

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

MEETING

TUESDAY

June 6, 2017

4:30 p.m.

DOCK HEARING – Snack Shack LLC – 9905 Sunrise Drive (1)

- a. **Resolution – Audit (2) Lane**
- b. **Resolution – Refund tent permit (3) Kramar**
- c. **Resolution - Refund rental fee (4) Parzych**
- d. **Resolution – Refund Escrow – Ciccotelli (5) Rich**
- e. **Resolution – Shared Services Agreement Traffic Signal Maintenance (6) Kramar**
- f. **Resolution – COOP purchase 2017 Ford F-550- PW (7) Kramar**
- g. **Resolution – COOP purchase 2017 Ford F550 – S & W (8) Krafczek**
- h. **Resolution – COOP purchase TORO/Dingo (9) Kramar**
- i. **Resolution- Liquor License renewal – Freds Tavern (10) Gallagher**
- j. **Resolution – Liquor License renewal – Yacht Club (11) Lane**
- k. **Resolution – Liquor License renewal – Shelter Haven Hospitality /Reeds (12) Kramar**
- l. **Resolution – Liquor License renewal – Harbor Liquors LLC (13) Rich**
- m. **Resolution – Approve Jitneys (14) Gallagher**
- n. **Resolution – Women’s Civic Club Raffle (15) Parzych**
- o.



31 Clermont Drive
Clermont, NJ 08210
Phone: 609-967-5600
Fax: 609-624-1225

(1)

April 28, 2017

Suzanne C. Stanford, R.M.C.
Borough Clerk
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

Dear Suzanne:

This letter is the request to schedule a meeting before the Mayor and Council on *June 6th* ~~May 16, 2017~~
for installation of Piers, a Floating Dock, and Ramps at:

Block: 200.03
Lots: 498, 490, 491
a/k/a: 9905 Sunrise Drive
Owner: Snack Shack, LLC

Sincerely,

Frank Bowen, President
Channel Marine Construction, Inc.

FB/lp



BOROUGH OF STONE HARBOR
CONSTRUCTION • ZONING
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247

TELEPHONE (609) 368-6813
(609) 368-6814
FAX (609) 368-0628

April 26, 2017

Channel Marine Construction
31 Clermont Drive
Clermont, NJ 08210

Re: Block: 200.03
Lots: 489
a/k/a: 9905 Sunrise Drive


Dear Channel Marine:

Please be advised this office cannot approve the two applications you submitted until Mayor and Council approve same.

Please contact the Borough Clerk to set up that hearing date. Thank you.

Sincerely,


Joanne Mascia
Zoning Official


Michael Koochembere
Construction Official

Note: Under Zoning Boat Lifts are not permitted in that area. A variance would have to be obtained through the Zoning Board of Adjustment for that.

"The Seashore at its Best"



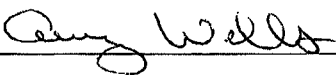
SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102

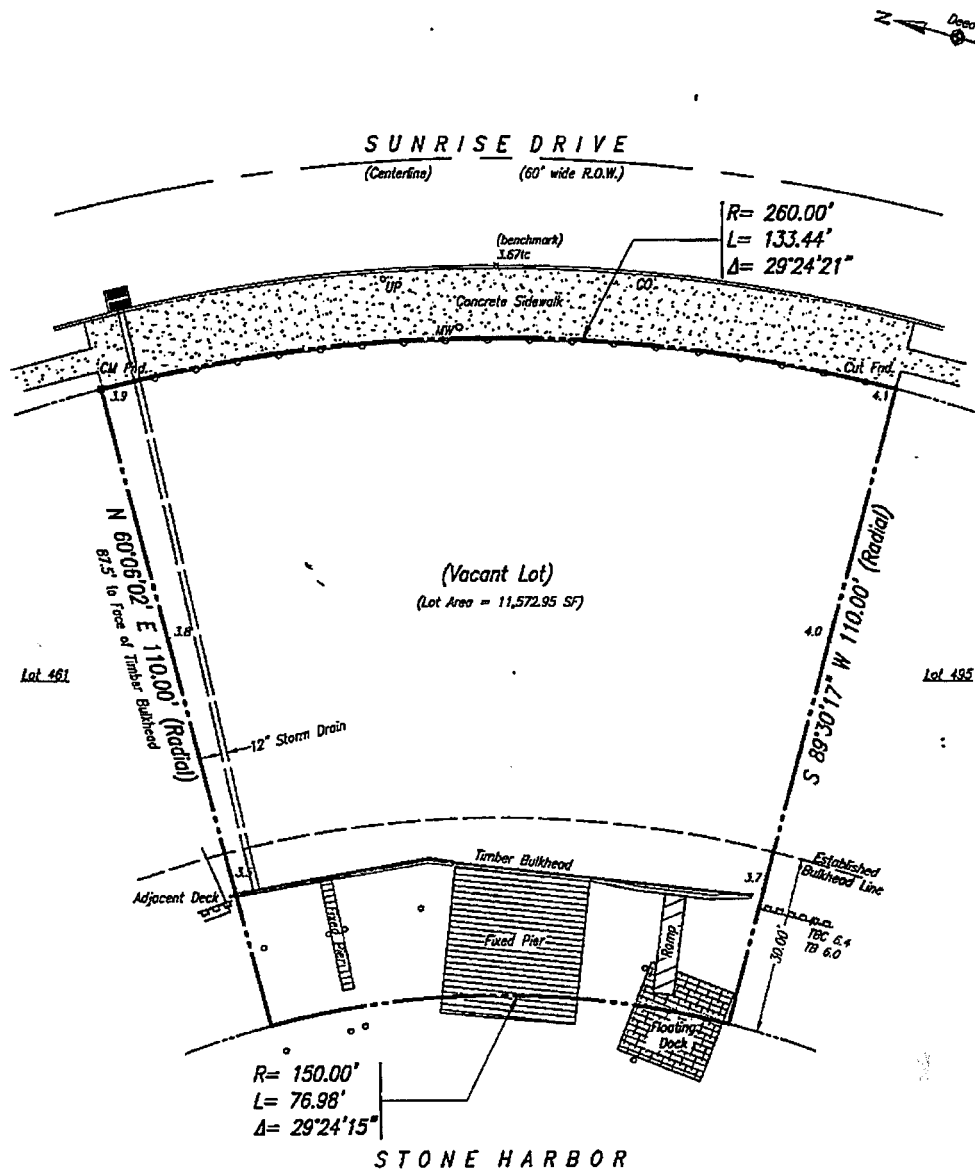


STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
<http://www.nj.gov/dep/landuse/>



PERMIT

In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.		Approval Date MAR 07 2017
		Expiration Date MAR 06 2022
Permit Number(s): 0510-16-0012.1 (CZM160001) (WFD160001)	Type of Approval(s): CZGP5 Expansion or Reconstruction SFH/Duplex Waterfront Development Individual Permit-in water Water Quality Certificate SPGP-17	Enabling Statute(s): N.J.S.A. 13:19 CAFRA N.J.S.A. 12:5-3 WFD N.J.S.A. 58:10A-1 WQC
Permittee: Snack Shack, LLC c/o Travis Sheetz 5700 Sixth Avenue Altoona, PA 16602	Site Location: Street Address: 9905 Sunset Drive Block(s): 200.03 Lot(s): 489, 490, 491 Municipality: Borough of Stone Harbor County: Cape May County	
Description of Authorized Activities: Reconstruct a single family dwelling; install an in-ground swimming pool; install 88 linear feet of new vinyl replacement bulkhead 24" waterward of the existing bulkhead; reconstruct the waterfront structures to reflect the 1977 aerials (3.5'x18' ramp leading to a 8'x22' floating dock; a 22.9'x22.4' fixed pier; and a 2'x12' finger pier); and install 2 (two) 10'x12.17' boat lifts adjacent to the 2'x12' finger pier. In addition, remove the 15.8'x15' floating dock. All activities are as shown on the approved plan. The approved activities are as shown on one (1) sheet entitled "SHEETZ RESIDENCE, 9905 SUNRISE DRIVE, BLOCK 200.03 LOTS 489, 490 & 491, BOROUGH OF STONE HARBOR, CAPE MAY COUNTY, NEW JERSEY, PREPARED FOR: SNACK SHACK, LLC", dated November 28, 2016, last revised March 6, 2017, and prepared by Hyland Design Group, Inc. This permit is authorized under, and in compliance with, the Coastal Zone Management Rules (NJAC 7:7-1.1, et seq.) as amended on June 20, 2016. This permit is subject to conditions of the attached Army Corps of Engineers permit. This permit is issued in accordance with a Tidelands grant issued to South Jersey Realty Co., October 20, 1910, Liber T, page 106. Prior to construction, and within 90 days of permit issuance, the existing 15.8'x15' floating dock shall be removed.		
Prepared by: <u></u> Amy Wells		Received and/or Recorded by County Clerk:
THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.		
This permit is not valid unless authorizing signature appears on the last page.		



1 SURVEY OF PREMISES

Scale: 1" = 20'

ELEVATION DATA

Reference Datum: NAVD 1988

Benchmark: Cut Nail set in Utility Pole #W5451
Elev. 10.00

Benchmark elevation in NAVD 1988 datum as obtained through GPS measurements to 0.10' per GPS RTK parameters.

The site elevations shown hereon are based on the noted benchmark and determined through differential leveling.

Certify to:
Sheetz, Travis

I declare that, to the best of my professional knowledge and belief, the map or plan is the result of a field survey made on the date shown, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors. This property is subject to documents of record. Underground improvements, easements, rights, restrictions, right of way, encroachments or encumbrances and visible to the surveyor are not shown. The location of any proposed or existing underground easements that may be within the jurisdictional limits of historic, state and/or local regulatory agencies affecting the subject property are not included on part of contract with the client unless specifically shown.

Thomas R. Deneka
Thomas R. Deneka
NJ PLS No. 35828
PROFESSIONAL LAND SURVEYOR

SURVEY OF PREMISES

9905 SUNRISE DRIVE

TAX BLOCK 200.03 TAX LOT 489, 490, 491

BOROUGH OF STONE HARBOR, CAPE MAY COUNTY, NEW JERSEY



HYLAND DESIGN GROUP, Inc.

Oscon City:
701 West Ave
Suite 201
Oscon City, NJ 08228
T 808.298.4477
F 808.298.7388

Stone Harbor:
PO Box 311
Stone Harbor
NJ 08218
T 609.368.7451

Oscon Vanc:
2009 Route 8 North
Cape May Court House
NJ 08218
T 856.424.7700

Your Single Source Advantage

Engineers • Architects • Land Surveyors • Planners • Environmental Consultants • Interior Designers

DATE	ISSUED / RECD
04.21.17	INITIAL RELEASE
04.21.17	SURVEY UPDATE
05.01.17	LOT AREA

100% FIELD
SURVEY OF
PREMISES

V101

SHEET 1 OF 1

PROJECT No:

30695.01

(2)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Stone Harbor hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

Borough Clerk

The above resolution approved this day of....., 2017

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

WHEREAS, in November, 2016 Alison Fox paid for a tent permit and the tent company is no longer operating;

WHEREAS, she contacted Rental City and they got a permit and paid for the permit; and

WHEREAS, Alison Fox paid the fee to both Rental City and Jersey Shore Tent and has requested her fee of \$275.00 to Rental City be reimbursed; and

WHEREAS, the Construction Office has approved and requested this refund.

NOW, THEREFORE, BE IT RESOLVED, on this 6th day of June, 2017, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May that this refund be approved and \$ 275.00 be refunded to Alison Fox at 811 Lincoln Place Apt 1, Brooklyn, N.Y. 12216.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(H)

RESOLUTION

WHEREAS, Dan Lawruk, 41 Majestic Circle, Hollidaysburg, Pa. 16648 submitted a Rental Fee of \$150.00 for 240 – 95th Street; and

WHEREAS, the property will not be rented in 2017; and

WHEREAS, the Fire Inspector has requested and approved the return of the fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor as follows:
That the sum of \$ 150.00 be refunded to Dan Lawruk; and

BE IT FURTHER RESOLVED That the Chief Financial Officer shall take any and all steps necessary to effectuate such refunds and shall make the proper adjustments to the financial records of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

(5)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, Mr. & Mrs. Patrick M. Ciccotelli of 12 Wellington Court, Medford, N.J. 08055 submitted escrow fees in the amount of \$15,000 in connection with 161 – 89th Street, Block 89.02, Lots 52,54, 56 ; and

WHEREAS, the \$15,000 was held in escrow for 5 years while the street was under moratorium.

WHEREAS, the Zoning Officer has requested and approved the preparation of two checks:

- 1. For the fee to run their electric underground - \$14,015.66 to ACE
- 2. The balance to the owners – Ciccotelli - \$984.34

NOW, THEREFORE, BE IT RESOLVED on this 6th day of June, 2017 by the Borough of Stone Harbor that the above mentioned checks shall be prepared.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall take any and all steps necessary to effectuate such refunds and shall make the proper adjustments to the financial records of the Borough.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

(6)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT
WITH THE COUNTY OF CAPE MAY FOR TRAFFIC SIGNAL MAINTENANCE

WHEREAS, N.J.S.A. 40:8A-1 *et seq.*, authorizes municipalities and counties to enter into agreements for the purposes of exchanging, sharing and cooperating with regard to services common to said communities through Interlocal Services Agreements ; and

WHEREAS, the Borough of Stone Harbor, in the County of Cape May, State of New Jersey is in need of services relating to maintenance and repair of certain controlled traffic intersections within the Borough, namely 96th Street and Second Avenue; and

WHEREAS, the County of Cape May has certain equipment and personnel available to meet the needs of the Borough of Stone Harbor relating to maintenance of said traffic signals; and

WHEREAS, entering into an Interlocal Services Agreement, a copy of which is attached hereto and incorporated herein by reference, with the County of Cape May for these purpose has been deemed to be in the best interests of citizens of the Borough of Stone Harbor; and

WHEREAS, the Chief Financial Officer has certified that funds are available for the 2017 payment of \$ 1,224 under said agreement and the Borough will take all necessary budgetary measures to fund the terms of the agreement in the successive years.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 6th day of June, 2017, that the preamble of this Resolution is hereby incorporated by reference;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk of Stone Harbor be and hereby are authorized and directed to execute the aforementioned Interlocal Services Agreement for Traffic Signal Maintenance with the County of Cape May under the authority of N.J.S.A. 40:8A-1 *et seq.*

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

Borough Clerk

The above resolution approved this day of....., 2017

Mayor

**SHARED SERVICES AGREEMENT
TRAFFIC SIGNAL MAINTENANCE
BOROUGH OF STONE HARBOR**

THIS AGREEMENT made and entered into on the ____ day of _____, 2017, by and between the:

BOROUGH OF STONE HARBOR

a municipal Corporation of the State of New Jersey with offices located at:
9508 Second Avenue
Stone Harbor, New Jersey 08247,
hereinafter referred to as the "Borough",

and the:

COUNTY OF CAPE MAY

a Body Politic and Corporate of the State of New Jersey with offices
located at: William E. Sturm Jr. Administration Building
4 Moore Road
Cape May Court House, New Jersey 08210,
hereinafter referred to as the "County".

WHEREAS, the Borough has requested that the County continue to assume certain responsibility for maintenance and repair of certain signal controlled traffic intersections or flashing beacon installations within the Borough that are Borough-owned; and

WHEREAS, the acceptance of these responsibilities by the County would result in a significant cost savings to the Borough; and

WHEREAS, the County finds itself in a position where it can accommodate the Borough's request in this regard without increasing cost to the County; and

WHEREAS, the County is willing, as a matter of comity and cooperation to undertake these responsibilities, under certain terms and conditions; and

WHEREAS, NJSA 40A:65-1 et.seq. authorizes local government units, including municipalities and counties, to enter into agreements for the exchange of interlocal or shared services pursuant to the provisions of that statute known as the "Uniform Shared Services and Consolidation Act"; and

WHEREAS, the County will continue to maintain existing signalized intersections and flashing beacon installations on County roads or are otherwise under County jurisdiction at no charge to the Borough.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agreed as follows;

1. All of the above recitals are incorporated herein by reference as it fully set forth at length.
2. The County agrees to maintain the traffic signal or flashing beacon displays and control at the following intersections or locations within the Borough:
 - a. 96th Street and Second Avenue
3. The Borough agrees to maintain the signs and pavement markings as required for each intersection.
4. As a condition of assuming these maintenance responsibilities, the County requires that upon the signature of this present Agreement with both parties, the Borough provide to the County, if the Borough has not already done so, the following documents:
 - a. a full set of as-built prints for each signalized intersection or flashing beacon installation;
 - b. a full set of drawings as approved by the New Jersey Department of Transportation for each intersection for signals or flashing beacon installation in operation prior to December 4, 2008;
 - c. copies of approval letters from the New Jersey Department of Transportation for each signalized intersection or flashing beacon installation in operation prior to December 4, 2008;
 - d. a full set of drawings for any traffic signal or flashing beacon modifications occurring after December 4, 2008 signed and sealed by a professional engineer licensed in the State of New Jersey with a letter from the engineer certifying the modifications conform to the requirements of the latest edition of the Manual on Uniform Traffic Control Devices.
5. If the approval letters required to be submitted to the County, under Paragraph 4(c) immediately hereinabove should be "temporary" rather than "permanent", the Borough agrees to advise the County in writing within five working days of any withdrawal of temporary approval by the New Jersey Department of Transportation.
6. In the event that State approval of these devices should lapse, the Borough shall advise the County in writing of the lapse of the State approval and the County reserves the right to terminate this Agreement immediately by serving notice in writing of such termination upon the Borough. Under P.L.2008 Chapter 110, the Borough may elect to have a professional engineer licensed in the State of New Jersey certify the traffic

signal or flashing beacon conform to the requirements of the latest edition of the Manual on Uniform Traffic Control Devices.

7. The Borough agrees to execute and fund any and all improvements of the signalized intersections and flashing beacon installation, which may be required to bring them into compliance with the latest edition of the Manual on Uniform Traffic Control Devices, or if improvements are required by the New Jersey Department of Transportation or a professional engineer licensed in the State of New Jersey in order to gain temporary or permanent approval of the intersection or installation.
8. In return for the payments prescribed hereinbelow in Paragraph 11(a), the services to be provided by the County shall consist of all ordinary and routine maintenance and repair to the traffic signal or flashing beacon displays and related electronic controls. These services will also include periodic scheduled inspections of equipment, annual and emergency re-lamping, installation of replacement parts, and documentation of all work done on the intersection.
9. Major repairs, capital replacements of equipment, parts or LED lenses or restoration after accidents, acts of God, or reconstruction projects affecting the traffic control devices governed by this Agreement shall be separately invoiced pursuant to Paragraph 11(c) hereinbelow. If the County is able to provide signage and/or pavement markings services for the Borough at the signalized intersections or flashing beacon installations governed by this Agreement, this work shall be separately invoiced pursuant to Paragraph 11(c) hereinbelow.
10. The County is willing to work with the Borough on any modifications to the municipal-owned signal by making the County's on-call traffic engineering consultant(s) available to Borough. The County's on-call traffic engineering consultant(s) can provide engineering services to bring the municipal signalized intersection or flashing beacon installations into compliance with the latest edition of the Manual on Uniform Traffic Control Devices.
11. The financial agreements between the County and the Borough are as follows:
 - a. For the routine maintenance services described hereinabove in Paragraph 8, the Borough shall pay the County \$1,224.00 per signalized intersection per year. This amount shall be invoiced by the County to the Borough on or about January 1st of every year during which this contract remains in existence. Said amount shall be due and payable within thirty (30) days upon receipt of the invoice by the Borough.
 - b. The \$1,224.00 per signalized intersection fee is subject to annual review and readjustment by the County. If there is to be an increase in the cost for any given contract year, the County shall advise the Borough not later than October 30th of the year preceding the calendar year in which the increase is to take effect.

- c. The Borough shall be responsible for the cost of all materials needed for the maintenance of the intersections (other than light bulbs, fuses and equivalent small parts). The costs for such materials shall be separately invoiced to the Borough and shall be due and owing immediately upon receipt of said invoices by the Borough.
 - d. In the event that the County is called upon to provide services under Paragraphs 9 and 10 hereinabove, the County shall invoice the Borough for actual costs incurred for labor, materials and equipment or consultant charges. Said invoices shall be immediately due and owing by the Borough to the County upon receipt. Any labor charges invoiced by the County to the Borough shall be for actual labor plus fringe benefits performed at traffic signal. Fringe benefits shall include but not be limited to: social security, Medicare, pension, workman's compensation, health benefits and unemployment insurance. Equipment rates shall be as per the latest allowable Federal Emergency Management Agency reimbursement rates. The charges for the consultant shall be for the itemized charges invoiced to the County for work on the municipal signal(s) or flashing beacon systems.
12. The term of this Agreement shall be seven years beginning January 1, 2017. Either party to the contract may, however, terminate the Agreement for the following contract year by serving notice in writing on the other party of its intention to do so prior to December 1 of the preceding contract year.
13. The Borough agrees to indemnify the County and to hold it harmless from and against any and all damages, claims, losses and/or liabilities of any sort (including attorney's fees) which the County may incur as a result of providing services to the Borough. In addition, the Borough agrees to have the County named as an additional primary insured on any existing insurance contracts carried by the Borough in connection with liability exposures at the intersections covered by this Agreement. Copies of appropriate documentation to show this naming of the County as an additional insured shall be provided within fourteen days of the date when the last party signs this Agreement.
14. In the event that the Borough should wish to secure the County's services under this Shared Services Agreement for maintenance of additional controlled traffic intersections or flashing beacon installation beyond the locations described hereinabove in paragraph 2, the Borough shall give notice in writing of same to the County at least thirty (30) days prior to the date when maintenance responsibility is proposed to be transferred. This notice shall include:
- a. specific designation(s) of the new intersection(s);
 - b. copies of all of the documentation specified in paragraph 3 hereinabove.

If the County agrees to accept responsibility for the designated new intersection(s), it shall so signify in writing to the Borough, specifically stating in this notice the effective date when responsibility shall be assumed. Acceptance by the County of any new intersection shall be subject to all of the terms of and conditions of this Shared Services Agreement. If responsibility for a new intersection should be assumed after January 1 of any given year, the annual payment to the County for that year shall be prorated for the number of days in that year when the maintenance agreement will be effective.

15. In the event of a dispute between the parties arising out of this Agreement, the contract documents or the work being performed, the parties agree that they will immediately meet and make a good faith effort to resolve such conflict.
16. If after a meeting described in Paragraph 15 above the parties are unable to resolve the dispute, then after the expiration of thirty (30) days from the last meeting of the parties, the dispute shall be submitted to arbitration in accordance with the rules of the American Arbitration Association unless the parties agree to an alternate form of dispute resolution.
17. In the event the matter is submitted to arbitration or some other form of alternative dispute resolution, each party shall be responsible for its own costs and expenses including all counsel fees. Each party shall share the costs of one mutually agreed upon arbitrator.
18. This Agreement shall be approved by resolution of the Council of the Borough and by resolution of the Cape May County Board of Chosen Freeholders. Said resolutions shall be duly adopted in accordance with the law at public meetings held in accordance with the Open Public Meetings Act.
19. The parties have read this Agreement. It is a full statement of their understandings. It may not be changed except in writing signed by both parties.
20. The laws of the State of New Jersey without giving effects to its conflicts of law principles govern all matter arising out of or relating to this Agreement.
21. Nothing in this Agreement shall be construed as a waiver by the Borough or the County of any immunity provided by the New Jersey Tort Claim Act, NJSA 59:1-1 et seq.

IN WITNESS WHEREOF the parties affix their signatures to this Agreement, intending to be legally bound. If a party is a corporation, this Agreement is signed by its proper corporate officers and its corporate seal is affixed.

COUNTY OF CAPE MAY

(Date)

By: _____
Gerald M. Thornton
Director, Board of Chosen Freeholders

ATTEST: _____
Elizabeth Bozzelli
Clerk of the Board

BOROUGH OF STONE HARBOR

(Date)

By: _____
Judith M. Davies-Dunhour
Mayor

ATTEST: _____
Suzanne C. Stanford
Borough Clerk

Approved as to Form and Legality:

James Arsenault, Esq.
Cape May County Counsel

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(1)

WHEREAS, the Borough of Stone Harbor entered into the National Joint Powers Alliance approved by Resolution 2015-S-118 on June 16, 2015 for the purpose of purchasing various goods and services; and

WHEREAS, the Public Works Department will be using this Co-Op to purchase 2017 Ford Super Duty F-550 4WD Cres Cab 179 “WB 60 as per quote attached for a total of \$ 128,472.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the purchase of 2017 Ford Super Duty F-550 as per quote attached for a total price of \$ 128,472 be approved.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(8)

RESOLUTION

WHEREAS, the Borough of Stone Harbor entered into the National Joint Powers Alliance (Contract 1207-16-NAF) approved by Resolution 2015-S-118 on June 16, 2015 for the purpose of purchasing various goods and services; and

WHEREAS, the Public Works Water & Sewer Department will be using this Co-Op to purchase One (1) New/Unused 2017 Ford Super Duty F-550 DRW Cres Cab as per quote attached for a total of \$ 75,826.75.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the purchase of 2017 Ford Super Duty F-550 Crew Cab per quote attached for a total price of \$ 75,826.75 be approved.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

RESOLUTION

WHEREAS, the Borough of Stone Harbor entered into the National Joint Powers Alliance (Contract 1207-16-NAF) approved by Resolution 2015-S-118 on June 16, 2015 for the purpose of purchasing various goods and services; and

WHEREAS, the Public Works Department will be using this Co-Op to purchase One (1) TORO/DINGO – 25HP Wide Track w/standard bucket Kubota Diesel Engine as per quote attached for a total of \$ 25,900.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the purchase of TORO/DINGO TX-1000 per quote attached for a total price of \$ 25,900.00 be approved.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(10)

RESOLUTION

WHEREAS, Fred’s Tavern and Liquor Store, Inc., License #0510-32-002-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2017 to June 30, 2018; and

WHEREAS, the Issuing Authority has found that:

- a) the submitted application forms for renewal are complete in all respects;
- b) the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations; and
- c) the applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensing businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant.

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Fred’s Tavern and Liquor Store, Inc. of 310-320 96th Street. That said license shall become effective on July 1, 2017 and be for the one year from said date expiring at the close of business on June 30, 2018 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

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, 2017

.....

The above resolution approved this day of....., 2017

Borough Clerk

.....
Mayor

(11)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, The Yacht Club of Stone Harbor, License #0510-31-005-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Club License for the year beginning July 1, 2017 to June 30, 2018; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$188.00 for the Club License has been attached to the application.

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 Club License for the sale of alcoholic beverages shall be signed, issued and delivered to The Yacht Club of Stone Harbor of 90th Street and Sunset Drive, Stone Harbor, New Jersey. That said license shall become effective on July 1, 2017 and be for the one year from said date expiring at the close of business on June 30, 2018 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....

The above resolution approved this day of....., 2017

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(12)

RESOLUTION

WHEREAS, Shelter Haven Hospitality, Inc. License #0510-33-003-007 Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2017 to June 30, 2018; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant; and

WHEREAS, a Place to Place (Expansion of Premises) Transfer Application Rider No. 3.1, 3.2, 3.3, 3.4, 3.5 and 3.6 was approved by Resolution 2015-S-76 on April 7, 2015 and submitted to the State of New Jersey, under and subject to the following conditions:

- 1. Alcoholic beverages shall be served upon outdoor areas newly licensed by this approval only by a server who obtains such beverages from an inside bar area.
- 2. There shall be no portable or fixed bar located outside in the outdoor areas newly licensed by this approval.
- 3. There shall be no live or recorded entertainment, including musicians, whether amplified or not, upon the outdoor areas newly licensed by this approval and no amplification of any indoor live or recorded entertainment, including musicians, onto the outdoor areas newly licensed by this approval.

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven of 9601 Third Avenue. That said license shall become effective on

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

July 1, 2017 and be for the one year from said date expiring at the close of business on June 30, 2018 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

BE IT FURTHER RESOLVED that the Borough Council has determined that it is in the best interests of the health, safety and welfare of the citizens of and visitors to the Borough of Stone Harbor to impose certain limited and reasonable conditions in order to reduce the likelihood of noise and other disruption of peace and good order, taking into consideration the prior history, before current ownership, of this area as an operating licensed establishment, which included noise associated with music and outdoor liquor service as well as the disturbance peace and good order associated with same, as well as recent complaints and concerns raised by nearby homeowners, accordingly , the conditions imposed by the Borough via Resolution 2015-S-76, as detailed hereinabove, and amended by the State on September 1, 2015, are reaffirmed and remain in full force and effect for this renewal period for that portion of the licensed premises referenced in Resolution 2015-S-76.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of , 2017

.....

The above resolution approved this day of..... , 2017

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(13)

RESOLUTION

WHEREAS, Harbor Liquors LLC t/a Kuishimbo License #0510-32-004-010 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2017 to June 30, 2018; and

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application shall be granted and a license issued; and

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant;

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Harbor Liquors LLC t/a Kuishimbo 330 – 96th Street, Stone Harbor, N.J. 08247 under the provisions of Resolution 2003-S-119, a copy of which is annexed hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that said license shall become effective on July 1, 2017 and be for the one year from said date expiring at the close of business on June 30, 2018 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(14)

RESOLUTION

GRANTING JITNEY LICENSES

WHEREAS, the Borough of Stone Harbor passed Ordinance 1413 on February 19, 2013 allowing the Borough to regulate autobuses, commonly known as Jitneys under N.J.S.A. 48:16-23 ; and

WHEREAS, the Borough received on May 30, 2017, Resolution 91-2017 approving 2017 Jitney licenses from the Borough of Avalon and Schedule A which is a list of Jitney applications approved by the Borough of Avalon, and

WHEREAS the applications were submitted to the Avalon Police Department for review and were approved by the attached Resolution approved on May 24, 2017.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of June, 2017 by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that the Borough Council of the Borough of Stone Harbor approves the attached list of Jitney owners.

Attachment

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

Borough Clerk

The above resolution approved this day of....., 2017

Mayor

BOROUGH OF AVALON
COUNTY OF CAPE MAY
NEW JERSEY

RESOLUTION NO. 91 -2017

SUBJECT: A RESOLUTION APPROVING 2017 JITNEY LICENSES FOR A
TERM OF ONE (1) YEAR COMMENCING JANUARY 2, 2017
THROUGH JANUARY 1, 2018

WHEREAS, pursuant to N.J.S.A. 48:16-23 the Borough of Avalon is authorized to regulate autobuses, commonly known as Jitneys; and

WHEREAS, Ordinance No. 673-2013, adopted February 13, 2013, Ordinance No. 680-2013, adopted April 24, 2013 and Ordinance No. 698-2014 adopted March 12, 2014 establish the licensing, operation and regulation of Jitney service in the Borough of Avalon; and

WHEREAS, the term of a Jitney license shall be from January 2 through January 1. A license issued after January 2 shall be valid for the balance of the calendar year in which it is issued and the fee shall not be prorated; and

WHEREAS, the Jitney owners identified on Attachment "A" attached hereto have submitted applications for 2017 Jitney licenses, along with the required documentation and non-refundable application fee in the amount of ten (\$10.00) dollars, to the Licensing Clerk; and

WHEREAS, the applications for the Jitney owners identified on Attachment "A" were then forwarded to the Avalon Police Department for full background investigation of the owner and Jitney listed in the application and memos were submitted by the Avalon Police Department indicating that full background checks were completed and nothing revealed to prevent the issuance of Jitney licenses to the applicants; and

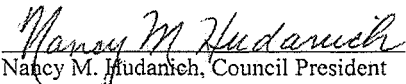
WHEREAS, the applications for the Jitney owners identified on Attachment "A" were complete and compliant with the Borough jitney ordinance as of May 24, 2017; and

WHEREAS, Borough Council has determined that the applications for Jitney licenses for the Jitney owners identified on Attachment "A" should be approved effective as of May 24, 2017.

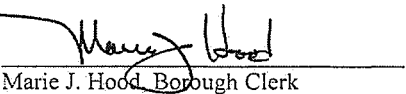
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Avalon, County of Cape May, State of New Jersey, that it is hereby determined and declared that the applications for Jitney licenses submitted by the Jitney owners identified on Attachment "A", which includes the Jitney numbers and Jitney decal numbers for each Jitney owner, are hereby approved as of May 24, 2017 and Attachment "A" is incorporated herein and made a part hereof; and

BE IT FURTHER RESOLVED that the Borough Clerk be directed to transmit a certified copy of this Resolution, together with the Jitney applications to the Licensing Clerk for issuance of the aforementioned Jitney licenses upon payment of the appropriate fees.

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Covington			✓			
Dean	✓		✓			
Deever			✓			
Hudanich			✓			
McCorristin		✓	✓			


Nancy M. Hudanich, Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Avalon, New Jersey at the Regular Meeting held on Wednesday, May 24, 2017, with the voting record as indicated above.


Marie J. Hood, Borough Clerk

SCHEDULE "A"

NAME	JITNEY#
GASIS, KONSTANTI G.	3
HUSSAIN, ABULALA	6
CROOK, PETER	8
MURILLO, DAVID	17
MANSOUR, MONIR G.	18
HAQUE, MOHAMMAD D.	19
TSOPLAKIS, SPIROS	20
ISLAM, MOHAMMED Z.	23
MALIK, SHAUKAT	25
INGRAM, GEORGE	34
MAAROUF, TAREK C/O T&S TRANS	36
HOYOS, FELIPE	37
KREGER, FREDDY	38
SATAR, MD A	40
LAM, TOM	43
BANCHERI, SALVATORE	46
GUSIS, KONSTANTI C	48
FEIN, STEVEN	49
JITNEY 51, LLC (PAUL KRAMER)	51
RAHMAN, AMINUR	52
SYED, MOHAMED	55
BETELMAN, PETER	56
CAIOZZO, FRANK	58
TANMIM, ZERIN	59
MIKOLAJCZAK, ROBERT	62
CARRILLO-RINCON, JULIO	65
ELADAWY, SAYED	67
MAHMUD, SHEIKH	68
ZAMAN, KHASRU	69
ABDULFATH, ABDULMANA M.	70
HUSSEIN, HUSSEIN	74
YOUNG, SANDRA	79
RAHMAN, AMIR	80
HAQUE, HAMIDUL	83
KOTOULAS, CHRISTOS N.	85

NAME	JITNEY#
KROMENACKER, RONALD	90
KOUTSFETSOU LIS, STEPHANOS	91
ZAMAN, MOHAMMAD Z.	95
O'CONNOR, SHAWN	96
UDDIN, MOHAMMED	99
GALLAGHER, FRANCIS	102
HAQUE, HAMIDUL	103
MCGUIRE, JOHN	104
WOODALL, FRANK A.	112
FROMM, STEPHEN	113
FITZGERALD, EDGAR A.	114
GASIS, ATHANASIO	115
BUTT, NASIR	116
HASSAN, MOHAMMAD T.	117
MARTINEZ, HUGO	118
SORTO, JESUS	120
BROWNSTEIN, IRWIN	123
KOUNIS, PETER	124
BLOOM, HOWARD	127
RUOCCO, FRANK	128
CHAU, KEVIN	130
HOSSAIN, MONIR	133
GAUTHIER, RIVAL	134
DUNKELMAN, JACK	138
HOSSAIN, ENTEAJ	141
LEE, YUN HEE	142
SARWAR, ABUL	150
WEIPERT, ROBERT	151
HENAO, JORGE	153
LEE, CHRISTOPHER W.	155
ALAM, MOHAMMED	156
ROLLER, MARTIN	162
DUFFEY, JOHN	163
ARSENIS, PETER	165
DIMACALE, LUISITO	166

NAME	JITNEY#
JEAN, BRUNEAU	168
ARDELEAN, HARRIS	170
LIU, LAMYIM	173
SARKER, YOUSEF H.	174
KROMENACKER, THERESA	175
BUCHBINDER, JAY	176
BOURNOUSOUZIS, ZAHARIAS	178
TRAPANI, MARK	180
EL-SEAEDY, AHMED A	182
KADDUS, MUHAMMAD A.	185
ISLAM, SIRAJUL	186
ASHRAF, MALIK M.	189
RASHID, HARUN	190

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(15)

RESOLUTION

WHEREAS, the Women’s Civic Club of Stone Harbor made application on May 26, 2017 for a Raffle License under Application No. RA-2017-04; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval under Application No. RA-2017-04 to the Women’s Civic Club of Stone Harbor Inc. for holding of said Raffle;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey, on this 6th day of June, 2017 as follows:

- 1. That the Borough Council issue to the Women’s Civic Club of Stone Harbor a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council under Application No. RA-2017-04 made by said Lions Club of Stone Harbor; and
- 2. That the Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the Women’s Civic Club of Stone Harbor, Inc. in accordance with the application made therefor.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor