

(1)

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE NO. 1466

**AN ORDINANCE AMENDING CHAPTER 560-19 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF STONE HARBOR AND
REGULATING THE WATERFRONT BUSINESS DISTRICT**

WHEREAS, Section 560-19 of the Zoning Ordinance (the "Ordinance") of the Borough of Stone Harbor (the "Borough") currently regulates the Waterfront Business District within the Borough; and

WHEREAS, the Ordinance currently prohibits residential units in mixed use buildings; and

WHEREAS, the Stone Harbor Planning Board (the "Planning Board") has determined that the ordinance should be revised to permit mixed use commercial and residential buildings as a conditional use in the Waterfront Business District and to make additional revisions to enhance the Waterfront Business District; and

WHEREAS, the Planning Board has recommended the changes set forth below.

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

Section 1. Section 560-19 of the Revised General Ordinances of the Borough of Stone Harbor is amended as follows (insertions are underlined, deletions are ~~stricken~~):

§ 560-19. Waterfront Business District.

A. Purposes and objectives. The purpose and objectives of the Waterfront Business District are as follows:

- (1) To strengthen the vitality of the district and capitalize on the asset of the waterfront;
- (2) To promote the waterfront district as a unique destination place that brings pedestrian traffic to the Borough's business districts;
- (3) To maximize the potential utility and enjoyment of the Shelter Haven Basin through active and passive uses, such as waterfront dining, and seating areas;
- (4) To encourage a core area of retail shops, public amenities, restaurants and upscale hotel rooms within the waterfront district;
- (5) To enhance the scenic, recreational, and social elements of the public realm as they relate to the Shelter Haven Basin through viewsheds and appropriate outdoor uses; and
- (6) To provide for vehicular and pedestrian linkages between the waterfront district, the business district and other destinations throughout the Borough, through walkways, wayfinding signs, parking, and other appropriate measures.

B. Description. ~~It~~ The Waterfront Business District includes the following areas: all properties located on the south side of the 300 block of 96th Street, with the exception of the area described hereinbelow; and all properties located on the west side of Third Avenue from 96th Street to 99th Street. Those properties within the area from the easterly property line of Block 96.04, Lot 154, to the westerly property line of Block 96.04, Lot 177.02, inclusive, are not part of the Waterfront Business District but are part of the Business District as described in § ~~560-18~~; all Business District regulations shall be applicable to said area, and the Business District designation shall be reflected on the Zoning Map of the Borough of Stone Harbor for this area.

C. Use regulations. In the Waterfront Business District, lands, buildings and premises may be used for the following purposes:

(1) Principal permitted uses: ~~Permitted first floor uses:~~ business, professional and medical offices, retail (goods and services), docks for rental or storage of boats, public taverns or bars, restaurants, (excluding drive-in and take-out only restaurants) and water-dependent recreational uses.

~~(a) Permitted second floor uses: Offices, restaurants, excluding drive in and take out only restaurants and retail.~~

~~(b) Permitted third floor uses: none, but see §560-19D(4).~~

(2) Accessory uses:

(a) Docks for rental or storage of boats.

(b) Boat hoists.

(3) Conditional uses:

(a) Single-family residential dwellings.

(b) Mixed use commercial and residential buildings.

(c) Boutique hotels.

(d) Outdoor dining.

D. Area regulations. Development in the Waterfront Business District shall be subject to the following area regulations:

(1) Front yard setback:

First and Second Floors: Minimum four feet from the property line

Third Floor: Minimum nine feet from the property line; provided that a railing measuring up to forty-two inches above a third floor exterior deck shall be subject to a minimum front yard setback of four feet from the property line

(2) Side yard setback: minimum five feet; minimum 10 feet if abutting a residential district.

(3) Rear yard setback: minimum 10 feet from the established bulkhead line.

(4) Building height: maximum ~~two~~ three stories and ~~35~~ 42 feet from the curbline (including all appurtenances, except for construction code requirements, such as vent pipes and solar panels, but in no event shall these be higher than ~~38~~ 45 feet), ~~provided that structures housing boutique hotels shall be permitted a third story, the use of which shall be restricted to boutique hotel use.~~ The curbline shall be measured from the grade level of the top of curb and center of the lot or parcel of land upon which a building is to be constructed.

(5) Interior first-floor unit width measured at entrance: minimum 14 linear feet, provided that no minimum shall apply to entrances to boutique hotels.

(6) Interior area for each business: minimum 600 square feet.

E. Conditional use regulations.

(1) Outdoor dining shall be permitted as a conditional accessory use to a restaurant or other eating establishment, subject to the following conditions:

(a) Prior to the institution of outdoor dining, such establishments shall be required to obtain site plan review and approval.

(b) Any outdoor dining area must be clearly defined and limited by way of a barrier such as fencing, landscaping, a wall, or as approved by the Planning Board.

(c) No signage of any nature shall be permitted in the outdoor dining area.

(d) Any establishment serving alcohol products in the outdoor dining area shall be required to do so only in connection with food service at tables.

(e) Any outdoor dining area shall have adequate buffering from adjacent buildings or sites, consisting of landscaping and/or fencing or as approved by the Planning Board.

(f) There shall be no sound amplification or video displays located within the outdoor dining area and no sound amplification to the outdoor dining area from other areas of the establishment.

(g) Outdoor dining areas adjacent to Shelter Haven basin shall be designed to minimize the emission of sound, including, without limitation, the use of noise barriers, sound absorbers, and silencers in accordance with an acoustical engineering report to be supplied with the applicant's application for conditional use approval.

(gh) In the event that the outdoor dining area is located in the front yard of the establishment, there shall be a minimum of six feet between the building and the front property line in order for the dining area to be approved.

(hi) In the event that the outdoor dining area abuts a parcel which is residentially zoned, the outdoor dining area shall be located a minimum of five feet from the common property line.

(ij) Bulkhead setback. With regard to bulkhead setbacks in general, refer to § **560-38B**. With regard to properties on back-bay waters and lagoons, tables and chairs used in connection with outdoor dining may be located up to the actual physical bulkhead. [Amended 5-15-2012 by Ord. No. 1402]

(jk) Umbrellas and retractable awnings. Umbrellas and retractable awnings may be utilized in conjunction with outdoor dining areas adjacent to back bay waters and lagoons without the need for site plan review, provided that: [Added 5-15-2012 by Ord. No. 1402]

[1] Umbrellas and retractable awnings shall be located within approved outdoor dining areas only;

[2] Retractable awnings shall be made of fabric over a rigid frame;

[3] Retractable awnings (including their supporting poles, stanchions and other means of support) shall be fully retracted during all times the outdoor dining area is not in use;

[4] No signage shall be permitted on umbrellas or retractable awnings;

[5] Retractable awnings shall not be enclosed with screens, curtains or other materials;

[6] Retractable awnings shall maintain a minimum height (ground clearance) of seven feet.

(2) Single-family residential dwellings shall be permitted as a conditional use

in the Waterfront Business District, provided that:

(a) The use of the subject property was single-family or two family residential at all times after October 9, 2009.

(b) The structure complies with the following bulk regulations.

[1] Minimum lot area: 3,300 square feet.

[2] Minimum lot frontage: 30 feet.

[3] Minimum side yard setback (each side): the greater of 15% of the lot width or five feet.

[4] Minimum front yard setback: four feet.

[5] Minimum rear yard setback: 10 feet from the established bulkhead line, subject to § **560-38B**.

[6] Maximum building height: ~~28-feet~~ 35 feet.

[7] Maximum number of stories: 2

[78] Maximum building coverage: 25%.

(3) Mixed use commercial and residential buildings shall be permitted as a conditional use in the Waterfront Business District, provided that:

(a) First floor uses shall be restricted to those uses permitted by Section 560-19(c)(1).

(b) Residential uses shall be permitted on the second and third floors only.

(c) No on-site parking shall be permitted.

(34) Boutique hotels shall be permitted as a conditional use in the Waterfront Business District, provided that:

(a) Hotel units shall not be in excess of 500 square feet.

(b) Required off-street parking is provided off site upon a property located, in whole or in part, outside the Waterfront Business District, which off-site property shall be located not more than 1,320 feet from the subject site. Both the subject site and the site providing off-street parking shall be deed-restricted to require that the operation of the boutique hotel is conditioned upon the continued use and availability of the site providing off-street parking. One (1) parking space shall be provided for each hotel unit.

(c) The proposed development shall comply with the provisions of § **560-19D** above.

(4) Except as otherwise provided herein, Off off-street parking requirements for conditional uses shall be satisfied in accordance with § 560-31.

F. Supplemental regulations.

(1) No curb cuts shall be permitted in the Waterfront Business District, except that curb cuts shall be permitted for single-family residences.

(2) Outdoor tables. [Added 8-7-2012 by Ord. No. 1406]

(a) Tables may be placed on private property in connection with a

restaurant or other food service business in the Waterfront Business District without the need for site plan review or prior zoning approval; provided that:

[1] No table service shall be provided;

[2] The tables shall not exceed 27 inches in length and in width or 30 inches in diameter;

[3] The number of outdoor tables provided by the associated restaurant or other food service business shall not exceed the lesser of one table for each 32 square feet of ground area or four tables; and

[4] The tables and surrounding area are not available for the consumption of alcoholic beverages.

(b) "Ground area," as described in Subsection **F(2)(a)[3]** above, shall include only unimproved exterior areas (including paved areas) upon which outdoor table(s) are situated.

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 twenty (20) days after final passage and publication as provided by law.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(2)

DRAFT 8-27-15

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY**

ORDINANCE NO.1467

**AN ORDINANCE AMENDING CHAPTER 560-31.C OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR AND
REGULATING PARKING LOTS IN RESIDENTIAL ZONES**

WHEREAS, Section 560-31.C of the Zoning Ordinance (the "Ordinance") of the Borough of Stone Harbor (the "Borough") currently regulates parking lots in residential zones within the Borough; and

WHEREAS, the Ordinance currently provides, at subsection (11), that all such parking lots shall be closed between the hours of 11:00 p.m. and 7:00 a.m.; and

WHEREAS, the Stone Harbor Planning Board (the "Planning Board") has determined that the ordinance should be revised to permit parking between the hours of 11:00 p.m. and 7:00 a.m., subject to the provisions set forth below.

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

Section 1. Section 560-31.C of the Revised General Ordinances of the Borough of Stone Harbor is amended as follows (insertions are underlined, deletions are ~~stricken~~):

C. Parking lots in residential zones. Any business operating as a permitted, conforming use in any zone shall be permitted to operate one parking lot on property located in any residential district, provided that:

(1) The parking lot shall be immediately adjacent to, and abut for at least 10 feet, the lot upon which the associated business is situate.

(2) The parking lot shall be reserved for the exclusive use of the associated business's customers and/or employees.

(3) No fee shall be charged for use of the parking lot.

(4) No such parking lots shall be permitted without conditional use approval and site plan approval.

(5) No such parking area shall exceed a frontage of 100 feet in any such residential zone.

(6) No portion of the vehicular accessway providing ingress to and egress from the parking lot shall be located in excess of 35 feet from the district to which such parking lot is contiguous. However, in the event that a parking lot shall be located in such a fashion as to be contiguous to two residential lots having frontage on a common street with the said parking lot, the vehicular accessway for ingress and egress shall be located equally distant from each residential property.

(7) ~~An opaque fence of a height of four feet~~ A solid privacy fence shall be erected between the parking area and the residential district and between the parking area and any sidewalk fronting on a street. All portions of said fence located between the parking area and any sidewalk fronting on a street shall be four (4') feet in height. All portions of said fence located between the parking area and the residential district shall be (i) a height of four (4') feet from the front property line to the required front setback line for the residential district; and (ii) a height of six (6') feet from the required front setback line for the residential district to the rear property line.

(8) Any change in use on a lot served by a parking lot pursuant to this § 560-31C, which change in use requires site plan review pursuant to Chapter 345, shall terminate the parking lot use.

(9) No building or structure shall be permitted on the parking lot, with the exception of signs, fences and lights pursuant to the regulations herein set forth.

(10) Lights for illumination purposes may be erected upon standards which shall not be greater than ~~12~~six (6') feet in height. Such lights shall be shaded and angled downward in such a manner as to confine the direct light entirely within the parking lot. Such lights shall be operated by an automatic electric timing device which shall cause the lights on the parking lot to ~~be extinguished 1/2 hour after the parking lot is closed~~ be dimmed between the hours of 11:00 p.m. and 7:00 a.m.

(11) ~~The parking lot shall be closed between the hours of 11:00 p.m. and 7:00 a.m.~~ Intentionally omitted.

(12) Each parking lot shall have a sign, not in excess of five square feet, mounted in its entirety upon the fence at each vehicular accessway to the lot. The sign shall indicate that use of the parking lot is restricted to customers and employees of the associated business, the hours of operation (if applicable), and any other limitations set forth by the owner. Such sign shall be approved in connection with the application for the conditional use permit and site plan approval.

(13) The parking lot shall be constructed of bituminous asphalt, concrete or pavers. Each parking space on the lot shall be striped, and the lot shall be kept clean and free of potholes and other dangerous or unsightly objects. The operator of the business property shall be responsible for the proper operation and maintenance of the parking lot.

(14) On the outside of the fence adjacent to the front property line, except for sidewalks and driveways, crushed stone, washed stone or grass shall be the ground cover. Between the fence and sidewalk, landscaping, including decorative plantings, shall be installed.

(15) The provisions of this § 560-31C shall not be applicable to those parking lots located in a residential zone on June 10, 1980, which lots are hereby declared to be lawful; however, the owners of such lots shall be encouraged to conform to as many of these conditions and requirements as possible in order to avoid unnecessary interference with the residential uses in the district.

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 twenty (20) days after final passage and publication as provided by law.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(4)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING RELEASE OF EXECUTIVE SESSION MINUTES

WHEREAS, the Borough of Stone Harbor in the County of Cape May, State of New Jersey, has established a committee to review and recommend for release certain minutes of executive session minutes of the governing body; and

WHEREAS, the committee has met and recommends that the attached minutes be released and made subject to public inspection upon request in accordance with law; and

WHEREAS, all members of the Governing Body have had an opportunity to review said minutes.

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 6th day of October, 2015, that the attached minutes of executive sessions by and the same are hereby deemed released and removed from confidential status.

- 2009
- 2010
- 2011
- 2012
- 2013
- 2014

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, 2015

.....

Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

REFUND DUPLICATE TAX PAYMENT

WHEREAS, duplicate tax payments were received by Seaboard Title Agency and CoreLogic Tax Servicing Agency for the 3rd Quarter 2015 tax installment on Block 85.02 Lot 41, A.K.A. 170 86th Street; and

WHEREAS, Seaboard Title Agency has requested a refund be issued to them,

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 on this 6th day of October, 2015 that a refund check in the amount of \$2,734.80 be issued to Seaboard Title Agency, %Nicole Jones Settlement Manager, 2761 Dune Drive, Avalon NJ 08202; and

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

<http://www.stone-harbor.nj.us/>
<http://www.wateruseitwisely.com>
<http://www.state.nj.us/treasury/taxation/>

The Seashore at its Best

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(6)

RESOLUTION

RESOLUTION ACKNOWLEDGING REVIEW AND COMPLETION OF THE BEST PRACTICES CHECKLIST FOR CALENDAR YEAR 2015

WHEREAS, Governor Christie and the Division of Local Services created the Municipal Best Practices Checklist in the State's continued reform efforts to make government operate more efficiently, strengthen its accountability and better manage scarce taxpayers resources; and

WHEREAS, the Best Practices Checklist for CY 2015 for the Borough of Stone Harbor has been prepared and has been certified by James Craft, Chief Financial Officer and is attached hereto and made a part hereof; and

WHEREAS, in addition to the Chief Financial Officer's certification, the State is requiring that the Best Practices Checklist for CY 2015 be acknowledged by the governing body and placed on the agenda at a public hearing to insure that the governing body of the Borough of Stone Harbor has been apprised of all the answers on the Checklist.

WHEREAS, the members of the governing body have personally reviewed all the answers on the Best Practices Checklist for CY 2015.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stone Harbor hereby state that they have reviewed the completed Best Practices Worksheet CY 2015 and are aware of all the answers therein.

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(7)

RESOLUTION

**AUTHORIZING THE ACCEPTANCE OF A PROPOSAL, ENGINEERING SERVICES
Proposed Stone Harbor Police Building**

WHEREAS, the Borough of Stone Harbor is desirous of the Borough Engineer performing the necessary engineering services to provide survey, architectural, engineering and construction related activities for the proposed Stone Harbor Police building; and

WHEREAS, the Borough Engineer, Marc DeBlasio has submitted a Revised (2) proposal for the project, which includes Design Development, preparation of Construction Documents, Bidding and Award, and Construction Phase Services, and

WHEREAS, the Engineering Services are not to exceed \$ 450,000 and the Chief Financial Officer has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, assembled this 6th day of October, 2015, that the proposal for Engineering Services for the Proposed Stone Harbor Police Building dated September 29, 2015, a copy of which is attached hereto and incorporated herein by reference, be approved by the Borough Council and a purchase order be issued for the work.

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(8)

RESOLUTION

WHEREAS, Ocean and Coastal Consultants, by authority of Resolution 2014-S-60 has provided professional engineering and consulting services to the Borough of Stone Harbor in connection with dredging related issues for an amount not to exceed \$109,000: and

WHEREAS, Ocean and Coastal Consultants submitted a letter proposal dated December 10, 2014, detailing the actions necessary to be completed in order to allow for the filing of permit applications for said dredging; and

WHEREAS, to perform the additional work, Ocean and Coastal Consultants contract was amended by Change Order No # 1 in December, 2014 by an additional amount of \$26,000.00.

WHEREAS, Ocean and Coastal Consultants (COWI) has submitted Change Order # 2 which will subcontract Dolan Research to conduct a side-scan survey of the NJDEP HOP targets to determine if the targets have historical significance for the lump sum fee of \$20,500.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor in the State of New Jersey and County of Cape May on this 6th day of October, 2015 as follows:

1. That the aforementioned letter proposal by and hereby is accepted as an amendment to the prior professional services agreement with Ocean and Coastal Consultants in an amount not to exceed \$ 20,500, conditioned upon the certification of availability of funds by the Chief Financial Officer of the Borough;
2. The original contract with Ocean Coastal Consultants was \$109,000 additional Change Order #1 added \$26,000, additional Change Order #2 added \$20,500 for a total contract price of \$155,500 as of this date.
3. That the Mayor be and hereby is authorized and directed to execute any and all documents necessary to approve Change Order #2.
4. That the Borough Clerk will make the required publication, if any, reflecting the amendment of the contract.

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(9)

GRANT AGREEMENT BETWEEN
BOROUGH OF STONE HARBOR
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT IDENTIFIER: FS16-110

The Governing Body of the Borough of Stone Harbor desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000 to fund the following project:

GREEN COMMUNITIES GRANT
COMMUNITY FORESTRY MANAGEMENT PLAN

Therefore, the Governing Body resolves that Suzanne M. Walters, Mayor, is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not less than \$3,000 and not more than \$3,000 and (c) to execute any amendments thereto which do not increase the Grantee's obligation.

The Stone Harbor Borough Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether case, services, or property, is hereby certified. 100% of the match will be made up in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

Certification:

I, Suzanne Stanford, Municipal Clerk of the Borough of Stone Harbor certify that this resolution was duly adopted by Borough Council at a meeting duly held on the 6th day of October, 2015; that this resolution has not been amended or repealed; and that it remains in full force and effect on the date I have subscribed my signature.

Suzanne C. Stanford, Borough Clerk

Date

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(10)

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR
AUTHORIZING LETTER OF INTENT TO UPDATE PARTICIPATION IN THE
CAPE MAY COUNTY MULTI-JURISDICTIONAL
ALL HAZARDS MITIGATION PLAN**

WHEREAS, all of Cape May County has exposure to natural hazards that increase the risk to life, property, environment and the County’s economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Cape May County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cape May County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Stone Harbor:

- 1) Approves the attached “Letter of Intent” that is required by both NFIP and FEMA in order to continue to participate in the County All Hazard Mitigation Plan.
- 2) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 3) Will help to promote and support the mitigation successes of all participants in this Plan.
- 4) Will incorporate mitigation planning as an integral component of government and partner operations.

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, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor

(12)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

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. *Confidential Personnel Matter*
- 2. *Attorney/Client Privilege – COAH*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on October 6, 2015 that an Executive Session closed to the public shall be held on October 6, 2015 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 the day of, 2015

.....
Borough Clerk

The above resolution approved this day of....., 2015

.....
Mayor