

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

AGENDA REGULAR MEETING

TUESDAY

May 21, 2019

4:30 p.m.

Resolution – Appoint Full Time Police Officer (1) Parzych

Ordinance 1550 Change to Conservation Management District - No dogs 2<sup>nd</sup> 3<sup>rd</sup>  
and final (2 Rich)

Ordinance - 1551 - Municipal Access Plan 2<sup>nd</sup> 3<sup>rd</sup> and final (3) Parzych

Resolution – Refund Duplicate Tax Payment (4) Gallagher

Resolution – Accept Police Boat (5) Parzych

Resolution – Reimburse Surety Posted – Besvinick (6) Moore

Resolution – Refund Boat Slip – Wilson (7) Krafczek

Resolution- Harbor Liquors place to place – person to person (8) Parzych

Resolution- Liquor License renewal - Union League (9) Gallagher

Resolution – Liquor License renewal - Freds Tavern (10) Rich

Resolution- Liquor License renewal - Shelter Haven (11) Moore

Motion Special Events (12) Gallagher

Will Be Boys Film

Turtle Trot

Cape Express College ID Clinic

Resolution – Closed Session – (13) Krafczek

(11)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**APPOINTING FULL-TIME POLICE OFFICER**

WHEREAS, the Chief of Police, Thomas J. Schutta has recommended to the Public Safety Committee the hiring of Edward Ralph Donahue for the position of full time police officer for the Borough of Stone Harbor; and

WHEREAS, the Public Safety Committee recommends that Borough Council make this appointment.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey on this 21<sup>st</sup> day of May, 2019 that Edward Ralph Donahue is hereby appointed as a full-time permanent member of the Stone Harbor Police Department.

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 ....., 2019

.....  
Borough Clerk

The above resolution approved this ..... day of ....., 2019

.....  
Mayor

(2)

BOROUGH OF STONE HARBOR  
COUNTY OF CAPE MAY

May 21

ORDINANCE 1550

AN ORDINANCE AMENDING CHAPTER 560  
OF THE REVISED GENERAL ORDINANCES  
OF THE BOROUGH OF STONE HARBOR 2005

(Dogs loose in Conservation Management CM District on the Beach)

**Section 1.** Chapter 560 Zoning Article IV. Zoning Restriction Regulations

560-24. Conservation Management CM District

B. Prohibitions [Amend (2) as follows]:

(2) Dogs shall not be permitted to run loose in the Conservation Management District.  
~~but rather shall be securely leashed.~~

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

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

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

APPROVED:

\_\_\_\_\_  
Judith M. Davies-Dunhour, Mayor

ATTEST:

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

(3)

BOROUGH OF STONE HARBOR

COUNTY OF CAPE MAY

ORDINANCE 1551

DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT

THIS DEED OF DEDICATION AND PERPETUAL PUBLIC ACCESS EASEMENT is made this \_\_\_\_ day of May, 2019, BY AND

BETWEEN

THE BOROUGH OF STONE HARBOR, a Municipal Corporation whose address is 9508 Second Avenue, Stone Harbor, New Jersey, hereinafter referred to herein as Grantor,

AND

THE STATE OF NEW JERSEY, hereinafter referred to as the "Grantee",

**WITNESSETH**

**WHEREAS**, Grantor is the owner of certain tracts of land, located in the Borough of Stone Harbor, County of Cape May, State of New Jersey, and/or identified as sixty-seven public access locations more specifically identified in Addendum A (List of Street Ends, Street End Descriptions) and on Addendum B (pages 1-20), annexed hereto, hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of Easement; and

**WHEREAS**, the Grantees recognize that tidal waterways and their coastlines at Borough of Stone Harbor, New Jersey are valuable economic resources to the municipality and the State of New Jersey; and

**WHEREAS**, access to tidal waterways at Borough of Stone Harbor, New Jersey is a right provided to the public under the Public Trust Doctrine; and

**WHEREAS**, in order for the public to access tidal waterways, perpendicular access to these areas must be secured for public use; and

**WHEREAS**, in order to ensure public access, Grantees need a Perpetual Public Access Easement on portions of said Property(s) herein described; and

**WHEREAS**, the Borough of Stone Harbor shall consider this Deed of Easement in establishing the assessed value of any lands subject to such restrictions; and

**WHEREAS**, this Deed of Dedication and Perpetual Public Access Easement shall be subject to and consistent with any existing public access agreement or easement entered into by the Municipality with the United States Army Corps of Engineers; and

**WHEREAS**, this Deed of Easement will also serve to implement the Public Trust Doctrine and ensure permanent public access, use and enjoyment of tidal waterways and their shores.

**NOW, THEREFORE**, the Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

**GRANT OF EASEMENT:** A perpetual and assignable easement and right-of-way across that land of the Property(s) described as public street ends located at:

Street Locations:

1. First Avenue /80<sup>th</sup> Street
2. First Avenue/81<sup>st</sup> Street
3. First Avenue/82<sup>nd</sup> Street
4. 83<sup>rd</sup>
5. 84<sup>th</sup>
6. 85<sup>th</sup>
7. 86<sup>th</sup>
8. 87<sup>th</sup>
9. 88<sup>th</sup>
10. 89<sup>th</sup>
11. 90<sup>th</sup>
12. 91<sup>st</sup>
13. 92<sup>nd</sup>
14. 93<sup>rd</sup>
15. 94<sup>th</sup>
16. 95<sup>th</sup>
17. 96<sup>th</sup>
18. 97<sup>th</sup>
19. 98<sup>th</sup>
20. 99<sup>th</sup>
21. 100<sup>th</sup>
22. 101<sup>st</sup>
23. 102<sup>nd</sup>
24. 103<sup>rd</sup>
25. 104<sup>th</sup>
26. 105<sup>th</sup>
27. 106<sup>th</sup>
28. 107<sup>th</sup>
29. 108<sup>th</sup>
30. 109<sup>th</sup>
31. 110<sup>th</sup>
32. 111<sup>th</sup>

33. 113<sup>th</sup>
34. 114<sup>th</sup>
35. 115<sup>th</sup>
36. 116<sup>th</sup>
37. 117<sup>th</sup>
38. 118<sup>th</sup>
39. 119<sup>th</sup>
40. 120<sup>th</sup>
41. 121<sup>st</sup>
42. 122<sup>nd</sup>
43. Stone Harbor Point
44. 80<sup>th</sup>
45. 81<sup>st</sup>
46. 82<sup>nd</sup>
  
47. 83<sup>rd</sup>
48. 84<sup>th</sup>
49. 86<sup>st</sup>
50. 88<sup>th</sup>
51. Yacht Club (90<sup>th</sup> private)
52. 93<sup>rd</sup>
53. 94<sup>th</sup>
54. 95<sup>th</sup>
55. 96<sup>th</sup>
56. 99<sup>th</sup>
57. Sunset/Berkley
58. Corinthian/Berkley
59. Sunset/104<sup>th</sup>
60. Corinthian/104<sup>th</sup>
61. 105<sup>th</sup>
62. 106<sup>th</sup>
63. 107<sup>th</sup>
64. 110<sup>th</sup>
65. Sunset/111<sup>th</sup>
66. 114<sup>th</sup>
67. Paradise Drive
68. 3<sup>rd</sup> and 122<sup>nd</sup>

as identified in Addendum A (Approximate Street End Descriptions) and Addendum B (Maps 1- 20) renumbered excerpts from the official 2019 tax map of the Borough of Stone Harbor, hereinafter the "Property(s)," and Grantor holds the requisite interest to grant this Deed of Easement, as highlighted in yellow, listed above for use by the State

of New Jersey and the Borough of Stone Harbor their representatives, agents, contractors and assigns to:

- a. Construct, preserve, patrol, operate, maintain, repair, rehabilitate, and replace a public access area to allow the public access to tidal waterways;
- b. Post signs;

The easement reserves to the Grantor and the Grantor's successors and assigns the right and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the Grantees, subject however to existing easements for utilities and pipelines, existing public highways, existing paved public roads and existing public streets.

**Duration of Easement:** The easement granted hereby shall be in perpetuity, and in the event that the Borough of Stone Harbor or the State of New Jersey shall become merged with any other geopolitical entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective representatives, successors and assigns and shall continue as a servitude running in perpetuity with the land.

**Municipality to Maintain Public Access:** The Municipality agrees, consistent with all Federal, State and local statutes and regulations, that at all times it shall use its best, good-faith efforts to preserve, cause and ensure the public access areas to be maintained, consistent with all applicable Federal, State or local laws or regulations, notwithstanding any action or inaction of the State of New Jersey.

**Character of Property(s):** Notwithstanding the foregoing, nothing herein is intended or shall be deemed to grant the Grantees or otherwise permit the Grantee or any other person to cross over or use any part of the Property(s) which is not within the Easement Area; nothing herein is intended or shall be deemed to alter the boundary lines or setback lines of the Property(s).

By the acceptance of this Deed of Easement, the Municipality agrees, to the extent allowed by applicable law, that the Property(s) burdened by the easement herein described shall not be excluded from the calculations of minimum square footage requirements when construing applications under the Zoning Ordinance of the Municipality.

**Miscellaneous:**

1. The enforcement of the terms of this Easement shall be at the discretion of the Grantees and any forbearance by Grantees to exercise their rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent violation or of any of Grantees rights under this Easement. No delay or omission by Grantees in the exercise of any

right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.

2. The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey: however, in the event that any dispute arises relative to the terms herein the same shall be resolved before the Superior Court of the County of Cape May.
3. If any provisions of this Deed of Easement or the application thereof to any person or circumstance is found to invalid, the remainder of the provisions of this Easement or the application of such provisions to person or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.
4. Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first-class mail, postage prepaid and by Certified Mail, Return Receipt Requested, addressed to the mailing addresses set forth above or any other address of which the relocation party shall notify the other, in writing.
5. The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.
6. Structures no part of the project are not authorized.

**IN WITNESS WHEREOF**, with the parties understanding and agreeing to the above, they do hereby place their signature on the date at the top of the first page.

Accepted by the Property(s) Owner, Grantor

BOROUGH OF STONE HARBOR

\_\_\_\_\_

JUDY DAVIES DUNHOUR-MAYOR      ATTEST: SUZANNE STANFORD, CLERK

Date: \_\_\_\_\_

STATE OF NEW JERSEY

Ss:

COUNTY OF CAPE MAY

I CERTIFY that on JUDY DAVIES DUNHOUR, MAYOR personally came before me and this person acknowledged under oath, to my satisfaction that this person (or if more than one, each person);

- 1) Is named in and personally signed this Deed of Easement;
- 2) Signed, sealed and delivered this Deed of Easement as his or her act and deed;
- 3) Has the requisite legal authority to sign this Deed of Easement;
- 4) Is the Mayor of the municipality that holds the requisite ownership interest and authority to execute this Deed of Easement; and
- 5) Made this Deed of Easement for the full and actual consideration as set forth herein.





**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(4)

**RESOLUTION**

*Council Meeting – May 21, 2019*

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, duplicate tax payments were received by the homeowner and Shore Title Agency for the 2<sup>nd</sup> quarter tax installment on Block 96.03 Lot 88 Qualifier C0002, A.K.A. 235 96<sup>th</sup> Street, Unit B; and

**WHEREAS**, the property owner, Larry Hanker, requested a refund; 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 \$960.90 be issued to LRH Realty LLC, 142 91<sup>st</sup> Street, Stone Harbor NJ 08247; 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 ....., 2019

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2019

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(5)

**RESOLUTION**

**ACCEPTING DONATION OF A 1999 BOSTON WHALER VESSEL FROM ROBERT S. & NANCY CHEATLE JR FOR USE BY THE POLICE DEPARTMENT**

WHEREAS, Robert & Nancy Cheatle of 346 99<sup>th</sup> Street, Stone Harbor, NJ 08247 and 1398 Lamplighter Circle, North Wales, PA 19454 has donated as a gift the following items;

- 1. 1999 Boston Whaler Outrage 24i, VIN# BWCLA 005K5 96
- 2. 1996 Load Rite Trailer, VIN# 4L2LA4W20T2000011
- 3. Two (2) 2012 Evinrude E-Tec 200HP outboard engines, Serial #05343162, 05343548
- 4. Lowrance GPS, Depth Finder, VHF Radio, Stereo/CD Player

to the Borough of Stone Harbor for use by the Stone Harbor Police Department , and

WHEREAS, the Borough Council has determined that such a donation is in the nature of a gift to the Borough and therefore exempt from the provisions of N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, the Borough Council has determined that the acceptance of such donation will benefit the Stone Harbor Police Department and the citizens and visitors of the Borough; and

WHEREAS, Robert & Nancy Cheatle makes the donation as an outright, unconditional gift to the Borough.

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 21st day of May, 2019, as follows;

- 1. That the preamble of this Resolution is hereby incorporated herein by reference;
- 2. That Mr. & Mrs. Cheatle executes this Resolution to demonstrate their agreement with the Preamble
- 3. That the Mayor and Clerk are hereby authorized to sign this Resolution on behalf of the Borough to accept the gift.
- 4. That, on behalf of the citizens of and visitors to the Borough of Stone Harbor, the Mayor and Council offer sincere thanks to Mr. & Mrs. Cheatle for their donation.

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 ....., 2019

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2019

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(6)

**RESOLUTION**

WHEREAS, the following submitted Surety Performance for street openings; and

WHEREAS, none of the fees were used in conjunction with the project at 200 – 89<sup>th</sup> Street, and

WHEREAS, the Construction Office has requested and approved the return of the fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor on this 21<sup>st</sup> day of May, 2019 that the fee be reimbursed as follows:

Mitchell or Elizabeth Besvinick  
1280 Brighton Way  
Newtown Square, Pa. 19073  
200 – 89<sup>th</sup> Street  
Block 88.03  
Lot 71 & 72  
\$ 6,940.00

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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of....., 2019

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(1)

**RESOLUTION**

WHEREAS, Steven Wilson, 19 New Cut Road, Airville, Pa. 17302 rented boat slip # 67 in the Borough Marina; and

WHEREAS, Mr. Wilson has requested a refund of \$1,500 since his boat was too wide for the slip.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 21<sup>st</sup> day of May, 2019 that \$ 1,500 be refunded to Mr. Wilson and that the proper officers make the proper adjustments in their 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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of....., 2019

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(8)

**RESOLUTION**

PERSON TO PERSON – PLACE TO PLACE TRANSFER OF STONE HARBOR PLENARY RETAIL CONSUMPTION LICENSE 0510-32-004-010 FROM HARBOR LIQUORS LLC TO QUAHOG’S RESTAURANT INC.

WHEREAS, an application has been filed for a Person-to Person- Place to Place Transfer of Plenary Retail Consumption License Number 0510-32-004-010 heretofore issued to Harbor Liquors, LLC for premises located at 330 – 96<sup>th</sup> Street, Stone Harbor, New Jersey 08247; and

WHEREAS, the applicant seeks to transfer the license to Quahog’s Restaurant, Inc. for its existing restaurant at 206 – 97<sup>th</sup> Street including the entire building, storage sheds and coolers and the adjacent outdoor areas.

WHEREAS, the submitted application consists of  
Checks for \$550 (payable to Stone Harbor), \$200 (payable to ABC)  
State ABC 12 page Person to Person- Place to Place transfer application  
Consent to Transfer  
Bulk Sale (Alcoholic Beverage Inventory) Form  
Notice of Transfer Proof of Publication  
Tax Clearance Certificate

WHEREAS, the Police Department has found that the applicants are qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well a pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Stone Harbor, New Jersey does hereby approve, effective May 21, 2019, the Place to Place and Person to Person transfer of the aforesaid Plenary Retail Consumption License to Quogog’s Restaurant Inc. and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership.

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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of....., 2019

Mayor

(#9)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A CLUB LICENSE TO: 222 – 81<sup>ST</sup> STREET, LLC**

**Whereas**, 222 – 81<sup>st</sup> Street LLC #0510-31-006-001 has made a renewal application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for the Club License for the year beginning July 1, 2019 to June 30, 2020; 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.

**Whereas**, the following conditions shall apply:

- A. Seating shall be reserved for members only and their guests;
- B. There shall be a service bar only without adjacent seating. No seating shall be permitted at the bar and drinks shall only be served by waiters or waitresses.
- C. The use shall be as a restaurant only with no catering functions. Accordingly, under no circumstances shall the premises be open for weddings or other "life celebratory" or catered events.
- D. Music shall be limited to live background music only, utilizing small amplifiers of 15 Watts or less.
- E. All live music shall terminate at 10 p.m. Further, any recorded music played through the sound system shall terminate no later than 11 p.m.
- F. The first dinner seating shall occur no earlier than 5:30 p.m. And the last dinner seating shall occur no later than 9 p.m.
- G. The premises shall be utilized as a restaurant seasonally and shall open no earlier than Memorial Day and close no later than the Sunday before Labor Day.
- H. The Licensee shall comply with all Borough Regulations and Ordinances.
- I. Any violation of the above may result in a suspension or termination of the license at the discretion of the governing body.

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 222 – 81<sup>st</sup> Street, LLC. That said license shall become effective on July 1, 2019 and be for the one year from said date expiring at the close of business on June 30, 2020 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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of ....., 2019

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, 2019 to June 30, 2020; 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 on this 21<sup>st</sup> day of May, 2019 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, 2019 and be for the one year from said date expiring at the close of business on June 30, 2020 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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of....., 2019

Mayor



# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

(11)

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, 2019 to June 30, 2020; 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

(13)

**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. *Matters related to purchase, lease, sale or acquisition of real property with public funds.*
2. *Litigation and Attorney-Client Privilege*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on May 21, 2019 that an Executive Session closed to the public shall be held on May 21, 2019 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 ....., 2019

Borough Clerk

The above resolution approved this ..... day of....., 2019

Mayor