

**MINUTES OF THE REGULAR MEETING OF
MAYOR AND COUNCIL OF THE BOROUGH OF
STONE HARBOR COMBINED WITH ROA
MEETING HELD IN THE MUNICIPAL
BUILDING, SEPTEMBER 22, 2012**

The meeting was called to order by Mayor Walters at 9:30 a.m.

ROLL CALL

Suzanne M. Walters, Mayor
Suzanne C. Stanford, Borough Clerk
Michael Donohue, Attorney
Jill Gougher, Administrator
James Nicola, CFO

PRESENT

Councilmembers
Joan Kramar, Council President
Judith Davies-Dunhour
Joselyn O. Rich
Karen M. Lane
Barry D. Mastrangelo
Albert Carusi

Mayor Walters announced that the meeting was now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press and the Cape May County Herald on January 5, 2012.

SALUTE TO THE FLAG

Mayor Walters presented Jeffrey Alderton, President of the Realty Owners Association, with a Mayoral Proclamation celebrating the ROA's 60th Anniversary.

MOTION CONCERNING THE MINUTES

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting of August 21, 2012 and the Work Session Meeting of September 4, 2012 if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Vote

6 Councilmembers AYE

Mayor Walters expressed her enormous gratitude for two recently held events – on September 11, 2012, there was a dedication of the site for the 911 Artifact Memorial and on September 15, 2012, there was the Savor September event which was incredible and so well attended – Stone Harbor looked so beautiful. Mayor Walters expressed her thanks to all the people who worked so hard on these events.

REPORTS OF COMMITTEES AND OFFICERS

PUBLIC SAFETY – Councilmember Carusi reported that the Public Safety Committee met on September 13th and discussed: the Courts and the fact that Laura Neeld, Deputy Court Administrator, will be on maternity leave and the Court Administrator, Debbie Scott, is now serving both Stone Harbor and Avalon as part of the Shared Services Agreement. Councilmember Carusi reported that August was a very busy month for the Fire/EMS Department including numerous fire calls, mutual aid calls, and EMS calls. Councilmember Carusi reported that the Fire Company is on a six (6) month trial to evaluate silencing the sirens between 7:00 p.m. and 7:00 a.m. with the exception of the fire siren in the center of town. Councilmember Carusi announced that October 13, 2012 is the 100th Anniversary for the Stone Harbor Volunteer Fire Department and many events are planned including a parade. Councilmember Carusi reported that the Emergency Plan for Stone Harbor is currently being reviewed and will be digitized. Councilmember Carusi provided the monthly statistical report for the Police Department as follows: 12,079 miles patrolled, 39 arrests, 5 DWI, 15 juvenile arrests, and 1,655 incidents logged. Councilmember Carusi announced that the Police Chief has received 4 complimentary letters and on August 2, 2012, the Stone Harbor Police Department hosted the National Night Out which was very successful. Councilmember Carusi reported that as a result of comments made at a previous meeting from John Hencheck regarding prescription drug disposals and coordinating efforts with the State's Attorney General's Office, Stone Harbor will be one of the first in the State to participate in the Prescription Drug Take Back Program which will begin around January, 2013.

NATURAL RESOURCES - Councilmember Rich thanked the ROA and congratulated Sister James on her award. Councilmember Rich stated that the Natural Resources Committee members include herself, as Chair, Councilmembers Lane and Carusi, Jill Gougher, Public Works and the Borough Engineer, Marc DeBlasio. Councilmember Rich stated that the Natural Resources Committee is responsible for the beaches, bay, the Bird Sanctuary, the Point, including beach replenishment, dredging, and conservation management and other open areas. Councilmember Rich introduced Jack Berrigan, Chairperson of the Stone Harbor Bird Sanctuary Committee. Mr. Berrigan acknowledged members of the Committee including Councilmember Rich, Tom Considine, Diana Harris, John Flynn, Lois Hamilton, Bill Lauth, Sandy Slabik and Grant Russ. Mr. Berrigan reported that over 300 birds are residing in the Bird Sanctuary and that birders spend approximately \$5 million annually on the Seven Mile Island. Mr. Berrigan reported that the Committee has developed a five (5) year plan designed to boost the numbers of birds in the Sanctuary and the number of birders. Mr. Berrigan reported that the plan includes adding more food by piping in more tidal circulation, increase fresh water by diverting and filtering storm water, expand roosting and nesting areas by removing vines and overgrown branches, broadcast birds 7 days per week/24 hours per day/365 per year around the world via webcam, and stimulate interest with a virtual tour video to be put on the Borough's website, the Sanctuary's website, Channel 2 and possibly a Sanctuary Smartphone App. Mr. Berrigan introduced Randall Bauer, Docent. Mr. Bauer reported there were about 225 guided tours this summer and stated that people came from all over to tour the Sanctuary including Connecticut, Texas, Georgia, Missouri, Minnesota, etc., Paris and a group of students from the Philadelphia University of the Arts. Councilmember Rich stated that volunteers play such an important role. Councilmember Rich reported on highlights from the beach including the recent bunker fish dumped by a fishing boat which washed up in Stone Harbor, North Wildwood and Avalon have been cleaned up thanks to Public Works and the costs for the clean-up will be reimbursed by Fishing Industry. Councilmember Rich reported that the Coastal Research Center at Stockton College has filed a comprehensive study of the monitoring of the Borough's beaches which include such things as the documented 100,000 cubic yards of sand lost during Irene and October nor'easter and the favorable winter and spring patterns. Councilmember Rich reported that the Borough of Stone Harbor and the Borough of Avalon have received project plans from the DEP for a fully funded beach replenishment project consisting of 300,000 cubic yards of sand. Councilmember Rich reported that the Natural Resources Committee was invited by the Stone Harbor Boat Owners Association to attend a meeting with three (3) representative from the USACE, one from NJDEP Bureau of Coastal Engineering and one from the NJDOT-Maritime Division and a representative from Congressman LoBiondo's Office to discuss dredging and the bay. Councilmember Rich thanked Boat Owners Association Chairman, Julian Miraglia, Barry Hamilton and consultant, Diane Daly, for arranging this incredible meeting and agenda. Councilmember Rich reported that back in 2005, the Borough created a Natural Resources Advisory Committee so that the public could be included and assist the Natural Resources Committee with preserving, protecting and utilizing for appropriate purposes the natural resources of the Borough. Councilmember Rich stated that she is trying to reactivate this Committee and has sent out several invitations and Robert Scott, Randall Bauer, Raymond Parczyk and William Dougherty have graciously accepted to serve on this Committee. Councilmember Rich stated that she is still waiting for a response from other individuals and the goal is to have 8 members.

BEACH & RECREATION – Councilmember Davies-Dunhour reported that the Beach, Rec and Tourism Committee met on September 14th. Councilmember Davies-Dunhour congratulated Sister James on receiving the ROA Outstanding Citizen Award. Councilmember Davies-Dunhour reported that throughout the 2012 Summer season, the beach patrol handled 18 water rescues, 17 EMS calls, 12 police calls, 5 distressed hobie cats, 1 distress kayak and 49 lost children were reunited with their families. Councilmember Davies-Dunhour reported that the Beach Patrol, Police and Rescue Squad worked quickly and effectively together. Councilmember Davies-Dunhour thanked the men and women on the Beach Patrol for providing a safe waterfront season. Councilmember Davies-Dunhour reported that beach tag revenue overall is down this year from 2011 by \$5,592; \$709,945 was collected in 2011 and \$704,353 was collected in 2012. Councilmember Davies-Dunhour reported that Winter Rec programs are now in effect at the Recreation Support Building with after-school programs for Grades K through Four on Mondays and Wednesday at 3:30 to 5:00 p.m. and Grades 5 through 8 on Tuesday and Thursday from 6:00 p.m. to 8:00 p.m. and busing is provided by the school for the younger grades and the participation has been incredible with almost 35 children on Mondays and Wednesdays. Councilmember Davies-Dunhour reported that adult fitness classes such as Sit and Be Fit and Zumba

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Gold have been added to the Winter Rec schedule and the doors leading to the pavilion at the new Building have been installed and look great. Councilmember Davies-Dunhour reported that Savor September was a smashing hit and was extraordinarily well attended. Councilmember Davies-Dunhour thanked Councilmember Rich and Liz Hargett and Public Works and the Chamber of Commerce for organizing this great event. Councilmember Davies-Dunhour reported that the next Borough sponsored event is the Harvest Festival which will be held on Saturday, October 27, 2012 and will include hayrides on the beach, children's activities, a pet custom parade and an autumn farmer's market. Councilmember Davies-Dunhour reported that she, Councilmember Rich, the Mayor and the Tourism Director, as well as other Cape May County municipalities, attended a meeting with the County Tourism Department, County Engineer, and Freeholder Sue Sheppard to discuss signage throughout Cape May County. Councilmember Davies-Dunhour reported that the County is funding a "Wayfinding" project which will consist of identifiable signage to help tourists and visitor maneuver throughout the County. Councilmember Davies-Dunhour reported ongoing projects for the Beach, Rec and Tourism Committee continue to move forward and include upgrades to the playground equipment at 81st Street and the return of concession stands to the beach. Councilmember Davies-Dunhour reported that Anne Wannan advised the Committee that she will no longer be able to run the Farmer's Market. Councilmember Davies-Dunhour thanked Mrs. Wannan for not only being instrumental in bringing this weekly event to Stone Harbor, but also for continuing to manage it and organize it every week since its inception. Councilmember Davies-Dunhour stated that the Farmer's Market will return next summer.

UTILITIES - Councilmember Lane congratulated Sister James and remarked how incredible Savor September was and thanked all those involved in making this such a successful event. Councilmember Lane reported that the Utilities Committee members include herself as Chair, Councilmembers Davies-Dunhour and Rich, Jill Gougher, Greg Sheeran, Grant Russ, Chuck MacIlvane and Kim Stevenson. Councilmember Lane reported that the Committee has started the water conservation project which appears to be working since the number of gallons pumped in June, 2012 was 4.11 million gallons less than June of 2011, July, 2012 1.3 million gallons less than July of 2011, and for August, 2012, 744 thousand gallons less than August of 2011. Councilmember Lane stated that the results are wonderful, but there is still a long way to go and people are still watering at the wrong time and/or wrong day. Councilmember Lane reported that the watering schedule provides for 3 times per week, however, the DEP suggest only 2 times per week. Councilmember Lane reported that when the Borough receives its water usage increase, we will be required to pass an ordinance allowing watering only 2 times per week. Councilmember Lane encouraged people to use a Smart System as they are exempt from the restrictions. Councilmember Lane reminded everyone of the watering schedule, i.e., north of 96th Street, water days are Monday, Wednesday, and Friday; and south of 96th Street, water days are Tuesday, Thursday and Saturday and no watering on Sundays and you can only water between the hours of 6:00 p.m. and 6:00 a.m. for 30 minutes. Councilmember Lane reported that the Committee is looking forward to the installation of an electric charging station at the Water Tower Parking Lot; although originally, the plan was for 3 locations, the required electrical power was not available at all 3 locations. Councilmember Lane reported that the chargers will be installed at no cost to the Borough and the Borough will receive a small portion of the revenue.

Councilmember Lane reported on the Go Green Committee which was established to aid the Borough in water conservation efforts. Councilmember Lane reported that the Committee members include Alan Kaplan, Larry Kratzer, Patti DiMarco, Scott Wahl, Greg Sheeran, Grant Russ, Joe Hughes, Chuck MacIlvane, Jill Gougher, and herself as Chair. Councilmember Lane reported that at one of the two Committee meetings in August, the members decided to participate in the Savor September event. Councilmember Lane stated that Scott Wahl was able to order handouts, refrigerator magnets with the new logo and arranged a 60 second video showing water conservation practices – all at no cost to the Borough. Councilmember Lane reported that Patti DiMarco provided various home products that are environmental friendly which were on loan from Ace Hardware. Councilmember Lane stated that it was a very successful day for the Committee and thanked Public Works for providing tables, chairs, the tent, and computer and volunteers who helped man the table for the entire event. Councilmember Lane reported that the next Go Green Committee is scheduled for October 2, 2012 and agenda items include establishing goals and objectives and working on future awareness projects.

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Councilmember Lane reported that she, Councilmembers Joan Kramar and Joselyn Rich, and Jill Gougher have been meeting to establish a process to develop the programs and content and the design of the library and agreed that the programs and content will drive the design of the library. Councilmember Lane reported that she, Councilmembers Rich and Davies-Dunhour and Jill Gougher met with Dr. Jeffrey Raffel on September 5, 2012. Councilmember Lane stated that Dr. Raffel holds a Doctorate from MIT in Library Sciences and has published many books and articles on libraries and has graciously volunteered his time. Councilmember Lane reported that the Committee is reviewing the strategic plan of the Ocean County Library system which has 22 branches, 3 of which the Committee will visit. Councilmember Lane reported that she and Councilmember Rich met with Deborah Poillon, Director of the Cape May County Library and she reached out to the Director of the Ocean County Library and received a list of recommended libraries to visit. Councilmember Lane reported that the Design Committee (Councilmembers Rich and Mastrangelo, Jill Gougher and herself) met to discuss what transpired in the program/content meeting and the meeting with Deb Poillon. Councilmember Lane reported that the Vision Statement is being worked on. Councilmember Lane reported that a suggestion box has been placed in the library and encouraged the public to express their opinion on what they would like in their library.

PUBLIC WORKS – Councilmember Kramar thanked the ROA and congratulated Sister James on her award. Councilmember Kramar reported that the Public Works Committee met on September 12, 2012 and discussed seasonal workers, Savior September, the elementary school and the Borough's responsibilities, the Bird Sanctuary maintenance schedule, update on the memorial bench programs, the budget for 2013, Museum repairs, and the next scheduled meeting is October 10, 2012. Councilmember Kramar highlighted some areas that Public Works is responsible for including normal beach routine, marina routine, maintenance of automobiles, maintenance of buildings, grounds and streets, and for Special Events – Nuns' Surf Contest took 8.50 hours, 9/11 Ceremony took 12 hours, Blessing of the Sea took 2 hours, Reeds and Seeds took 19.50 hours and Sandy Paws Race took 66 hours. Councilmember Kramar stated that Public Works spends a great deal of time getting these events ready and does an incredible job and thanked them for their hard work.

Councilmember Kramar thanked everyone for participating in the Borough's 9/11 Ceremony and reported that on September 11, 2012, the Borough dedicated the site for the 9/11 Artifact Memorial that will honor all the people who lost their lives on that fateful day. Councilmember Kramar thanked all the first responders, the police, the firemen, the EMTs, and the rescue squads who chose to go to Ground Zero and put their lives on the line for all of us. Councilmember Kramar reported that the 9/11 Artifact Memorial Committee met yesterday to tweak the design plans and also discussed grants and funding for the site, and Marc DeBlasio, Borough Engineer, will be providing more information on this at the next Committee meeting. Councilmember Kramar reported that sponsorships will be offered and recognition will be given. Councilmember Kramar indicated that the Committee is looking for a marketing executive to help with this portion of the project and anyone interested should contact her. Councilmember Kramar stated that the pre-design estimate is \$250,000.00 to \$300,000.00 and several organizations have offered to donate services and product and the hope is that this outpouring continues. Councilmember Kramar reported that monetary contributions can be sent to the Borough Administrator, Jill Gougher. Councilmember Kramar encouraged everyone to help this memorial project move forward. Councilmember Kramar stated that this Memorial is about having a point of peace to remember all those that lost their lives that fateful day and it will be a quite place to reflect, remember, and to give all hope for generations to come.

ADMINISTRATIVE & FINANCE – Councilmember Mastrangelo reported the Administrative and Finance Committee met on September 17th and reviewed year-to-date budget status which reflects that 72% of the budget has been expended compared to 73.4% in 2011, received 91.4% of projected revenue compared to 87.7% in 2011. Councilmember Mastrangelo reported that the A & F Committee will be meeting more frequently to discuss the 2013 budget including the Capital Budget and the Operating and Expense Budget. Councilmember Mastrangelo reported that the CFO has sent out budget work papers to all Borough Departments and the Operating and Expense Budgets are due back to the CFO by October 15th so that Council can begin public hearings on the O & E Budget at the November 6th Mayor and Council meeting. Councilmember Mastrangelo reported that capital requests are due back by October 5th and Mayor and Council will discuss the 2013 Capital Budget at the October 16th meeting.

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Jill Gougher reported that the charging station project should be out to bid and installed before the 2013 Summer season. Mrs. Gougher reported that she met with the Borough’s labor attorney to begin discussions on negotiations on the two Union contracts which expire December 31, 2012. Mrs. Gougher reported that the Borough is continually exploring shared services opportunities.

ENGINEER’S REPORT - Jill Gougher, Borough Administrator, provided the Engineer’s report as follows:

Beach Outfall Elimination Project – Phase 2

- Contractor has completed all of the work on 97th Street to Third Avenue outfall.
- Contractor has removed the 97th Street beach outfall.
- The project will restart the week of September 24, 2012.

NJDEP Water Allocation Permit

- Our preliminary projected water demand has been transmitted to the Borough for review, comment and approval.
- We have a meeting with NJDEP on July 20, 2012 to review the application.
- At the NJDEP meeting on July 20, it was agreed that a pump test would not be required in order for the Borough to request additional allocation. A hydrogeologic report will still be required, however, pump test data from the Borough of Avalon can be used to characterize aquifer properties.
- The NJDEP issued a formal letter indicating that the pump test requirement is waived and has transmitted the Borough of Avalon data.
- We have transmitted a proposal to the Borough on September 4, 2012 requesting authorization to proceed with the permit submission.

USDA Rural Business Enterprise Grant (RBEG) Application

- The Borough was denied grant funding for planning and streetscape improvements.
- However, the application can be re-submitted to USDA for FY 2013.

95th Street Water Tank Improvements and Repainting

- The bid documents are approximately 50% complete and construction is targeted for Spring, 2013.

FY 2013 NJDOT State Aid Roadway Grant Application

- The Borough has selected the reconstruction of First Avenue – Phase 2 as the project for submission.
- The grant application will be filed the week of September 24, 2012.

TREASURER’S REPORT

Current Receipts.....	\$3,200,485.14
Current Disbursements.....	\$6,476,255.91
Utility Receipts.....	\$ 543,272.86
Utility Disbursements.....	\$1,042,637.12

BOROUGH CLERK’S REPORT

<u>ISSUED</u>	<u>TYPE</u>	<u>AMOUNT</u>
0	Boat Slips	0.00
0	Boat Trailers	0.00
8	Business Registration	800.00
1	Sailcraft Permits	225.00
0	Parking Permits	0.00
5	Certified Copies	50.00
7	Marriage License	196.00
1	Use of Field	1,500.00
1	OPRA Request	25.00
2	Special Event	120.00
1	Obnoxious Growth	10.00

1	Fire Hall Rental	8.00
4	Farmer's Market	720.00
	SUB-TOTAL	\$3,744.00
0	Dogs	0.00
0	Cats	<u>\$0.00</u>
	TOTAL	\$3,744.00
<u>CONSTRUCTION OFFICE</u>		
PERMIT	NO. OF PERMITS ISSUED	FEES COLLECTED
Building Permits	19	19,487.00
Electrical Permits	14	4,799.00
Plumbing Permits	8	8,157.00
Fire Permits	5	1,470.00
DCA Permits	28	2,281.00
Zoning Permits	11	17,415.00
CTT's	15	800.00
Violations	0	0
Certificate of Occupancy	29	3,297.00
Contractor's License	1	100.00
Public Records	0	0
Dumpster/Semi Trailer	2	500.00
Utility Street Openings	6	600.00
TOTAL FEES COLLECTED		\$58,906.00

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Karen Lane

That the reports of committees and officers be received and filed.

Vote

6 Councilmembers AYE

COMMUNICATIONS

None

HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS & COMPLAINTS

Walter Trattner – 101 102nd Street – stated that he has been coming here for over 50 years and this summer there were so many boogie boarders, floats, people throwing balls, etc at 102nd -103rd Street beaches that it was dangerous. Mr. Tratner stated that this beach was always for swimmers only until last year. Councilmember Davies-Dunhour responded that the Beach Patrol Captain recommends the beaches for activities and stated that she would discuss this issue with him.

Judy Curtis – 8531 Third Avenue – stated that she has owned her home for over 50 years and any time there is high tide or heavy rainfall, her garage floods and people drive by on Third Avenue splashing and throwing water onto her property and asked if anything could be done about it. Mrs. Curtis was advised to contact the police when people are speeding on Third Avenue. Councilmember Kramar stated that Third Avenue is a County road and the Borough is working closely with the County and the County Engineer to address the flooding problem. Councilmember Kramar suggested that Mrs. Curtis write to the Freeholders regarding this issue as well.

Harlan Krichman – 10704 Second Avenue – inquired about the handicapped ramps at the beach and if there is anything being done to make them more accessible. The Mayor explained that Public Works maintains the ramps and try to make them as user friendly as possible, but she will speak to PW about it.

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Dave Hartzell – Dect. with Stone Harbor Police Department, stated that on Saturday, September 29, 2012, the Police Department will be hosting a National Take Back Medication Program from 10:00 a.m. to 2:00 p.m. and anyone wishing to drop off old and/or unused medicine can do so. Det. Hartzell also advised the public that in January, this program should be available permanently.

OLD BUSINESS:

ORDINANCE 1410 – (Adding Handicapped Parking Space)

Upon motion of Councilmember Albert Carusi
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1410 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1407 on second reading because a copy of said Ordinance was posted on the Clerk’s bulletin board.

The Public Hearing is now open.
No one spoke.
The Public Hearing was closed.

Upon motion of Councilmember Albert Carusi
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1410 be passed on second reading and advanced to third and final reading.

Vote 6 Councilmembers AYE

Upon motion of Councilmember Albert Carusi
Seconded by Councilmember Barry Mastrangelo

That Ordinance 1410 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

NEW BUSINESS:

RESOLUTION 2012-S-157 – Bonuses for Public Works Employees

Upon motion of Councilmember Joan Kramar
Seconded by Councilmember Joselyn Rich

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.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-158 – Purchase Playground Equipment on State Contract

Upon motion of
Seconded by

Councilmember Judith Davies-Dunhour
Councilmember Joan Kramar

Purchase Playground Equipment

WHEREAS, there is a need to purchase new playground equipment for 81st 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.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-159 – Authorize Mayor to Sign State Aid Agreement for the Beach Replenishment Project

Upon motion of
Seconded by

Councilmember Joselyn Rich
Councilmember Barry Mastrangelo

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 22nd 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.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-160 – Purchase Chevy Tahoe for Police Department on State Contract

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Joan Kramar

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:

The preamble of this Resolution is hereby incorporated by reference as if set forth here at length.

1. 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.
2. That all Borough officers and/or employees required to approve said Purchase Order are hereby directed to do so forthwith.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-161 – Chapter 159 -- \$11,722.31 Clean Communities Grant

Upon motion of
Seconded by

Councilmember Karen Lane
Councilmember Joan Kramar

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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 \$11,722.31 from the New Jersey Department of Environmental Protection.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-162 – Refund Duplicate Tax Payment

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Judith Davies-Dunhour

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 90th 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.

Vote

6 Councilmembers AYE

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RESOLUTION 2012-S-161 – Authorize Change Order No. 2 – NJEIT Sanitary Sewer and Water Main Replacement Project – Phase II

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

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 – 83rd 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 22nd 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.

Vote

6 Councilmembers AYE

RESOLUTION 2012-S-164 – Extend Summer Officers

Upon motion of
Seconded by

Councilmember Albert Carusi
Councilmember Joselyn Rich

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 the following SLEO II Officers have their employment with the Stone Harbor Police Department extended from September 30, 2012 to December 31, 2012.

Regular Meeting, September 22, 2012

SLEO II Justin Glass
 SLEO II Richard Boyle
 SLEO II Sean Bryant

Vote

6 Councilmembers AYE

The following bills were presented to Council for their approval:

Check #	Check Date	Vendor	Amount Paid
32287	09/12/12	BORSH BOROUGH OF STONE HARBOR	317,042.09
32288	09/17/12	GRIESBAC JOSEPH H. GRIESBACH JR.	100.00
32289	09/24/12	360TRANS 360 TRANSLATIONS INTERNATIONAL	277.76
32290	09/24/12	ACELE ATLANTIC CITY ELECTRIC CO.	4,474.74
32291	09/24/12	ACESEWER ATLANTIC CITY ELECTRIC	381.93
32292	09/24/12	ACESTLIG ATLANTIC CITY ELECTRIC	6,904.03
32293	09/24/12	ACEWATER ATLANTIC CITY ELECTRIC	5,474.95
32294	09/24/12	ALLIN ALL INDUSTRIAL SAFETY PRODUCTS	137.39
32295	09/24/12	ALLST ALL STATE LEGAL	692.70
32296	09/24/12	AMANJ AMANJ C/O LEE ANN RUSS	60.00
32297	09/24/12	ASPHA ASPHALT PAVING SYSTEMS, INC.	127,713.37
32298	09/24/12	AVAHODGE AVALON HODGE PODGE, INC.	70.82
32299	09/24/12	AVAYA AVAYA, INC.	787.66
32300	09/24/12	BARTOLON JOSEPH BARTOLONE III	279.00
32301	09/24/12	BERCO BERCO FLEET SERVICES	207.14
32302	09/24/12	BILLO BILLOWS ELECTRIC SUPPLY CO.	311.40
32303	09/24/12	BIRCHMEI JAMES R. BIRCHMEIER	400.00
32304	09/24/12	BLANEYDO BLANEY & DONOHUE	188.50
32305	09/24/12	BURKEJAC JACK BURKE	32.07
32306	09/24/12	CANDE CANDELORE, DEBORAH A.	45.00
32307	09/24/12	CAPRI CAPRIONI PORTABLE TOILETS	1,000.00
32308	09/24/12	CASAP CASA PAYROLL SERVICES	418.25
32309	09/24/12	CATHC CATHCART, VAN	122.85
32310	09/24/12	CHOFF COURT HOUSE OFFICE SUPPLIES	153.47
32311	09/24/12	CHRIS CHRISTMAN, H.B.	426.62
32312	09/24/12	CMCMU C.M.C. MUNICIPAL UTILITY AUTHO	27,022.33
32313	09/24/12	COMCAST COMCAST	127.13
32314	09/24/12	COMMKITC COMMERCIAL KITCHEN CLEANING	325.00
32315	09/24/12	COMPL COMPLETE CONTROL SERVICES, INC.	1,445.00
32316	09/24/12	CONSPLAS CONSOLIDATED PLASTICS CO., INC	119.50
32317	09/24/12	COYNE COYNE CHEMICAL	1,385.50
32318	09/24/12	DAVISEQU DAVIS EQUIPMENT SALES, INC.	462.73
32319	09/24/12	DBELECTR dB ELECTRONICS	6,612.50
32320	09/24/12	EASTERNW EASTERN WAREHOUSE DISTRIBUTORS	648.07
32321	09/24/12	ENVIRSER ENVIRONMENTAL SERVICE	1,895.00
32322	09/24/12	FUTUR FUTURE MINING & RECYCLING, INC	11.70
32323	09/24/12	GARBOGRA GARBO GRABBER, LLC	265.45
32324	09/24/12	GARDS GARDEN STATE HWY. PRODUCTS	750.00
32325	09/24/12	GARYS GARY'S AUTOMOTIVE SERVICE	304.50
32326	09/24/12	GENER GENERAL CODE, LLC	1,170.83
32327	09/24/12	GRACE GRACE ENERGY	1,634.14
32328	09/24/12	GRAIN GRAINGER	563.20
32329	09/24/12	GRUCC GRUCCIO, PEPPER, P.A.	1,679.50
32330	09/24/12	GRUNOWBR GRUNOW, BRENT H.	183.98
32331	09/24/12	HARRI HARRIS COMPUTER SYSTEMS	86.50
32332	09/24/12	HDSUPPLY H D SUPPLY WATERWORKS LTD.	3,475.00
32333	09/24/12	HESSCORP HESS CORPORATION	10,593.56
32334	09/24/12	HOMED HOME DEPOT CREDIT SERVICES	831.11
32335	09/24/12	HOYS5 HOY'S FIVE & TEN	191.58
32336	09/24/12	INTEGRAT INTEGRATED TECHNICAL SYSTEMS	4,811.00
32337	09/24/12	KAESERBL KAESER & BLAIR, INC.	500.64
32338	09/24/12	KEENC KEEN COMPRESSED GAS	55.91
32339	09/24/12	KINDL KINDLE FORD MERCURY LINCOLN	190.07
32340	09/24/12	KOHLE KOHLER'S AUTO GLASS	220.00
32341	09/24/12	LAURYHEA LAURY HEATING	250.00
32342	09/24/12	LAWSO LAWSON PRODUCTS, INC.	189.48
32343	09/24/12	MAGELLAN MAGELLAN HILL TECHNOLOGIES	2,952.93
32344	09/24/12	MARANOJO MARANO, JOSEPH V.	170.00
32345	09/24/12	MARSHMCL MARSH & MCLENNAN AGENCY, LLC	2,500.00
32346	09/24/12	MATCO MID ATLANTIC TOOLS, LLC	51.90
32347	09/24/12	MEDIA RICHARD GRAVER	10,935.00
32348	09/24/12	MODEL MODEL CLEANERS, INC.	386.25
32349	09/24/12	MODER MODERN GROUP LTD.	709.00
32350	09/24/12	MONZO MONZO CATANESE, P.C.	2,728.50
32351	09/24/12	MOSSM MOSSBROOKS FIRESTONE	474.00

32352	09/24/12	NATIONPA	NATIONWIDE PARTY.COM	205.52
32353	09/24/12	NEXTCOMM	NEXTEL COMMUNICATIONS	660.10
32354	09/24/12	NICPC	JAMES NICOLA	15.50
32355	09/24/12	NJLM	NJLM	50.00
32356	09/24/12	NORTHERN	HSBC BUSINESS SOLUTIONS	790.67
32357	09/24/12	OCECO	OCEAN/COASTAL CONSULTANTS, INC	6,602.00
32358	09/24/12	ONECA	ONE CALL CONCEPTS, INC.	50.88
32359	09/24/12	ORCHARDH	ORCHARD HYDRAULICS, INC.	825.00
32360	09/24/12	PARAM	PARAMOUNT CHEMICAL & PAPER CO.	963.12
32361	09/24/12	PARAPLUS	PARA PLUS TRANSLATIONS, INC.	382.02
32362	09/24/12	PAULS	PAUL'S CUSTOM AWARDS & TROPHY	47.00
32363	09/24/12	PEDRO	PEDRONI FUEL COMPANY	9,150.61
32364	09/24/12	PITNE	PITNEY BOWES, INC.	220.96
32365	09/24/12	POLET	POLE TAVERN EQUIPMENT SALES	19.23
32366	09/24/12	PRESS	PRESS OF ATL.CITY MEDIA GROUP	562.19
32367	09/24/12	PUERTORI	PUERTO RICAN ACTION COMMITTEE	60.00
32368	09/24/12	RELIA	RELIABLE GOLF COURSE SUPPLIES	272.48
32369	09/24/12	REMIN	REMINGTON, VERNICK & WALBERG	0.00
32370	09/24/12	REMIN	REMINGTON, VERNICK & WALBERG	12,790.00
32371	09/24/12	REYNO	REYNOLDS, PAUL JAMES	1,402.00
32372	09/24/12	REYNPCAS	PAUL REYNOLDS	100.00
32373	09/24/12	RICES	STEWART RICE	49.99
32374	09/24/12	RIGGI	RIGGINS, INC.	15,103.61
32375	09/24/12	RILEI	RILEIGHS OUTDOOR DECOR	6,883.07
32376	09/24/12	ROBERTCH	CHRISTOPHER D. ROBERTSON	600.00
32377	09/24/12	ROSSEVI	ROSS ENVIRONMENTAL SOLUTIONS	300.00
32378	09/24/12	RUTG1	RUTGERS UNIVERSITY	870.00
32379	09/24/12	SAUND	BRIAN SAUNDERS	550.00
32380	09/24/12	SCHAEFFE	SCOTT & LINDA SCHAEFFER	2,445.77
32381	09/24/12	SCHUYMOB	SCHUYLKILL MOBILE FONE	60.00
32382	09/24/12	SERV1	SERVICE TIRE TRUCK CENTERS	3,373.04
32383	09/24/12	SHEE3	SHEERAN, GREGORY (PETTY CASH)	159.29
32384	09/24/12	SHEERANG	GREGORY W. SHEERAN	471.45
32385	09/24/12	SHERWIN	SHERWIN WILLIAMS	311.34
32386	09/24/12	SJGAB	SOUTH JERSEY GAS CO.	173.24
32387	09/24/12	SJGAW	SOUTH JERSEY GAS CO.	78.08
32388	09/24/12	SMUGG	SMUGGLERS COVE	32.09
32389	09/24/12	SORENSEN	MICHAEL A. SORENSEN, ESQUIRE	875.00
32390	09/24/12	STAN2	STANFORD, SUZANNE	297.00
32391	09/24/12	STAPL	STAPLES CREDIT PLAN	322.38
32392	09/24/12	STAPLEBU	STAPLES BUSINESS ADVANTAGE	59.15
32393	09/24/12	STRUE	SEASHORE ACE HARDWARE	1,209.48
32394	09/24/12	TIRELLIA	ANTHONY P. TIRELLI, JR.	33.20
32395	09/24/12	TOSHI	TOSHIBA BUSINESS SOLUTIONS	5,160.00
32396	09/24/12	USABL	U.S.A. BLUE BOOK	248.69
32397	09/24/12	VERI1	VERIZON	535.67
32398	09/24/12	VERIZ911	VERIZON	19.65
32399	09/24/12	VERKIOSK	VERIZON WIRELESS	160.10
32400	09/24/12	VINAU	VINELAND AUTO ELECTRIC	240.00
32401	09/24/12	VITAL	VITAL COMMUNICATIONS, INC.	500.00
32402	09/24/12	WESTB	WESTBROOK MARKETING, LLC	797.40
32403	09/24/12	WESTE	WESTERN PEST SERVICES	117.50
32404	09/24/12	WOODR	WOODRUFF, LEONIDAS	118.40
32405	09/24/12	WORK	WATER WORKS SUPPLY CO., INC.	174.75

Checks: 118 634,108.85

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

That we pay the bills provided the vouchers are in proper order and sufficient funds exist.

Vote

6 Councilmembers AYE

Mayor Walters reminded the public that Bulk Trash pick-up is Monday, September 24, 2012.

Mayor Walters stated that the Borough received a notice from the NJ Turnpike Authority regarding a meeting on Thursday, October 4, 2012 from 4:00 p.m. to 7:30 p.m. at the County Administration Building concerning Exits 9, 10 and 11 on the Garden State Parkway.

Mayor Walters stated that Council will be going into Closed Session shortly to discuss certain confidential contract negotiations regarding the Bank of America Building. Mayor Walters stated that it is expected that Council will take some form of action after the Closed Session meeting and encouraged the public to stay.

Regular Meeting, September 22, 2012

At this time we are about to consider a Resolution to go into private session. We would appreciate it if you would all remain seated until the Resolution has been acted upon. At the conclusion of the private session we will come back into public session for the purpose of either taking action as a result of our discussion in private session or to simply adjourn. It is also possible that someone might bring up some other item of business in public session after we come back from private session.

RESOLUTION 2012-S-165 (Closed Session)

Upon motion of
Seconded by

Councilmember Barry D. Mastrangelo
Councilmember Joan Kramar

**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 9:30 A.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.

Vote

6 Councilmembers AYE

MOTION – To Return to Open Session

Upon motion of
Seconded by

Councilmember Barry Mastrangelo
Councilmember Judith Davies-Dunhour

To return to Open Session.

Vote

6 Councilmembers AYE

Mr. Donohue explained that the Bank of America Building came up for sale shortly after Council selected the Second Avenue location for the library and there have been meetings with the County regarding the library and when the Bank property became available, discussions ensued regarding that location as a feasible location for the library. Mr. Donohue stated that at their meeting with the County last week, the County indicated that they would pursue the purchase of the Bank at no expense to the Borough, continue to work with the Borough regarding the feasibility of the construction of the library at the Bank location, construct the library, continue to work with the Borough on the design, construction and programs and contents, and will guarantee the right to purchase the property from the County if the construction of the library is not feasible or if after construction, the County ceases to operate the location as a library.

Mayor Walters commented that over the past ten or fifteen years, the Borough has spoken to Bank of American regarding purchasing the building and they never wanted to sell. Mayor Walters stated that the location of the library was an issue that pitted neighbor against neighbor, and when the Library Location Committee recommended the Second Avenue location, everyone felt it was time to move on with the library issue and the vote was unanimous. Mayor Waters stated that the Bank of American building was not available at the time when Council chose the Second Avenue location for the library. Mayor Walters stated that sometimes life throws you a curve ball and the Bank of America building being up for sale is one of those curve balls. Mayor Walters stated that she felt the Borough had a serious obligation to consider this site for the library. Mayor Walters stated that the County has been investigating this site and their planning staff believes it is a great location for the library. Mayor Walters stated that the County is still willing to work with us on the design, content and program issues, will incorporate the Museum in the project, and will have a meeting room which can serve as a Community Center. Mayor Walters stated that additionally, all the issues with the Second Avenue property, i.e., losing the ratable, parking, etc., goes away. Mayor Walters stated that she envisions this library enhancing the Borough's downtown area and serving the entire community, and is an exciting way for the Borough to move forward.

RESOLUTION 2012-S-166 -- Exploring the Bank of America Location for Construction of the Library

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Barry Mastrangelo

RESOLUTION INDICATING THE BOROUGH'S INTEREST IN EXPLORING THE BANK OF AMERICA LOCATION FOR THE CONSTRUCTION OF A LIBRARY; ENCOURAGING THE COUNTY OF CAPE MAY TO PURCHASE THE PROPERTY AND EXPRESSING THE BOROUGH'S INTENTION TO PURCHASE THE PROPERTY FROM THE COUNTY UNDER CERTAIN CONTINGENCIES IN THE FUTURE

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, recently transmitted a Resolution to the County of Cape May expressing the Borough's desire to have a new branch of the Cape May County Library constructed on Borough-owned ground in the vicinity of Second Avenue between 93rd and 94th Streets; and

WHEREAS, since that time it was announced that the Bank of America, which owns property on the northeast corner of Second Avenue and 96th Street, abutting Borough Hall and the municipal parking lot, would be putting said property up for sale; and

WHEREAS, the County of Cape May and the Cape May County Library Commission (hereinafter referred to collectively as "the County"), after discussion with the Borough, being aware of the pending sale, has indicated to the Borough that it finds the Bank of American location to be well suited for the construction of the library; and

WHEREAS, the County has indicated that it will:

- A. Pursue the purchase of the property with no expense to the Borough;
- B. Consult with the Borough regarding the feasibility of the construction of the library at that location;

- C. Construct, if feasible, the library at that location, with no expense to the Borough;
- D. Obtain significant input from the Borough on all aspects of design, construction, utilization of space and programs, among other relevant items of Borough interest;
- E. Guarantee the Borough the right to purchase the property from the County in the event that construction of the library there is not feasible or if after construction the County ever ceases to operate the location as a library branch, in accordance with law after the Borough obtains funding to do so, this Resolution not obligating the Borough to expend any funds;

all of which is the subject of an Agreement Between The County Of Cape May, The Cape May County Library Commission And The Borough Of Stone Harbor With Regard To The Purchase Of Certain Real Property And The Potential Construction Of A Public Branch Library Within The Borough Of Stone Harbor Upon Said Property, which is attached hereto and made a part hereof by reference; and

WHEREAS, the items mentioned in item “D” above will be the subject of a second agreement to be discussed and negotiated by and between the County and the Borough; and

WHEREAS, the Borough Administrator, Solicitor and Administration and Finance Committee members, as directed by Council, met with representatives of the County to discuss the above; and

WHEREAS, the Administration and Finance Committee has recommended that the Borough Council act upon a Resolution to express the Borough’s interest in the above and to authorize the Mayor to execute the aforementioned agreement on behalf of the Borough for the purposes aforesaid;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, duly assembled in public session this 22nd day of September, 2012, as follows:

1. The Preamble of this Resolution is incorporated here by reference and adopted as the findings of the Borough Council;
2. The Borough of Stone Harbor expresses its interest in the Bank of America location as detailed hereinabove for the purposes aforesaid;
3. The Mayor and Clerk are hereby authorized and Directed to sign the aforementioned Agreement Between The County Of Cape May, The Cape May County Library Commission And The Borough Of Stone Harbor With Regard To The Purchase Of Certain Real Property And The Potential Construction Of A Public Branch Library Within The Borough Of Stone Harbor Upon Said Property, on behalf of the Borough of Stone Harbor.

Vote

6 Councilmembers AYE

PUBLIC COMMENT

John Ready – 105th Street – inquired if the County will be purchasing the property? Mr. Ready was informed that yes, the County would be purchasing this location for the construction of the library. Mr. Ready stated that this is great news and very encouraging and he commended Mayor and Council for getting this done.

Bunny Parzych -- 9925 Sunset Drive – indicated that in all the previous scenarios, the Borough owned the land and leased the land to the County. Mrs. Parczyk inquired if the County owns the property, will the Borough ever be able to pull out the library system. Mr. Donohue responded yes and actually, under this scheme, there are no time restrictions at all.

John Hencheck – 337 95th Street – stated the Borough should take one step at a time and this is a great step in the right direction. Mr. Hencheck congratulated everyone on Savor September and its enormous success.

Regular Meeting, September 22, 2012

Randall Bauer – 151 85th Street – indicated that the Stone Harbor is very fortunate and that by staying in the County Library System, we help out other towns and municipalities that are not as fortunate.

Jim Picanza -- 9919 Corinthian Drive – commended Mayor and Council for coming to this consensus and stated that this is an ideal location for the library.

Bob Ashman – 10301 First Avenue – congratulated Mayor and Council for acting so quickly on this property and commented that it is a job well done.

MOTION TO ADJOURN

Upon motion of
Seconded by

Councilmember Joan Kramar
Councilmember Judith Davies-Dunhour

That the Regular Meeting of Mayor and Council be adjourned at 11:35 a.m.

Vote

6 Councilmembers AYE

APPROVED _____, 2012

_____, Mayor

ATTEST: _____, Borough Clerk