

Mayor Nolan offered the following Resolution and moved on its adoption:

**R-12-172**

**RESOLUTION RELATING TO CAPTAIN'S COVE MARINA MERCANTILE  
LICENSE**

**Whereas**, on August 8, 2012 the Mayor and Council conducted a public hearing to consider the revocation of Mercantile License No. 129 issued to RA Multimedia Corp. d/b/a Captain's Cove Marina ("Licensee"); and

**Whereas**, at the public hearing the Licensee testified as to the current status of repairs of the damaged bulkhead and projected a timeline for completion of all work associated therewith; and

**Whereas**, the Mayor and Council considered the testimony of the Borough Officials and Professionals, the Licensee and members of the public.

**Now, therefore, be it resolved** by the Mayor and Council of the Borough of Highlands, that the public hearing on the revocation shall be carried to September 19, 2012 without further notice to the Licensee and public subject to the following conditions:

1. Licensee shall commence the repair work by August 13, 2012.
2. Licensee shall remove the bulkhead between slips 27 and 34 by no later than August 23, 2012.
3. Licensee shall drive replacement piles in the area of the removed bulkhead by September 6, 2012.
4. Licensee shall have the sheathing down for one-half of the bulkhead length (approximately 150 feet) by no later than September 19, 2012.
5. Licensee shall complete the bulkhead repair project pursuant to the approved plans by no later than October 31, 2012.
6. The Borough may call a special meeting at any time prior to the carried meeting date of September 19, 2012 to consider the license revocation if Licensee fails to abide by the repair schedule set forth above.
7. The Borough reserves the right to repair the road adjacent to Captain's Cove, at any time, if it is determined that an emergency exists that impacts the health, safety or welfare of the Borough residents.

Seconded by Mr. Francy and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Redmond, Mr. Francy, Mayor Nolan

**NAYES:** None

**ABSENT:** Mr. O'Neil, Ms. Kane

**ABSTAIN:** None

**DATE:** August 8, 2012

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**CAROLYN CUMMIS, BOROUGH CLERK**

I hereby certify this to be a true copy of Resolution R-12-172 adopted by the Governing Body of the Borough of Highlands at a meeting held on August 8, 2012.

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**BOROUGH CLERK/DEPUTY CLERK**