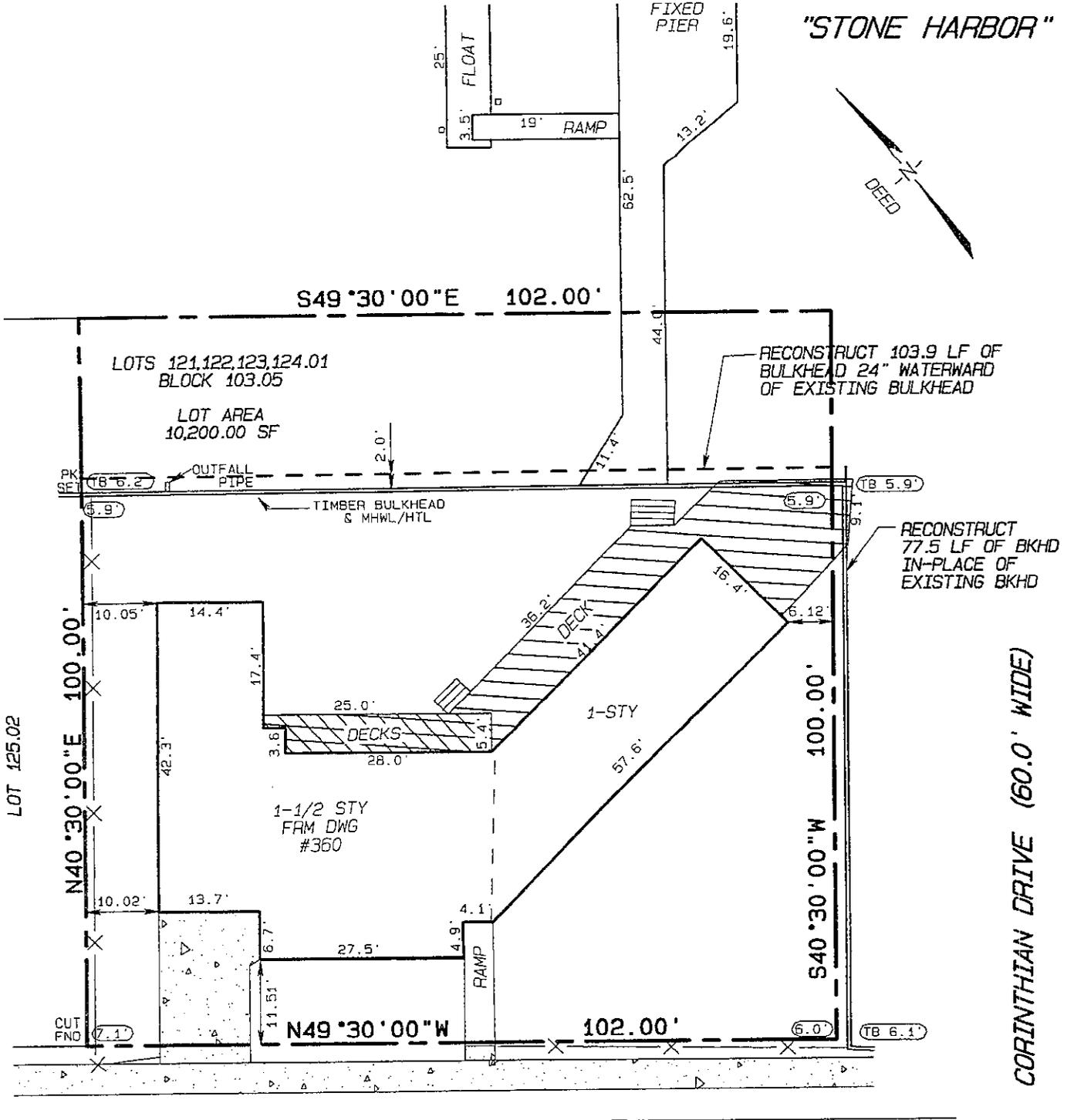
**From:** michele kirk [mkirk@shorelandconsulting.com]  
**Sent:** Friday, February 03, 2012 1:40 PM  
**To:** Joanne Mascia  
**Subject:** Margaret Brown- Mayor and Council Meeting  
**Attachments:** Brown- Mayor and Council.pdf; 1977.docx

Joanne,

I am attaching a request to the Mayor and Council of Stone Harbor for Margaret Brown's property- 360 – 104<sup>th</sup> St. I am following up with hard copies, but I was trying to get this in for Tuesday meeting since we have a deadline by the State . Thank you for your time. Michele

Sincerely,  
Michele Kirk  
Shoreland Environmental Consulting, LLC  
P.O. Box 1729  
Absecon New Jersey 08201-1117  
PH (609)646-1133  
Fax (609) 383-8355

"STONE HARBOR"



104TH STREET (60.0' WIDE)

GRANT TO SOUTH JERSEY REALTY COMPANY  
20 OCTOBER PER NUDEP ATLAS SHEET #077-1968

CERTIFY TO:

BROWN, MARGARET, H.

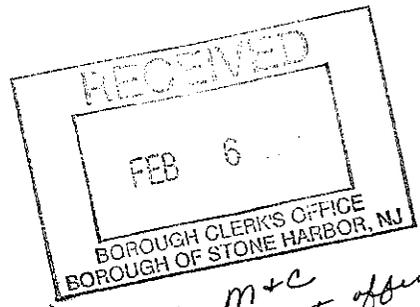
and in consideration for the fee paid for making this survey, I hereby certify to its accuracy (except such easements if any, that may be located below the surface of the lands, or on the surface of the lands and not visible) as an inducement for any insurer of title, to insure the title to the lands and premises shown hereon.

PROPOSED WFD PLAN  
LOTS 121, 122, 123, 124.01  
BLOCK 103.05 (TAX MAP)  
BOROUGH OF STONE HARBOR  
CAPE MAY COUNTY, N. J.

STONE HARBOR SURVEYORS

Rick and Linda Ciccotelli  
12 Wellington Court  
Medford, NJ  
January 30, 2012

Stone Harbor Borough Council  
c/o Borough Clerk  
9508 Second Ave.  
Stone Harbor, NJ 08247



cc: M+C  
Const office  
Mayor  
adm  
2/6/12  
JCS

Re: Installation of Electric Service – Request for Hardship Exception @ 161 89<sup>th</sup> Street  
Block 89.02; Lots 52,54,and 56

Dear Council Members:

In August, 2011 we applied for a permit for construction of a new home on a property we own at 161 89<sup>th</sup> Street, Stone Harbor. After their review the Construction Office issued a permit and we began work on a new house in September, 2011 with our builder, Donald Samples (of SeaLuke LLC / Samples Construction Company).

At the start of construction we requested and received temporary electric service from Atlantic City Electric. During the next few weeks, we also applied for permanent service with Atlantic City Electric and followed their normal application procedures for obtaining underground service to our new residence, including the payment of the cost of boring under 89<sup>th</sup> Street. We understood that the Borough no longer permitted overhead service and an existing ordinance required all new construction to have underground utilities, so that was the path we followed. Through Atlantic City Electric, we also understood that some other homeowners who lived on streets recently paved (which were under moratoriums) had gone to the Borough of Stone Harbor and secured a hardship exception, so they too could have underground service as current ordinances prescribe. Atlantic City Electric engineers confirmed to us that their understanding was that they could not put in overhead service in the Borough of Stone Harbor. The company accepted our application and payment of costs for underground service. We relied upon the information we received from Atlantic City Electric and have continued to move forward with our construction.

We later learned that an Atlantic City Electric subcontractor, Kline Construction Company, would actually put in the underground service. However, we also found that Kline would not do a boring across any street in the Borough without first digging a test pit to exactly locate any utility pipes or other obstructions, which they might hit with a tunnel bore. Supposedly all pipes and utilities are recorded, but Kline Construction is unwilling and/or unable to take a chance of hitting anything, as they would then be responsible for damages. We were told that the test pit is typically only a small pit measuring two feet by two feet, or four square feet of surface area. If what we were told is indeed true, then Atlantic City Electric cannot install any underground service in the Borough of Stone Harbor without a test bore in the street.

Atlantic City Electric has told us that they would provide assurances that any test bore hole in a newly paved street would be patched with current state-of-the-art techniques (infared patch) such that it would look like new. We also understand their subcontractor, Kline Construction, is a very reputable contractor who is willing and able to stand behind their work for the Borough should there be any future problems with a patch.

As homeowners we do need to secure permanent utility service for our new residence in the very near future. The temporary service as we have at present is undersized, not entirely safe long term, and may prevent us from obtaining a Certificate of Occupancy. We therefore would like to request a hardship exception from the Borough's 89<sup>th</sup> Street moratorium, so we might proceed with the installation of the underground service, as also required by current ordinances. We are willing and able to post an escrow fund to insure that 89<sup>th</sup> Street is properly patched wherever Kline Construction digs a test pit. An escrow might be also obtained from Kline Construction Company (to be confirmed), if that would help the proposition.

Atlantic City Electric has also indicated that their regulated cost structure for underground utility service is much less expensive for all concerned, if the underground service is installed in conjunction with new construction, rather than as a later conversion. For example, new construction tunneling costs might average \$9,000 during new construction, versus \$15,000 for a later conversion. This may be illogical, but it is indicative of their rate structure. This 67% increased cost does not benefit the Borough or a homeowner in any way. We realize that increased cost cannot be a rationale for a hardship exception, but we felt it important that all factors be considered when considering a practical solution to the installation of utilities on streets under a moratorium.

We will follow the guidelines of Ordinance #475-5 re Newly Paved Streets, and notify nearby property owners and the Borough Clerk of any meeting scheduled to review our request for an exception.

Thank you in advance for your consideration of our request.

Sincerely,

Rick & Linda Ciccotelli

Cc: D. Samples (Samples Construction Company LLC)  
J. Mascia (Construction Office)  
R. Wilcott (Atlantic City Electric)

Rick and Linda Ciccotelli  
161 89<sup>th</sup> Street  
Stone Harbor, NJ 08247  
February 10, 2012

To: Neighbors in 100 Block of 89<sup>th</sup> Street

Re: Installation of Electric Service – Request for Hardship Exception @ 161 89<sup>th</sup> Street  
Block 89.02; Lots 52, 54, and 56

Dear Neighbor:

We are writing to you to let you know of an upcoming meeting of the Stone Harbor Borough Council on February 21, 2012 at 4:30 PM in the Borough Hall.

As some of you may know we started construction of a new home on our lot at 161 89<sup>th</sup> Street in September, 2011. Construction is progressing well, and we hope to have it fully completed before all of you return this summer. As part of the construction, we have to install new electric service via Atlantic City Electric.

Current Borough ordinances require the service to be underground, and we have contracted with Atlantic City Electric to install that type of service. However, since 89<sup>th</sup> Street was recently re-paved it is under a so-called “moratorium” which would prohibit any opening of the street for any purpose, unless Borough Council grants a hardship exception.

We are asking the Borough Council in the February 21<sup>st</sup> meeting to grant us such a hardship exception, so Atlantic City Electric can install new underground service. We are told that Atlantic City Electric and/or their subcontractors only need to dig a test pit in the street, approximately two feet by two feet in size, in order to precisely locate other utility lines. They can then actually bore under the street to install the new electric service without endangering any other utilities. Atlantic City Electric has told us that they will also properly repair the street with an “infared patch” so it would be barely noticeable. We are also prepared to adhere to any request by the Borough for the posting of an escrow fund to assure the street is properly repaired.

This is the sole purpose of our request for a hardship exception to the Stone Harbor Borough Council. We are obligated to notify you of this meeting under the guidelines of Ordinance #475-5 re Newly Paved Streets. We do not believe that our request will impact you or your property in any manner (other than seeing a small patch in the street in front of our house) if our request is approved by Council.

Thank you in advance for your consideration.

Sincerely,

Rick & Linda Ciccotelli

Cc: D. Samples (Samples Construction Company LLC)  
J. Gougher (Borough Office)

**BOROUGH OF STONE HARBOR  
CAPE MAY COUNTY  
ORDINANCE NO. 1397**

**AN ORDINANCE AUTHORIZING THE BOROUGH OF STONE HARBOR TO  
CONVEY AN EASEMENT OVER A CERTAIN PORTION OF THE PUBLIC  
RIGHT OF WAY FOR THE INSTALLATION OF A UTILITY POLE**

**WHEREAS**, the Borough of Stone Harbor is the owner of the right-of-way at Block 81.02, Lot 1 and Block 82.02, Lot 1 on the Tax Map of the Borough of Stone Harbor; and

**WHEREAS**, Atlantic City Electric Company needs to relocate a utility pole in this vicinity; and

**WHEREAS**, the law allows for an agreement between a municipality and a public utility company for the installation and maintenance of utility facilities and Atlantic City Electric Company has requested an easement for the location of the new utility pole; and

**WHEREAS**, the Atlantic City Electric Company has present the Borough with a form of Easement and survey drawing in furtherance of the above, which is attached hereto and made a part hereof by reference, copies of which are available for public inspection in the Borough Clerk's Office; and

**WHEREAS**, the granting of an easement by the Borough to the property owners is necessary in order to permit the effective distribution of certain public utilities and is in the interests of the health, safety and welfare of the citizens of the Borough of Stone Harbor; and

**WHEREAS**, the purpose of this Ordinance is to approval of an easement for the purposes aforesaid and to grant the necessary easement(s), in accordance with the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq. and other applicable law; and

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

1. That, pursuant to the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., and the laws and regulations applicable to public utilities in the State of New Jersey, the Borough of Stone Harbor grants an easement in the form aforementioned to Atlantic City Electric Company for the purposes aforesaid; and
2. That the easement referenced herein shall be granted for nominal consideration.
3. 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.
4. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.
5. 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.
6. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Approved:

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

Attest:

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

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$4,745,000 GENERAL, WATER AND SEWER BONDS, SERIES 2012, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH.**

WHEREAS, the Borough of Stone Harbor, in the County of Cape May (the "Local Unit"), New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the "Project"), as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement" and, together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State fiscal year 2012 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan" and, together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water and Sewer Bond, Series 2012A, to the State (the "Fund Loan Bond") and Water and Sewer Bond, Series 2012B, to the Trust (the "Trust Loan Bond" and, together with the Fund Loan Bond, the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State, constituting Chapter 2 of Title 40A of the Revised Statutes of the State (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, the Local Unit Bonds have been authorized pursuant to two bond ordinances of the Local Unit adopted on October 18, 2011 and respectively entitled: "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 \$2,600,000 therefor and authorizing the issuance of \$2,600,000 bonds or notes of the Borough for financing such appropriation (General Capital)" and "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 \$2,145,000 therefor and authorizing the issuance of \$2,145,000 bonds or notes of the Borough for financing such appropriation (Water and Sewer Utility)";

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the escrow agent named therein and the Local Unit; and

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

WHEREAS, N.J.S.A. §40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. §58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth in the following resolution.

**NOW, THEREFORE, BE IT RESOLVED 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. Ordinances, Bond Amounts and Combination.** Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in the Local Bond Law, the several issues of bonds of the Local Unit described below, authorized pursuant to bond ordinances of the Local Unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$4,745,000. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title, number and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

A. \$2,600,000 bonds being those bonds authorized by an ordinance entitled "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 \$2,600,000 therefor and authorizing the issuance of \$2,600,000 bonds or notes of the Borough for financing such appropriation (General Capital)" heretofore finally adopted on October 18, 2011 (Ordinance No. 1390). The period or average period of usefulness for the purpose stated in Section 4(b) of said ordinance is forty (40) years. Such bonds are general capital in nature.

B. \$2,145,000 bonds, being those bonds authorized by an ordinance entitled "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 \$2,145,000 therefor and authorizing the issuance of \$2,145,000 bonds or notes of the Borough for financing such appropriation (Water and Sewer Utility)", heretofore finally adopted on October 18, 2011 (Ordinance No. 1391). The period or average period of usefulness stated in Section 4(b) of said ordinance is forty (40) years. Such bonds are water and sewer utility in nature.

**Section 2. Average Useful Life.** It is hereby found, determined and declared that the average period of usefulness, taking into consideration the respective amounts of obligations authorized to be issued pursuant to each of said bond ordinances as described above, respectively, is forty (40) years.

**Section 3. Title and Principal Amount.** The bonds shall be designated "General, Water and Sewer Bonds of 2012". The actual aggregate principal amount of bonds to be issued shall not exceed \$4,745,000.

**Section 4. Award of the Local Unit Bonds.** In accordance with N.J.S.A. §40A:2-27(a) (2) of the Local Bond Law and N.J.S.A. §58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond to the Trust in accordance with the provisions of this resolution and (b) Fund Loan Bond to the State in accordance with the provisions of this resolution.

**Section 5. Basic Terms of the Local Unit Bonds; Delegation of Power to Make Certain Determinations.** The chief financial officer of the Local Unit or the treasurer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(a) The aggregate principal amount of the Trust Loan Bond to be issued and the aggregate principal amount of the Fund Loan Bond to be issued, which amounts in the aggregate shall not exceed \$4,745,000;

(b) The maturity or maturities and annual and semi-annual principal installments of the Local Unit Bonds, which maturity or maturities shall not exceed twenty (20) years from the date of the Local Unit Bonds;

(c) The date or dates of the Local Unit Bonds;

(d) The interest rates of the Local Unit Bonds, provided that the effective interest rate of the Trust Loan Bond does not exceed eight per centum (8%) and that the interest rate on the Fund Loan Bond is zero per centum (0%);

(e) The purchase price for the Local Unit Bonds;

(f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities; and

(g) Such other matters with respect to the Local Unit Bonds as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, including adjusting the title of the Local Unit Bonds to reflect the issuance thereof in a calendar year other than 2012.

**Section 6.** Determinations Conclusive. Any determination made by the Chief Financial Officer pursuant to the terms of this resolution shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) of this resolution.

**Section 7.** Further Terms of the Local Units Bonds. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The Fund Loan Bond shall be issued in a single denomination and shall be numbered RA-1, or as may otherwise be determined by the Chief Financial Officer. The Trust Loan Bond shall be issued in a single denomination and shall be numbered RB-1, or as may otherwise be determined by the Chief Financial Officer;

(b) The Local Unit Bonds shall be issued in fully registered form (convertible to bearer as therein provided) and shall (unless converted to bearer) be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America;

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk or Deputy Local Unit Clerk; and

(d) In order to distinguish the Local Unit Bonds from other bonds of the Local Unit, the Local Unit Bonds shall have such letters and/or numbers incorporated in their titles as shall be determined by the Chief Financial Officer.

**Section 8.** Forms of the Local Unit Bonds. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 9.** Authorized Parties. The law firm of Hawkins Delafield & Wood LLP, bond counsel to the Local Unit, is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor and financial advisor, if any, are hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer, the Local Unit

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION  
Administrator and the Local Unit Clerk (each, an "Authorized Official") are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 10.** Report to the Local Unit. The Chief Financial Officer is hereby directed to report in writing to this Council at the next meeting of this Council next following the closing with respect to the Local Unit Bonds as to the terms of the Local Unit Bonds authorized to be determined by the Chief Financial Officer pursuant to and in accordance with the provisions of this resolution.

**Section 11.** Delivery of the Local Unit Bonds. Each Authorized Official is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Local Unit Bonds and is hereby further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 12.** Execution of Agreements. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by an Authorized Official (other than the Local Unit Clerk) in substantially the forms required and traditionally used by the Trust and the State (which forms are available from the Trust and the State), with such changes as such Authorized Official, in his or her sole discretion, after consultation with counsel and any advisors to the Local Unit (the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants" and, together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by an Authorized Official (other than the Local Unit Clerk). The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Official and to affix the corporate seal of the Local Unit to such Financing Documents.

**Section 13.** Authorized Actions. The Authorized Officials are hereby further severally authorized to (i) execute and deliver and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Local Unit Bonds and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Officials deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 14.** Multiple Document Sets. Notwithstanding any other provision of this resolution to the contrary, if in connection with the participation of the Local Unit in the Program, the State and the Trust require that the Local Unit execute more than one set of documents, the provisions of this resolution shall be deemed to apply to the Local Unit Bonds and the Financing Documents related to each set of documents; provided, however, that in no event may the aggregate principal amount of all Local Unit Bonds issued and delivered pursuant to the provisions of this resolution be in excess of \$4,745,000.

**Section 15.** Interim Financing. In anticipation of the issuance of the Local Unit Bonds, the Local Unit hereby authorizes, if necessary or desirable, the issuance, sale and award of an interim bond anticipation note (the "Interim Local Unit Note") pursuant to the Trust's Interim Financing Program. The Interim Local Unit Note shall be substantially in the form provided by the Trust in the Interim Financing Program's loan agreement. The execution and delivery of the Interim Local Unit Note shall be in the same manner as herein prescribed with respect to the Local Unit Bonds. An Authorized Official is hereby authorized to determine, pursuant to the terms and conditions established by the Trust and the State under the Interim Financing Program's loan agreement and the terms and conditions of this resolution, the

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

following items with respect to the Interim Local Unit Note: (a) the aggregate principal amount of the Interim Local Unit Note to be issued, which amount shall not exceed \$4,745,000; (b) the maturity of the Interim Local Unit Note, which shall be no later than one year after the date of issuance thereof; (c) the date of the Interim Local Unit Note; (d) the interest rate of the Interim Local Unit Note, which shall not exceed 2% per annum; (e) the purchase price for the Interim Local Unit Note; and (f) such other matters with respect to the Interim Local Unit Note as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof. The Authorized Officials are hereby further severally authorized to manually execute and deliver and the Local Unit Clerk is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Interim Local Unit Note and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

**Section 16.** Capitalized Terms. All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

**Section 17.** Prior Action. All action taken to date by the officers, employees and agents of the Local Unit with respect to the Local Unit Bonds hereby are approved, ratified, adopted and confirmed.

**Section 18.** Effective Date. This resolution shall take effect immediately.

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

-5- .....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**WHEREAS**, the Borough of Stone Harbor is currently under contract with R. Maxwell Construction Company for Public Works Garage & Office Building Painting & Repair – Phase III - File #05-10-U-043; and

**WHEREAS**, it is the recommendation of the Borough’s Engineer, Remington, Vernick & Walberg Engineers, to authorize Change Order No. 2 – Final adjustment due to a Reduction of Allowance (copy attached hereto and made a part hereof by reference); and

**WHEREAS**, Change Order No. 2 will result in a \$5,000 reduction in the contract, the original contract amount was \$114,313 and the amended contract amount will be \$109,313; and

**NOW, THEREFORE, BE IT RESOLVED**, this 21<sup>st</sup> day of February, 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 for a total contract amount of \$ 109,313.00.

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

## RESOLUTION

**WHEREAS**, the Volunteers in Medicine made application on February 10, 2012 for a Raffle License under Application No. RA-2012-03; and

**WHEREAS**, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval under Application No. RA-2012-03 to Volunteers in Medicine for holding of said Raffle;

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

1. That the Borough Council issue to Volunteers in Medicine a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council under Application No. RA-2012-03 made by said Volunteers in Medicine; and

2. That the Deputy Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the Volunteers in Medicine in accordance with the application made therefor.

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

## Suzanne Stanford

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**From:** Marc.DeBlasio@rve.com  
**Sent:** Monday, February 13, 2012 10:08 AM  
**To:** Suzanne Stanford  
**Cc:** Elaine\_Benincasa/rve@rve.com; Jill Gougher; Gregory Sheeran; Grant Russ  
**Subject:** Trash Truck Bid

Suzanne,

We are proposing the following bid schedule for the above project:

1. Motion to Bid: February 21
2. Advertise Bid: February 25
3. Bid Opening: March 15 at 10:00 am
4. Possible Award Date: March 20 Council meeting

Please advise if this works for the Borough. Thanks, Marc

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received."

For more information on Remington & Vernick Engineers visit our website at:

<http://www.rve.com>

# BOROUGH OF STONE HARBOR

## SPECIAL EVENTS ON PUBLIC LANDS

(No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough Council pursuant to Chapter 275 of the Borough of Stone Harbor Municipal Code.)

### LICENSE APPLICATION (Chapter 275)

**\$60.00 For the Permit Application Fee.**  
**All Permit Fees Shall Be Paid To Borough Clerk When Application Is Filed.**  
**Application Should Be Filed At Least 60 Days Before The Date Set For The Special Event.**  
**Attach Certificate of Insurance Naming the Borough of Stone Harbor as Certificate Holder and/or Additional Insured.**

DATE OF APPLICATION: FEB. 14, 2012 (SORRY JUST LEARNED ABOUT FORM REQUIREMENT) FEE PAID: \$ Check or Credit Card To be paid

TYPE OF EVENT: WEAR-TRIAL OF GORE-TEX DRYSUITS, 3 SWIMMERS IN OCEAN AND WILL FILM EVENT OF THE SWIMMING TO SHORE AND RUNNING ONTO BEACH. Should be filed 60 Days before the Date of Event- Please Describe

DATE(S)/TIME(S) OF EVENT: FEBRUARY 29, 2012 (3 to 9 PM / 10 PM AT THE LATEST). BACKUP DATE MARCH 1, 2012 (?)

LOCATION OF EVENT: STONE HARBOR BEACH 122<sup>nd</sup> Street - SWIM Please Describe ADMISSION FEE (If Any): \$ 0

REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$ NONE

Applications must be complete, including contact information, in order to be considered filed.

SPONSOR'S NAME: W.L. GORE & ASSOCIATES, INC. Please Print Name of Person, Association, Corporation, Firm, etc. PHONE#: 410 392-3600

SPONSOR'S ADDRESS: 105 VIEVE'S WAY ELKTON MD 21921  
Street Address PO Box No. City State Zip Code

CONTACT PERSON: J. LADD MARTEL

CONTACT PERSON'S PHONE #: CELLPHONE 443 553-1020 Office: 410 506-5049

ESTIMATE OF DAILY CROWD EXPECTED: ~ 10 PEOPLE (GORE ASSOCIATES ONLY)

SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:  
NO SECURITY REQUIRED. JUST PLAN TO FILM THE EVENT FOR A MARKETING PIECE.

	Fees.
- Application Filing Fee	\$60.00 per event
- Seasonal Use by Local Schools	\$1,500.00 per season
- Charity Organizations	\$750.00 per season for second sport
- Use of Fields	\$60.00 Application Fee (No other fees to be assessed)
- Use of Fields	\$500.00 per day (first two days) \$250.00 per day each additional day
- Use of Fields	\$250.00 per day if before <b>Memorial Day</b> and after <b>Labor Day</b> and if the event is hosted by an Organization headquartered in Cape May County with at least five members from Stone Harbor.
- Chamber of Commerce	\$60.00 application fee for all Events

**Section 275-4. Exceptions.**

A. Special Events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for a special event permit. Such special events shall be governed by applicable Borough policies. Additionally, Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

# BOROUGH OF STONE HARBOR

## SPECIAL EVENTS ON PUBLIC LANDS

(No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough Council pursuant to Chapter 275 of the Borough of Stone Harbor Municipal Code.)

### LICENSE APPLICATION (Chapter 275)

**\$60.00 For the Permit Application Fee.**  
**All Permit Fees Shall Be Paid To Borough Clerk When Application Is Filed.**  
**Application Should Be Filed At Least 60 Days Before The Date Set For The Special Event.**  
**Attach Certificate of Insurance Naming the Borough of Stone Harbor as Certificate Holder and/or Additional Insured.**

DATE OF APPLICATION: 2/10/12 FEE PAID: \$         
Should be filed 60 Days Before the Date of Event

TYPE OF EVENT: Easter Egg Hunt - SHFD  
Please Describe

DATE(S)/TIME(S) OF EVENT: 3/31/12 (9-1:00 PM) 4/1/12  
Please Describe Rain Date

LOCATION OF EVENT: Fire House/Song Place ADMISSION FEE (If Any): \$       

REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$       

Applications must be complete, including contact information, in order to be considered filed.

SPONSOR'S NAME: SHFD PHONE#: 609 335-0922  
Please Print Name of Person, Association, Corporation, Firm, etc.

SPONSOR'S ADDRESS: \_\_\_\_\_  
Street Address PO Box No. City State Zip Code

CONTACT PERSON: Karl Giulian

CONTACT PERSON'S PHONE #: 609 335-0922

ESTIMATE OF DAILY CROWD EXPECTED: 150

SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:  
The event is staffed by the fire department. We will need Barricades

	Fees.
- Application Filing Fee	\$60.00 per event
- Seasonal Use by Local Schools	\$1,500.00 per season
- Charity Organizations	\$750.00 per season for second sport
- Use of Fields	\$60.00 Application Fee (No other fees to be assessed)
- Use of Fields	\$500.00 per day (first two days) \$250.00 per day each additional day
- Chamber of Commerce	\$250.00 per day if before Memorial Day and after Labor Day and if the event is hosted by an Organization headquartered in Cape May County with at least five members from Stone Harbor.
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