

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

REGULAR MEETING

TUESDAY

December 19, 2017

4:30 p.m.

Museum Report –

**a. ORDINANCE 1510 – BUILDING CONSTRUCTION CHANGES 2nd 3rd
and final – (1) Lane**

- b. Resolution – Professional Services Contract – NJDEP
Resiliency Grant - Triad (2) Parzych**
- c. Resolution – Refund Duplicate Tax Payment – Chang – Kim (3)
Rich**
- d. Resolution – Refund Duplicate Tax Payment – Donnelly (4)
Gallagher**
- e. Resolution – Approve Non-Profit Support – Marine Mammal
Stranding and Cape Volunteers in Medicine, Inc. (5) Lane**
- f. Resolution – Transfer of Funds (6) Krafczek**
- g. Resolution – Dedicated Trust by Rider (7) Lane**

- h. Motion – Tennis Pro - Advertise RFQ (8) Gallagher**

- i. DISCUSSION: Water Tower Bathroom Renovations (9)**

- j. Resolution - Closed Session – Employees (10) Lane**

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY
ORDINANCE 1510

AN ORDINANCE AMENDING CHAPTER 178 BUILDING CONSTRUCTION, ARTICLE III, Sub-Section 178-11 OF THE GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR

Whereas, Borough Council deems it to be in the best interest of the Citizens of Stone Harbor to amend the within ordinance; now, therefore be it ordained by the Borough Council, the Governing Body of the Borough of Stone Harbor, New Jersey as follows:

Section 1. CHAPTER 178 Building Construction, ARTICLE III, entitled "Construction and Demolition during the Summer" is hereby amended as follows:

The following provisions shall replace Sub-section 178-11 entitled Restriction in Business and Light Industry Zones:

178-11 Construction and Demolition Regulations:

- A. No demolition and no driving of pilings for the period July 1 until the Friday immediately following Labor Day (Residential & Business District)
- B. No Work on any site prior to 8am or after 6pm at anytime of the year. No Heavy equipment prior to 9am July 1 through the Friday immediately following Labor Day. The definition of heavy equipment shall include generators, air compressors, saws of any sort including table saws, lift or boom trucks, front end loaders, any equipment related to the installation of cement or plaster materials related to the installation of a pool or spa structure.
- C. No work at all on Sundays beginning July 1 through the Friday immediately following Labor Day
No Work at all on Memorial Day weekend (Saturday, Sunday and Monday)
No Work on Thanksgiving Day Weekend (Thursday, Friday, Saturday & Sunday)
No Work at all on July 4th
No Work at all on Labor Day weekend (Saturday, Sunday & Monday)
- D. Work on Saturdays from 9am to 5pm from July 1 up to and including the Saturday after Labor Day is permitted with the exception of the following prohibited work which include rough framing, roofing, exterior siding and trim, cutting of masonry materials related to installation of a foundation for any structure, any equipment related to the installation of cement or plaster materials related to the installation of a pool or spa structure.
- E. All Contractor information including Name, Address and Emergency Contact Numbers along with all permits issued must be prominently displayed in a waterproof Box on Construction site. Specific size and location of box shall be determined by Construction Official.

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, are hereby repealed.

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

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH TRIAD ASSOCIATES TO ADMINISTER THE BOROUGH'S NJDEP RESILIENCY GRANT UNDER THE "NONFAIR AND OPEN" PROCESS

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 the contractor submits certain disclosures in accordance with the "fair and open" process; and

WHEREAS, the Borough is in need of an expert in connection with administration of a NJDEP Resiliency Grant; and

WHEREAS, Triad Associates, 1301 W. Forest Grove, Vineland, N.J. 08360 is prepared to perform the services of Consultant as set forth in the attached Agreement, dated July 26, 2017, which is hereby incorporated by reference and made a part hereof, Triad Associates will provide professional consulting services to the Borough to administer the Borough's NJDEP Resiliency Grant and serve as the Borough's Administrative Agent as detailed in the proposal for an estimated total fee not to exceed \$ 42,500.00; and

WHEREAS, funds are available as evidenced by the Chief Financial Officer's Certification attached hereto and the contractor has executed all required disclosures;

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 19th day of December, 2017, 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 proposal dated July 26, 2017, as the contract for professional services for the purposes stated herein above;
3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, Triad Associates having previously submitted all documents required under the "fair and open" requirements;
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 an appropriate acknowledgment of same which shall also be a part of and incorporated into this 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 theday of, 2018

.....
Borough Clerk

The above resolution approved this day of....., 2018

.....
Mayor

(3)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Council Meeting: December 19, 2017

REFUND DUPLICATE TAX PAYMENT

WHEREAS, duplicate tax payments were received by CoreLogic Tax Servicing Agency and the homeowners Direct Debit Authorization for the 4th Quarter 2017 tax installment on Block 93.02 Lot 40, A.K.A. 123 93rd Street; and

WHEREAS, the homeowners, Eddie Chang and Catherine Kim requested a refund be issued to them, and the Direct Debit Authorization for property taxes be rescinded, and;

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 \$5,637.54 be issued to Eddie Chang and Catherine Kim, 143 S 2nd Street #203, Philadelphia PA 19106; and

BE IT FURTHER RESOLVED that the Tax Collector make the proper adjustment in her records.

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

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Council Meeting: December 19, 2017 – RESOLUTION #2

REFUND DUPLICATE TAX PAYMENT

WHEREAS, duplicate tax payments were received by Bank of America and the homeowners for the 4th Quarter 2017 tax installment on Block 91.03 Lot 82.02 A.K.A. 219 91st Street; and

WHEREAS, the homeowners, C Michael Donnelly Jr & Mary G Donnelly requested a refund be issued to them; and

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 \$3,190.88 be issued to C. Michael Donnelly Jr & Mary G Donnelly, 7771 Ashton Rd, Naples FL 34113; and

BE IT FURTHER RESOLVED that the Tax Collector make the proper adjustment in her records.

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

(4)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(5)

WHEREAS, the Borough of Stone Harbor maintains an Executive Policy Manual for the purpose of codifying certain administrative policies and procedures; and

WHEREAS, said Executive Policy Manual was adopted by a duly enacted resolution of the Borough Council on May 1, 2001; and

WHEREAS, an addition to the written policy now includes F-010 "Non-profit Support Policy & Procedures" which provides financial assistance to local school, churches, organizations and charities whose primary service area is or includes the municipality,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey on this 19th day of December, 2017 that the following be approved for Non-Profit Support by the Borough:

Marine Mammal Stranding Center – P.O. Box 773, Brigantine, N.J. 08203
Cape Volunteers in Medicine, Inc. – 423 N. Rt. 9 Cape May Court House, N.J. 08210

BE IT FURTHER RESOLVED, that the Borough has received the proper request form and all proper paperwork applying for such approval.

BE IT FURTHER RESOLVED that the provisions of the Executive Policy F-010 shall be binding on all applicable requests and the approvals shall be accomplished by way of Resolutions duly presented and passed at a meeting of Mayor and Council.

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

RESOLUTION

(6)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that the following transfers of 2017 appropriations are hereby approved in accordance with N.J.S.A 40A:4-58 on this 19th day of December, 2017:

From:

Police Regular Salaries	7-01-25-240-101	\$50,000.00
Landfill/Solid Waste Disposal	7-01-32-465-101	\$12,000.00

To:

Accumulated Leave	7-01-30-410-101	\$50,000.00
Contingent OE	7-01-35-470-201	\$12,000.00

Offered by Seconded by.....

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

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(7)

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR ACCUMULATED ABSENCES

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as Dedication by Rider of revenues received by a municipality when the revenue is not subject to a reasonable accurate estimate in advance; and

WHEREAS, N.J.A.C. 5:30-15 permits municipalities to fund a trust from the current fund appropriation of Accumulated Absences; and

WHEREAS, N.J.S.A. 40A-39 provides that the Director of the Division of the Local Government Services may approve expenditures of monies by Dedication by Rider; and

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

1. The Borough Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Accumulated Balances created in accordance with the provisions of N.J.A.C. 5:30-15 as per N.J.S.A. 4A:4-39; and
2. The Borough Clerk of the Borough of Stone Harbor is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

Date Issued: December 20, 2017

Return Date & Time: January 12, 2018 by 4:00pm

Return To: Borough Clerk, 9508 Second Avenue, Stone Harbor, NJ 08247

(8)

**BOROUGH OF STONE HARBOR
REQUEST FOR QUALIFICATIONS
TENNIS PRO/INSTRUCTOR**

**PUBLIC NOTICE
BOROUGH OF STONE HARBOR
SOLICITATION OF RESPONSES TO REQUEST FOR QUALIFICATIONS**

NOTICE IS HEREBY GIVEN that the Borough of Stone Harbor is accepting responses to request for qualifications for the Borough of Stone Harbor during the year 2018 for:

TENNIS PRO/INSTRUCTOR

All responses (one original and four copies) in sealed envelopes and clearly marked with "Tennis Pro/Instructor" and the name of the person/firm submitting same shall be submitted to Suzanne Stanford, Borough Clerk, 9508 Second Avenue, Stone Harbor, New Jersey 08247, no later than 4:00 p.m., January 12, 2018.

Responses are being solicited in accordance with the fair and open process as set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A. 19:44A-20.4 et seq.

A copy of the request for qualifications document may be obtained at the office of the Borough Clerk, 9508 Second Avenue, Stone Harbor, New Jersey 08247 Monday through Friday 8:30am to 4:00pm or on the Borough of Stone Harbor Municipal Website: stoneharbonj.org

SUZANNE C. STANFORD

Municipal Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(10)

RESOLUTION

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC
IN ACCORDANCE WITH THE PROVISIONS OF
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,
N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- 1. *Matters Relating to Borough Employment Relationships, the relevant employees having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on December 19, 2017, that an Executive Session closed to the public shall be held on December 19, 2017 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

Official action may be taken as a result of said executive session.

It is anticipated that, in accordance with law and in a timely manner, the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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