

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

AGENDA		Work Session
<b>TUESDAY</b>	<b>June 7, 2011</b>	<b>4:30 p.m.</b>

MODULAR HOME – Permission overnight in Borough parking lot - Augustine Builders (1)

DOCK HEARING 308 – 92<sup>nd</sup> Street (2)

LIBRARY PRESENTATION – Cape May County (3)

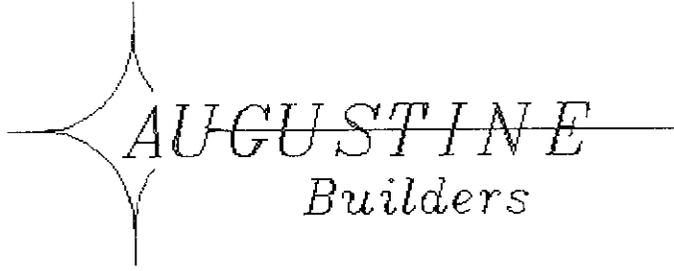
OLD BUSINESS:

a. Ordinance 1381 (Street Openings) 2<sup>nd</sup> 3<sup>rd</sup> and final (4)

NEW BUSINESS:

- a. Resolution - NJDEP Land Use Application Recreation Support Building (5)
- b. Resolution – Rules for Street Venders (6)
- c. Resolution - Professional Services - Shore Counseling (7)
- d. Resolution -Refund Water Meter Rental Deposit Fee (8)
- f. Resolution – Change to Personnel Manual Catastrophic Sick Leave Bank (9)
- g.. Resolution – Olivieri Contract Amendment (10)
- h. Resolution – Utility Adjustment Gardner (11)
- i. Resolution – Ross Contract Wildlife Control Services (12)
- j. Resolution – Approve Amended Lease, Library (13)
- k. Motion – Special Event Annual Trial on the Isle July 8, 2011 (14)
- l. Honor beach tag designer

(1)



To: Mayor Suzanne Walters / Town Council Boro of Stone Harbor

5-26-2011

From: David Augustine

Re: Request to park modular home overnight in Boro parking lot

Dear Mayor and Council, on behalf of my client's David & Betty Simpson of 138 89<sup>th</sup> Street Stone Harbor NJ. I would like permission to park overnight for one evening only on or about Wed June 15<sup>th</sup> their new modular home until early the following morning at which time the new home will be set upon it's foundation. The home will not be parked at any time during the weekend in the Boro parking lot. I will personally guarantee that no debris or trash of any kind from this operation / request will be left behind or affect the Boro's property in any way. I would very much appreciate the Boro's assistance in my request for the Simpson family at this time.

Thank you for your kind consideration. Respectfully David Augustine

Cc William Haryslak (Architect)  
David & Betty Simpson (Owners)

Call 703-7607

(2)

**THOMAS \* AMEY \* SHAW, INC.**

**SURVEYING \* PLANNING \* DESIGN**

May 16, 2011

**Re: Reconstruction of Docking Facilities  
308 92<sup>nd</sup> Street  
Block: 90.91 Lots: 121.02, 123, 125  
Borough of Stone Harbor, Cape May County**

To whom it may concern:

Please be advised that our client will be going before the Mayor and Council regarding reconstruction of the docking facilities at the above referenced property. The meeting is scheduled for Tuesday, June 7<sup>th</sup>, 2011 at 4:30 p.m. at Borough Hall located 9508 Second Avenue, Stone Harbor, NJ. I have attached a copy of the plan of proposed condition for your reference.

If you have any questions or concerns, please feel free to contact me at my office.

Sincerely,



Gary Lee Thomas  
Professional Land Surveyor, NJPLS #23921  
Professional Planner, NJPP #2461  
Certified Floodplain Manager, US-07-02583

**2900 DUNE DRIVE, AVALON, NEW JERSEY 08202**

**Phone : 609-967-3999 Fax : 609-967-4544**

**[info@TASsurvey.com](mailto:info@TASsurvey.com)**

(4)

BOROUGH OF STONE HARBOR  
COUNTY OF CAPE MAY, NEW JERSEY

ORDINANCE NO. 1381

AN ORDINANCE AMENDING CHAPTER 475  
OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF STONE HARBOR 2005  
(Updating Requirements for Street Openings)

**Section 1.** Chapter 475, Article II, is hereby amended as follows:

[Delete existing Article II and Replace with new Article II below]

**Article II - Street Openings and Excavations**

**§475-3 Permit required.**

It shall be unlawful to dig, excavate, open or in any manner interfere with or disturb within the right-of-way of any municipal street within the Borough of Stone Harbor for any purpose whatsoever without first securing a permit therefor as hereinafter provided.

**§475-4 Application; fee.**

I. Application for permission to make an excavation in any Borough street between the curblines, driveways or in any sidewalk area shall be made to the Borough Construction Code Office. Such application shall be made on the required application form and shall be signed by the applicant and shall specify:

- A. The applicant's name, address and phone number (local and out of town).
- B. The name, address and phone number of the person or firm who will be performing the work.
- C. The length and width of such excavation.
- D. The purpose for which the excavation is to be made.
- E. The estimated time required to complete the work and restore the surface.
- F. Such other information as may be prescribed by the Borough Engineer.

II. A fee of four hundred dollars (\$400.00) shall be paid to the Borough Construction Code Office prior to the issuance of the permit for all excavations of less than or equal to six (6) square yards. If said area to be opened, disturbed or undermined exceeds six (6) square yards, the additional yardage shall be classified as "excess yardage," and an additional fee shall be due and payable by the applicant for all yardage in excess of six (6) square yards at a rate of ten dollars (\$10.00) per square yard.

The applicant shall be responsible to provide all additional fees associated with multiple reinspections that are necessary due to defective workmanship, lack of coordination, lack of work progression and any aspect of work that is unacceptable to the Borough. The Borough Engineer shall advise the applicant in writing if said additional fee is warranted.

III. The area to be opened, disturbed or undermined by the applicant shall be measured and determined by the Office of the Borough Engineer and the Department of Public Works.

**§ 475-5 Issuance of permit.**

The Borough Engineer upon receipt and examination of the application and the fee referred to herein above, shall issue a permit under his hand for the excavation. He shall specify on the permit that it is good for a thirty-day period from the date of issuance. He shall further specify on the permit that such work shall be completed and restored within forty-eight (48) hours after work is commenced or within a duration of time which his opinion is reasonable and fair. The applicant shall notify the Borough Engineer twenty-four (24) hours before the commencement of any work so that appropriate inspection can be made where required.

Whenever the Borough resurfaces or reconstructs a street, no permit shall be issued for the opening of said street for a period of five years subsequent to the completion of the reconstruction and acceptance of such work by the Borough, provided the property owners have been properly notified. The Borough Clerk shall give written notice, by certified mail, to all owners of property abutting the portion of the street or streets to be reconstructed or resurfaced, and to the Public Utilities and Authorities who routinely locate their facilities in the beds of public streets, no less than four months prior to commencing the Borough's construction. The notice shall specify the anticipated start date for the construction, and advise the property owner that any anticipated new facilities or repairs to their existing facilities must be completed prior to the start of the Borough's project. Emergency situations are exempt from the five-year restriction.

**§ 475-6 Restoration of excavated area.**

I. The applicant to whom such permit is issued shall, within the time limited in such permit, replace the earth and pavement in the excavation in such manner that the same shall be left in as good condition as it was before the excavation was commenced. Except as otherwise herein stated, all street work performed shall be in accordance with the applicable provisions of the New Jersey Department of Transportation (NJDOT) Standard Specifications for Road and Bridge Construction including all amendments. Reference to articles or sections hereinafter refer to said NJDOT standard specifications.

A. Trenches shall be backfilled in layers not to exceed six (6) inches and a vibratory tamper must be used. Ninety-five per cent (95%) compaction shall be required. Puddling of backfill is strictly prohibited. Should there be a deficiency, additional backfill material shall be supplied by the permittee. Whenever the Borough Engineer shall deem the material unsatisfactory for backfill, the permittee shall provide acceptable material for the backfill.

B. Roadways with a concrete base shall be restored using a combination of concrete and asphalt. The amount of concrete and asphalt to be used at each such excavation shall be as directed by the Borough Engineer. See detail at end of chapter.

C. Hot Mix Asphalt street restoration specifications.

1. Gravel.

a) Gravel shall be installed six inches thick. The gravel shall consist of compact soil aggregate. Type I-5. The use of a recycled asphalt product (RAP) or recycled concrete

product may be substituted for the soil aggregate as long as it meets the NJDOT requirements for I-5 materials. The Borough Engineer may, at his discretion, submit samples of the soil aggregate for a gradation analysis, with the costs of said analysis borne by the applicant.

2. Temporary restoration.

a) Less than one hundred (100) square feet.

(1) For openings in asphalt roadways that are less than one hundred (100) square feet, the temporary restoration will consist of the installation of six (6) inches of soil aggregate, Type I-5, to a level of six inches below the level of adjacent paved surfaces. A four-inch lift of hot mix asphalt base course, Mix I-2, followed by a two-inch lift of a bituminous concrete cold patch installed to grade.

(2) These temporary surfaces shall be in place for a period of not less than forty-five (45) days to allow sufficient settlement to occur. Should settlement continue to occur, the Borough Engineer shall determine when the work is acceptable for final restoration. The permittee shall be responsible for all maintenance deemed necessary by the Borough Engineer until such time as the final restoration is completed.

b) Greater than one hundred (100) square feet.

(1) For openings in asphalt roadways that are greater than one hundred (100) square feet, the temporary restoration will consist of the installation of six (6) inches of soil aggregate, Type I-5, to a level six (6) inches below the level of the adjacent paved surfaces. A six-inch lift of hot mix asphalt, Mix I-2, shall then be installed to grade.

(2) These temporary surfaces shall be left in place for a period of not less than forty-five (45) days to allow sufficient settlement to occur. Should settlement continue to occur, the Borough Engineer shall determine when the work is acceptable for final restoration. The permittee shall be responsible for all maintenance deemed necessary by the Borough Engineer until such time as the final restoration is completed.

3. Final restoration.

a) Less than one hundred (100) square feet.

(1) For openings less than one hundred (100) square feet, the final restoration will involve the removal of the top two (2) inches of bituminous concrete cold patch. All edges shall be saw cut six (6) inches beyond the actual trench width disturbed to produce a clean edge and said edges shall be prepared with an asphaltic tack coat. A two-inch lift of hot mix asphalt surface course, Mix I-5, shall then be placed to a level even with the existing road grade.

b) Greater than one hundred (100) square feet.

(1) For openings greater than one hundred (100) square feet, the trenches shall be milled to a depth of two (2) inches to a distance of at least twelve (12) inches beyond the actual trench width to produce a clean edge. All edges shall be coated with an asphaltic tack coat prior to a two-inch lift of hot mix asphalt surface course, Mix I-5, being placed to a level even with the existing road grade.

4. No surface water shall be entrapped or ponded on the resurfaced areas. If any ponding occurs, the permittee will be responsible for performing whatever remedial action is required by the Borough Engineer.

D. If more than three (3) individual excavations would be required within a one hundred (100) foot length, a single trench must be used rather than the individual excavations. Final restoration will require a minimum of one-half (1/2) width of the cartway. The trench shall be milled to a depth of two (2) inches to a distance of at least twelve (12) inches beyond the actual trench limit from the centerline of the cartway to the curblines. (See construction detail at end of chapter.) All edges shall be coated with an asphaltic tack coat prior to a two-inch lift of hot mix asphalt surface course, Mix I-5, being placed to a level even with the existing road grade.

E. In all cases where concrete has to be removed prior to any excavation, saw cut methods of removal shall be used. The restoration of the concrete shall be according to the following specifications:

1. It shall be NJDOT Class B with a class design strength of three thousand seven hundred (3,700) psi at 28 days.
2. It shall have a minimum thickness of not less than four (4) inches for sidewalk, six (6) inches for driveway aprons and eight (8) inches for gutter.
3. It shall have a minimum width of not less than five (5) feet for sidewalks.
4. It shall have control joints not more than five (5) feet for sidewalk, ten (10) feet for curb and gutter and expansion joints not more than twenty (20) feet for sidewalk, curb and gutter.

II. By the acceptance of such a permit, the applicant shall be deemed to have agreed to comply with the terms hereof, and upon his failure to do so to pay on demand any cost or expense that the Borough may incur by reason of any shrinkage or settlement in the excavated area resulting from such excavation if such shrinkage or settlement shall occur within three (3) months from the time the surface thereof is restored.

**§ 475-7 Newly paved streets.**

I. No permit shall be issued for any street opening which would disturb the pavement of any road having been constructed, reconstructed or overlaid until a period of five (5) years after the completion of said construction, reconstruction or overlay, except in the event of an emergency or hardship as described below. The five-year period as articulated herein shall be calculated from December 31<sup>st</sup> of the year in which said road was constructed, reconstructed or overlaid and run five (5) years thereafter.

A. Emergency Opening.

1. In the event that an entity shall be required to open a street and/or roadway as a result of an emergency, said emergency opening shall be reviewed by the Borough Engineer and if the said Borough Engineer shall determine that no such emergency existed, then the entity so opening the street and/or roadway shall have a fine imposed upon such entity in the amount of ONE THOUSAND DOLLARS (\$1,000.00) for the first non-emergency opening, a FIVE THOUSAND DOLLAR (\$5,000.00) fine for a second non-emergency opening, and a TEN THOUSAND DOLLAR (\$10,000.00) fine for a third non-emergency opening.

B. Hardship Condition.

1. In the event in which a property owner has a hardship condition which requires a street opening permit to be issued contrary to Section I above, the Borough of Stone Harbor may grant relief if all of the following conditions are met:

a) A letter addressed to the Borough, c/o Borough Clerk, is received detailing the hardship and necessity of opening the street in lieu of waiting the prescribed period of time.

b) Upon receipt of the letter, a public meeting date will be set for the Borough Council to take formal action.

c) The property owner making request shall serve a notice to all property owners within two hundred (200) feet, by certified mail, return receipt requested, or by personal hand delivery, a minimum of ten (10) days prior to the public meeting.

d) The property owner shall file a copy of the notice served to adjoining property owners with an affidavit of proof of delivery of notice with the Borough Clerk at least three (3) days prior to the public meeting. The notice must:

(1) Identify the property by street address and block and lot.

(2) State the reason for the hardship.

(3) State the type and size of the utility opening.

(4) Advise the adjoining property owners that if they have any objections, they must advise the Borough Clerk, in writing, as to their objections to proposed street opening at least three (3) days in advance of the public meeting.

(5) State date and time of public meeting.

(6) Be approved by the Borough Clerk prior to mailing.

e) The Borough Council shall consider the request at a public meeting and review all objections received, in writing. Approval or denial of the request shall be through formal adoption of a resolution.

- f) A request based solely on economic savings shall not be considered and will be automatically denied.

C. Roadway Restoration.

1. In the event that an emergency or hardship requires the opening of a roadway that has been resurfaced by the Borough during the previous five (5) years a full width restoration will be required. The restoration will consist of six-inch dense graded aggregate base course, and a six-inch hot mix asphalt base course, Mix I-2, brought to existing grade, within the excavated area. A full width, curb to curb, milling two (2) inches in depth to extend twenty (20) feet beyond the limit of excavations will be performed after proper settlement in the trench area. The allowable time for the settlement shall be forty-five (45) days unless otherwise directed by the Borough Engineer. The final surface course shall be a two-inch hot mix asphalt surface course, Mix I-5. See detail at end of chapter.
2. Trench restoration may be permitted under special circumstances and at the option of the Borough of Stone Harbor and Borough Engineer for openings having a minimum impact on the longevity and serviceability of the street in question. See detail at end of chapter.

**§ 475-8 Performance and maintenance surety.**

- I. Before any permit is issued for any work in a public street, certain performance and maintenance sureties are to be posted with the Borough Clerk.

A. Performance surety.

1. The performance surety shall be in the form of either a corporate guaranty bond or a surety guaranty bond issued by a company authorized to do business in the State of New Jersey, in a form satisfactory to the Borough Clerk and in the penal sum of 100% of the full amount of the total estimated construction costs. A certified check drawn in favor of the Borough of Stone Harbor for the same amount (100% of the total estimated construction costs) may be substituted for the performance surety. The estimated costs of the proposed work shall be based upon current market values, and said amount shall be prepared by the applicant and approved by the Borough Engineer.
2. In lieu of the above-mentioned performance surety, public utility companies or authorities may post an annual performance surety for \$20,000.00 or for an increased amount determined by the Borough Engineer. The form of surety shall be approved by the Borough Solicitor.

B. Maintenance surety.

1. In addition to the posting of a performance surety, and as a condition to the release of same, the Borough of Stone Harbor may, at their discretion, require the applicant to post a maintenance surety in the form of either a surety or guaranty bond issued by a company authorized to do business in the State of New Jersey, in a form satisfactory to the Borough Solicitor and in the penal sum of 15% of the performance surety. A certified check, drawn in favor of the Borough of Stone Harbor, for the same percentage (15% of the performance surety) may be substituted for the maintenance surety.

2. Public utility companies or authorities posting and continually maintaining a performance surety in accordance with this section will not be required to post a separate maintenance surety.

C. The applicant shall be responsible for all maintenance and repairs required at the site for a period of one year following completion of construction.

**§ 475-9 Insurance.**

- I. All applicants and their agents and employees are required to be covered by a policy or policies of liability insurance. Said insurance shall provide coverage for public liability of at least \$100,000.00 per person per occurrence, \$300,000.00 per occurrence for bodily injury liability and at least \$50,000.00 per occurrence for property damage.
- II. A certificate of insurance that confirms the aforementioned coverage shall be submitted to the Borough Engineer whenever a performance surety is posted.

**§ 475-10 Clearance for fire equipment.**

The excavation work shall be performed and conducted so as not to interfere with access to fire stations and fire hydrants. Materials or obstructions shall not be placed within fifteen (15) feet of fire hydrants. Passageways leading to fire escapes or fire-fighting equipment shall be kept free of debris, construction materials or other obstructions.

**§ 475-11 Protection of traffic.**

- I. The permittee shall erect and maintain suitable barriers to confine the earth from trenches or other excavations so as to encroach upon highways as little as possible.
- II. The permittee shall construct and maintain adequate and safe crossings over excavations and across highways under improvement to vehicular and pedestrian traffic at all street intersections.
  - A. Vehicular crossings shall be constructed and maintained of plant, timbers and blocking of adequate size to accommodate vehicular traffic safely. Decking shall be not less than four inches thick and shall be securely fastened together with heavy wire and staples.
  - B. Pedestrian crossings shall consist of planking three inches thick, 12 inches wide and of adequate length, together with necessary blocking. The walk shall be not less than three feet in width and shall be provided with a railing, as required by the Borough Engineer.
- III. Traffic control plans and devices shall conform to the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD).

**§ 475-12 Responsibility and liability of the Borough.**

- I. The Borough shall not be responsible for any injury or damage to persons or property resulting from the negligence of the applicant or his servants, agents or employees in making, grading or filling any excavation permitted under the terms of this Article.
- II. This Article shall not be construed as imposing upon the Borough or any official or employee any liability or responsibility for damages to any person injured in the performance of any excavation work for which an excavation permit is issued hereunder; nor shall the Borough or any official or employee thereof be

deemed to have assumed any such liability or responsibility by reason of inspections authorized hereunder, the issuance of any permit or the approval of any excavation work.

**§ 475-13 Violations and penalties.**

Any person, firm or corporation violating any of the provisions of this Article shall, upon conviction thereof before the Judge of the Borough Court, be subject to a fine not exceeding ONE THOUSAND DOLLARS (\$1,000.00) or to imprisonment in the Borough or county jail for a period not exceeding to ninety (90) days, or both. Penalties for violating the Emergency road opening provisions are contained above in Newly Paved Roads section I,A of the Borough Street Openings and Excavations Code.

**§ 475-14 Exemptions.**

Street Openings and Excavations performed by the Borough of Stone Harbor or agents of the Borough of Stone Harbor are exempt from the provisions of this chapter.

**§ 475-15 Construction Details. See Appendix I.**

**Section 2.** If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section 3.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

**Section 4.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

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

ATTEST

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

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(5)

**RESOLUTION**

**A RESOLUTION AUTHORIZING EXECUTION OF A  
NJDEP LAND USE REGULATION PROGRAM APPLICATION  
IN CONNECTION WITH THE RECREATION SUPPORT BUILDING**

WHEREAS, the Borough Council of the Borough of Stone Harbor has authorized the removal of the existing recreation support building on Block 81.01, Lot 1 and construct a new recreation support building; and

WHEREAS, as part of that process the Borough of Stone Harbor is required to submit to the State of New Jersey as Land Use Regulation Application (LURP-2);

WHEREAS, the application is a necessary part of the project and carries no fee to the Borough but requires execution by the Mayor;

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, duly assembled in public session this 7<sup>th</sup> day of June, 2011, that the preamble hereof is hereby incorporated herein by reference;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the LURP application, and any associated documents, on behalf of the Borough of Stone Harbor, in connection with the construction of a New Recreation Support Building.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(6)

**RESOLUTION**

ESTABLISHING STANDARDS FOR CERTAIN PUBLIC PERFORMANCES

WHEREAS, Ordinance 1378 allows for Public Performances within the Central Business District and at Marine Bay Park under certain conditions; and

WHEREAS, the Ordinance states that certain rules and regulations shall be determined by Mayor and Council and approved by Resolution from time to time; and

WHEREAS, the Beach, Recreation & Tourism Committee of Mayor and Council have met and offer the following concerning Public Performances:

1. Summer Street Performers will be permitted from 6:00 pm to Sunset at the 80<sup>th</sup> Street Marina and from Sunset until 10:00 pm in the Central Business District.
2. Performances will be held on Tuesday nights only
3. There will be no meter enforcement throughout the town on Tuesday nights.
4. Solicitation for money may be in the form of a hat, container or open guitar case
5. Permits will be issued by the Borough Clerk's office at a cost of \$ 25.00. Permits must be displayed when performing.
6. The number of performers on the street on the same night will be regulated by the Tourism Director.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(1)

**RESOLUTION**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH SHORE COUNSELING SERVICES**

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body ; and

WHEREAS, the Borough, like many other municipalities, offers an Employee Assistance Program (EAP) to provide confidential counseling; and

WHEREAS, Shore Counseling Service, LLC are experienced mental health counselors and possess knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; and

WHEREAS, the total amount of the contract for the EAP is \$2700.00, as referenced in the attached contract which is incorporated herein by reference and made a part hereof, which amount is below the bid threshold and below the pay-to-play threshold; the contract timing being from June 1, 2011 to May 31, 2012; and

WHEREAS, funds are available as evidenced by the Chief Financial Officer's Certification attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 7<sup>th</sup> day of June, 2011, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract which is incorporated herein by reference and made a part hereof;
3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law;
4. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference and the contractor shall execute a copy of the required language which shall become part of the contract;
5. That a notice of the letting of this Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(8)

**Refund \$500.00 Water Meter Rental Deposit Fee**

**WHEREAS**, pursuant to Section 542-13 of the Borough's General Code, Asphalt Paving Systems, Inc. deposited a \$500.00 meter rental deposit fee on September 16, 2010; and

**WHEREAS**, upon completion of the local improvement, Asphalt Paving Systems, Inc. returned the hydrant meter to Public Works on May 13, 2011; and

**WHEREAS**, the Utilities Collector has requested that a refund be issued to Asphalt Paving Systems Inc. in the amount of \$500.00.

**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 \$500.00 be issued to Asphalt Paving Systems Inc., P.O. Box 530, Hammonton, NJ 08037.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

(9)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

AMENDING THE BOROUGH PERSONNEL MANUAL  
TO REVISE CATASTROPHIC SICK LEAVE BANK

WHEREAS, the Borough of Stone Harbor in the County of Cape May, State of New Jersey has adopted a Personnel Manual which is to be amended only by a duly passed Resolution of the Borough Council ; and

WHEREAS, the Administration and Finance Committee recommends that the attached underlined addition with regard to Catastrophic Sick Leave Bank be adopted;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May and the State of New Jersey, duly assembled in public session this 7<sup>th</sup> day of June, 2011, that the preamble of this Resolution is hereby incorporated by reference;

BE IT FURTHER RESOLVED that the attached underlined amendment be made to the Borough's Personnel Manual;

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized and directed to take all steps necessary to inform all relevant employees of this amendment.

Section 6.4 – 3

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

(10)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**RESOLUTION AMENDING NON-FAIR AND OPEN CONTRACT FOR ARCHITECTURAL SERVICES**

**WHEREAS**, the Council of the Borough of Stone Harbor authorized Resolution 2011-S-35 on February 1, 2011 authorizing a Professional Services Contract with Olivieri, Shousky & Kiss, P.A. for Architectural, Structural and MEP Engineering Services for the proposed Stone Harbor Recreation Support Facility in an amount not to exceed \$117,560 with Alternate #1, Geothermal HVAC System Fee of \$3,000 ; and

**WHEREAS**, the programming, conceptual design, preparation of schematic design documents and design development phases of the project had been completed and presented to the Council and the public; and

**WHEREAS**, the Council of the Borough has requested to relocate the building on the project site and revise the layout of the building which will require revised construction documents; and

**WHEREAS**, Olivieri , Shousky & Kiss, PA. will be required to revise construction documents which will exceed the "scope of work" included in the original proposal, according to the "Proposal for Addition Services" incorporated herein by reference and made a part hereof; and

**WHEREAS**, stipulated lump sum cost for "additional services" is \$22,805 plus reimbursable expenses and funds are available as evidenced by the Chief Financial Officer's Certification attached hereto;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 7<sup>th</sup> day of June, 2011, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached amendment which is incorporated herein by reference and made a part hereof;
3. That the aforementioned amendment to the contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law;
4. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference and the contractor shall execute a copy of the required language which shall become part of the contract;
5. That a notice of the letting of this Amendment to Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(11)

**RESOLUTION**

WHEREAS, it has been determined that the below listed accounts experienced summer leaks which have been appropriately documented and certified by public works personnel, and

WHEREAS, the said leaks did not drain into the sanitary collection system.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that under the provisions of Ordinance 542-22c the 2010 summer usage will be adjusted to the average of the prior three summers consumption for the purpose of calculating 2011 sewer volume charges.

BE IT FURTHER RESOLVED that these adjustments have been reviewed and approved by the Utility Committee and that the Utilities Collector make the proper adjustments in her records.

Account 12660

217 100<sup>th</sup> Street

Matthew & Kelly Gardner

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2011

.....  
Borough Clerk

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

.....  
Mayor

(14)

cc. Cliff Ryan  
Suz Linn

# 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: May 15, 2011  
Should be filed 60 Days Before the Date of Event  
TYPE OF EVENT: Annual Trial On The Isle + Charity Softball Game  
DATE(S)/TIME(S) OF EVENT: JULY 8, 2011  
Please Describe  
~10:00 am mini triathlon ~4:30 softball game  
Please Describe  
LOCATION OF EVENT: Begin 96th street  
Follow route end at 96th St Beach to windohft  
ADMISSION FEE (If Any): \$ N/A  
REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$ N/A

paid 5/16/2011  
FEE PAID: \$ 60.00

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

SPONSOR'S NAME: Philadelphia Flyers PHONE#: 856 309 4416  
Please Print Name of Person, Association, Corporation, Firm, etc.  
SPONSOR'S ADDRESS: 601 Laurel Oak Rd Voorhees NJ  
Street Address PO Box No. City State Zip Code  
CONTACT PERSON: Jim McCrossin or Robyn McCrossin  
CONTACT PERSON'S PHONE #: 856-498-0478 609-206-9659  
ESTIMATE OF DAILY CROWD EXPECTED: 300-500  
SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:

	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.
	\$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.