

Web

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

AGENDA REGULAR MEETING

TUESDAY

May 7, 2019

4:30 p.m.

Accept Resignation

Ordinance 1546 Bond 2nd 3rd and final (1) Gallagher
Ordinance 1547 Bond W & S 2nd 3rd and final (2) Moore
Ordinance 1548 Flooded Streets 2nd 3rd and final (3) Krafczek
Ordinance 1549 Drones 2nd 3rd and final (4) Parzych

Resolution – Change Order #1 – RTW Construction – 95th Street (5)
Gallagher

Resolution – Lifeguard Salary (6) Krafczek

Resolution – EUS Power House Field Hockey (7) Gallagher

Resolution – EUS Exit Zero Lacrosse Camp (8) Gallagher

Resolution – Refund Security Deposit Recreation Building (9) Rich

Resolution – Chapter 159 – NJDOT Grant 88th Street (10) Moore

Resolution – Award Beach Strands (11) Parzych

Resolution – Refund re-inspection fee – Fire Official (12) Parzych

Motion – Special Event Application Stone Harbor Men's Sunday Softball
League (13)

DISCUSSION:

269 88th Street
Stone Harbor, NJ 08247
May 1, 2019

Suzanne Stanford
Stone Harbor Borough Clerk

Dear Suzanne:

It has been a great pleasure and honor to serve as a Council person during the last several months on the Stone Harbor Borough Council.

Unfortunately, I recently required major surgery, and a long recovery is expected. I do not feel I could keep up my duties as a member of council. Therefore, it is with regret, that I resign as of May 1, 2019 from the Stone Harbor Borough Council.

It has been a pleasure working with you, and I appreciate all of the assistance you have provided to me during these past months.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob", with a stylized flourish extending from the end.

Robert J. Levins

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE 1546

**BOND ORDINANCE APPROPRIATING \$5,395,980, AND
AUTHORIZING THE ISSUANCE OF \$4,841,181 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF STONE HARBOR,
IN THE COUNTY OF CAPE MAY, NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY** (not less than
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$5,395,980 including the aggregate sum of \$554,799 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$5,395,980 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$4,841,181 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$4,841,181 are hereby

authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional vehicular equipment, including one (1) trash truck, one (1) utility vehicle and two (2) service vehicles with plows for use by the Department of Public Works of the Borough, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$320,000	\$304,000
(b) Improvement of municipally-owned facilities and property in and by the Borough, including by the resurfacing of the recreational courts and the upgrade of beach access facilities so as to comply with the Americans with Disability Act, together with for all the aforesaid all equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	714,000	678,300
(c) Acquisition by purchase and installation, as necessary, of new and additional equipment, including security cameras and radios for use by the Police Department of the Borough, radios for use by the Fire Department of the Borough, trash and recycling equipment, one (1) loader/backhoe and one (1) skiff boat for use by the Department of Public Works of the Borough, together with for all the aforesaid all attachments, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	940,558	893,530

(d) Improvement of municipally-owned beach and bay property in and by the Borough, including the replenishment of sand, the dredging of bays, and the upgrade of the 114th Street bulkheads and improvements to the 111th Street outfall, together with all structures, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

580,000

266,000

(e) Improvement of various roads in and by the Borough by the construction, reconstruction, surfacing or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including, without limitation, the 300 block of 87th Street and 88th Street, the 200 block of 88th Street, 89th Street, 90th Street, 91st Street and 118th Street and the 100 block of 105th Street, together with all curbing, sidewalks, paving, striping, engineering, drainage improvements, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

2,246,422

2,134,101

(f) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Borough, including one (1) pumper truck for use by the Fire Department of the Borough, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

595,000

565,250

Totals

\$5,395,980

\$4,841,181

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully

acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.58 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$4,841,181, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$550,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such

determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(2)

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE 1547

**BOND ORDINANCE APPROPRIATING \$4,753,175, AND
AUTHORIZING THE ISSUANCE OF \$4,753,175 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS WATER AND
SEWERAGE SYSTEM IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY,
NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY** (not less than
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor.

Section 2. For the financing of said improvement or purpose and to meet said \$4,753,175 appropriations, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$4,753,175 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$4,753,175 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated

cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of the water and sewerage system in and by the Borough by the upgrade of the infrastructure located at the 300 block of 87 th Street and 88 th Street, the 200 block of 88 th Street, 89 th Street, 90 th Street, 91 st Street and 118 th Street and the 100 Block of 105 th Street, together with all engineering, equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$2,253,175	\$2,253,175
(b) Improvement of the water and sewerage system in and by the Borough by the upgrade of the water meters, and the installation of new pipes, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	200,000	200,000
(c) Acquisition by purchase and installation, as necessary, of new and additional equipment, including outfall duck bills, together with all attachments, accessories, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.	50,000	50,000
(d) Acquisition by purchase of new vehicular equipment, including one (1) utility vehicle, together with all attachments, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	85,000	85,000
(e) Engineering costs associated with the improvement of the water and sewerage system in and by the Borough relating to the upgrade of the 114 th Street lift station, the upgrade of the 80 th Street well, and the relocation of generators, together with all designs, studies, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	165,000	165,000

(f) Improvement of the water and sewerage system in and by the Borough by the upgrade of the storm water system in and along Third Avenue, the upgrade of force mains and lift stations and the drinking water system by the upgrade of wells, together with all infrastructure, equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

2,000,000

2,000,000

Totals

\$4,753,175

\$4,753,175

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 39.11 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance

by \$4,753,175, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$650,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvements and are included in the foregoing estimates thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in subsection (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is "self-liquidating" within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to subsection (c) of section 40A:2-44 of said Local Bond Law, from gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or

delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from the revenues of the water and sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(3)

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 1548

**AN ORDINANCE AMENDING CHAPTER 520 Vehicles and Traffic OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR**

WHEREAS, the operation of motor vehicles on flooded roadways can create a wave or wake which carries beyond the street edge or curb line and causes damage to public and private property; and

WHEREAS, the Mayor and Council deems it prudent to create regulations in order to protect public and private property which can be damaged during flooding condition the streets of the Borough.

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

Chapter 520 of the Code of the Borough of Stone Harbor- Section 520-2 - Authorization for closing of any street, shall be amended by adding the following

E. Operation of motor vehicles during flooding conditions.

1. Definition – Flooded Roadway – any portion of any public street or right-of-way in which there exists a depth of water exceeding six (6) inches.

2. Prohibition – No person shall operate a motor vehicle on a flooded roadway in a manner that casts or discharges a wave or wake that carries beyond the edge of the street or curb line.

3. Violations and penalties – any person violating the provisions of this article, shall upon conviction thereof, be punishable by a fine of not more than \$1,250 or by imprisonment for a term not exceeding 90 days, or both. For the purposes of a prosecution under this article, it shall not be a defense that the wave or wake that was created by operation of a motor vehicle on a flooded roadway did not cause actual damage to public or private property.

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:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(4)

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

ORDINANCE 1549

**AN ORDINANCE AMENDING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF STONE HARBOR, 2005**

(REGULATION OF UNMANNED AIRCRAFT) ARTICLE V

405.12 Purpose and Intent

The operation of unmanned aircraft such as model aircraft and civil unmanned aircraft systems, commonly known as drones, can at times pose a hazard to full-scale aircraft in flight and to persons and property on the ground. Imposing community-based safety requirements on the operation of model aircraft and imposing restrictions on the operation of both model aircraft and civil unmanned aircraft systems consistent with federal aviation rules and state law is necessary to mitigate such risks and to protect the public from the hazards associated with the operation of unmanned aircraft.

405.13 Definitions.

For purposes of this chapter:

(a) "Civil unmanned aircraft system" shall mean an unmanned aircraft or unmanned aircraft system operated by any person for any purposes other than strictly hobby or recreational purposes, including, but not limited to, commercial purposes or in furtherance of, or incidental to, any business or media service or agency.

(b) "Emergency responder" shall mean any person who is an officer, employee, or member of a fire department or fire protection or firefighting agency of the federal government, the state of New Jersey, a Borough, county, district, or other public or municipal corporation or political subdivision of this state, or of a sheriff's department, police department, marine safety department, or a private fire department, or of a disaster medical response entity sponsored or requested by this state, whether that person is a volunteer or partly paid or fully paid, while he or she is actually engaged in providing emergency services.

(c) "Model aircraft" shall mean an unmanned aircraft or unmanned aircraft system operated by any person strictly for hobby or recreational purposes.

(d) "Person" shall mean any natural person, corporation, company, firm, association, organization, co-partnership, joint venture, trust, business trust, syndicate, estate, receiver, society, club, fraternal organization, any group or combination acting as a unit, and officer, agent, employee and servant of any of the foregoing.

(e) "Public unmanned aircraft system" shall mean an unmanned aircraft or unmanned aircraft system operated by any public agency for government related purposes.

(f) "Unmanned aircraft" shall mean an aircraft, including, but not limited to, an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft.

(g) "Unmanned aircraft system" shall mean an unmanned aircraft and associated elements, including, but not limited to, any communication links and components that control the unmanned aircraft.

405.14 Use of unmanned aircraft for filming or still photography production.

No person shall use an unmanned aircraft within borough limits to engage in the business or the activity of filming, still photography production, taking or producing motion pictures on movie film or electronic video tape for educational, entertainment or other commercial purposes without first obtaining a permit pursuant to the appropriate federal, state, and municipal authorities.

405.15 Operational requirements.

The following shall apply to the operation of any model aircraft or civil unmanned aircraft system within borough boundaries:

(a) No person shall operate any model aircraft or civil unmanned aircraft system in a careless or reckless manner so as to endanger the life or property of another. A person acts recklessly with respect to the operation of any model aircraft or civil unmanned aircraft system when he consciously disregards a substantial and unjustifiable risk that exists or will result from his conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the actor's conduct and the circumstances known to him, its disregard involves a gross deviation from the standard of conduct that a reasonable person would observe in the actor's situation. A person acts carelessly when he operates any model aircraft or civil unmanned aircraft system without due caution and circumspection, in a manner so as to endanger, or be likely to endanger, a person or property.

(b) No person shall operate any model aircraft or civil unmanned aircraft system to capture, record or transmit any visual image or audio recording of any person or private real property located in the Borough under circumstances in which the subject person or owner of the subject real property has a reasonable expectation of privacy (including, but not limited to, inside a residence, inside a private office, and inside a hotel room).

(c) No person shall operate any model aircraft or civil unmanned aircraft system in a manner designed, intended or which serves to harass, stalk, vex, annoy, disturb, frighten, intimidate, injure, threaten, victimize or place in extreme mental or emotional distress any particular person, whether that person is located on public or private property. The conduct described in this subsection includes, but is not limited to, using a model aircraft or civil unmanned aircraft system to follow and film, video-record, live-stream or photograph a person who has not consented to such activity.

(d) No person shall operate any model aircraft or civil unmanned aircraft system in a manner that interferes with a parade or motorcade.

(e) No person shall operate any model aircraft or civil unmanned aircraft system in a manner that interferes with the operation, support, or enabling of emergency services by an emergency responder.

(f) No person shall operate any model aircraft or civil unmanned aircraft system which contains, or has affixed or attached to it a weapon, gun, firearm, handgun, rifle, bb device, assault weapon, bomb, grenade, rocket, rocket-propelled projectile, any device or container assembled for the purpose of causing an explosion, or any other weapon.

(g) No person shall use any model aircraft or civil unmanned aircraft system for the purposes of molesting any wildlife.

405-16 Exemption for Borough use.

This chapter shall not apply to an unmanned aircraft that is operated by or on behalf of the Borough in compliance with all federal laws and regulations and applicable Borough policies.

405.17 Violations.

Violations of this chapter may be enforced by any means available to the Borough, including, but not limited to, criminal enforcement, civil action, and administrative citation.

- (a) A person who violates this ordinance shall be subject to a penalty of not more than five hundred (\$500.00) dollars for the first offense and not more than one thousand (\$1,000.00) dollars and/or imprisonment not to exceed thirty (30) days, for each subsequent offense.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with RTW Construction, Inc. 16 Old Red Lion Road, South Hampton, N.J. 08088 for the Reconstruction of 95th Street File No. 05-10-U-079 & 05-10-U-86; and

WHEREAS, it is the recommendation of the Remington Vernick Engineers, Inc. to authorize Change Order No. 1.

1. Conflicts with existing utilities

WHEREAS, Change Order No. 1 – will result in an increase of \$ 12,431.00 to the original contract amount of \$ 1,932,450.00 for an amended contract amount of \$ 1,944,881.00.

NOW, THEREFORE, BE IT RESOLVED, this 7th day of April, 2019 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1 is hereby authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No.1 to increase the original contract price by \$12,431.00.

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

RESOLUTION

ESTABLISHING WAGE RATES FOR BEACH PATROL AND BEACH TAG PERSONNEL

WHEREAS, the Borough of Stone Harbor maintains a Beach Patrol for the protection of the health, safety and welfare of beach-goers during the summer season and also maintains a contingent of beach tag personnel in order to enforce the Borough's beach tag ordinance and provide convenient points of sale of beach tags to visitors; and

WHEREAS, the Beach and Recreation Committee of Borough Council have determined that it is in the best interests of the Borough to provide a more competitive wage scheduled, complete with certain incentives, in order to continue to attract qualified and committed persons to serve as lifeguards on the Borough's beaches:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 7th day of May, 2019 as follows:

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That members of the Beach Patrol be compensated for work during the 2019 season in accordance with the following schedule:

<u>Item</u>	<u>Lifeguard Rate</u>
1 st year of service	\$100/day
2 nd year of service	\$102/day
3 rd year of service	\$104/day
4 th year of service	\$106/day
5 th year of service	\$108/day
6 th year of service	\$110/day
7 th year of service	\$112/day
8 th year of service	\$114/day
9 th year of service	\$116/day
10 th year of service	\$118/day
11 th year of service	\$120/day
12 th year of service	\$122/day
13 th year of service	\$124/day
14 th year of service	\$126/day
15 th year of service	\$128/day
<u>Over 16 years</u>	<u>2% increase (added)</u>

Lieutenant Rate

Year 1 \$137.00/day

After year 1 – \$149/day

Lieutenants – Sr. Lieutenants \$152/day

BONUSES:

A lifeguard who has worked a total of at least 40 full days shall receive a bonus of \$ 50.00 for each day worked from August 15th until the last day of operation

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

3. That beach tag personnel be paid in accordance with the following schedule:
Beach Tag Checkers and Office Staff

Range: \$9.50/hour - \$16.00/hour (returnees automatically receive additional .50/hour)

BONUSES: Taggers will receive an additional .50 for every tag sold.

4. That the provisions of this Resolution shall become effective immediately upon passage and shall be subject to the continuing review of the Beach and Recreation Committee and may be modified, in the sole discretion of the Borough Council, as deemed appropriate from time to time.

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, 2019

.....
Borough Clerk

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

.....
Mayor

(7)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR POWER HOUSE FIELD HOCKEY DURING SUMMER SEASON OF 2019

WHEREAS, the Borough of Stone Harbor, in an effort to expand recreational opportunities for residents and visitors has pursued the provision of certain "sports camps" which are extraordinary and not amenable to typical specification processes; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as an Extraordinary Unspecifiable Service; and

WHEREAS, a contract for the following service has been prepared and is on file with the Borough Clerk.

POWER HOUSE FIELD HOCKEY

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 7th day of May, 2019, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Mayor and Council hereby approves the Award of Contract for establishment of Power House Field Hockey in 2019.

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

(8)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR EXIT ZERO GIRLS LACROSSE CAMP

WHEREAS, the Borough of Stone Harbor's Recreation Department is desirous of offering a girls Lacrosse summer camp for the 2019 summer season; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as an Extraordinary Unspecifiable Service; and

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 7th day of May, 2019, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Mayor and Council hereby approve the Award of Contract for establishment of Exit Zero Girls Lacrosse Summer Camp 2019.

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, 2019

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

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

RESOLUTION

Refund of Security Deposit Recreation Building

WHEREAS, Council on March 5, 2019 approved the use of the 82nd Street Recreation Building for the Oceanview at Avalon Condo Association meeting on April 27, 2019; and

WHEREAS, the Director of Tourism has advised there were no damages and requests the deposit be returned.

NOW THEREFORE, BE IT RESOLVED on this 7th 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 the security deposit of \$ 200.00 be returned Oceanview at Avalon Condo Association; and.

BE IT FURTHER RESOLVED that the Chief Financial make the proper adjustment in his 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

(10)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, NJS 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

SECTION I

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of items of revenue in the budget of the year 2019

N.J. Department of Transportation Reconstruction of 88th Street
\$200,000.00

SECTION II

BE IT FURTHER RESOLVED that a like sums are hereby appropriated;

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, 2019

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

Borough Clerk

.....
Mayor

(11)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

APPROVING A LEASE FOR USE OF BEACH STRAND FOR HOTEL/MOTEL BEACH STORAGE SHEDS

WHEREAS, one (1) bid was received by the Stone Harbor Municipal Clerk on May 1, 2019 on the Borough's request for proposals for the aforementioned project in accordance with the specifications prepared by the Borough of Stone Harbor, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, The Reeds at Shelter Haven, 9601 Third Avenue, Stone Harbor, N.J. 08247 submitted a bid for the 96th Street Location and conforming bid in the amount of \$ 17,000 for the year 2019.

WHEREAS, the Borough Administrator has recommended that a Lease be awarded to The Reeds at Shelter Haven and the bid has been found to be responsible and in conformity by the Borough Solicitor; and

WHEREAS, this Resolution, the incorporated proposal and the Lease shall constitute a contract and that the Mayor and Clerk be and are hereby authorized and directed to execute said Lease on behalf of 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 7th day of May, 2019 as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That a Lease for the aforementioned project be and the same is hereby awarded to The Reeds at Shelter Haven, 9601 Third Avenue, Stone Harbor, N.J. in the amount of \$ 17,000 for year 2019.
3. That the Mayor and Clerk are hereby authorized and directed to execute the attached Lease for same in accordance with the bid submitted and incorporated herein as stated above.
4. That the Borough Administrator is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed.

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

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

Borough Clerk

Mayor

(12)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the following submitted a re-inspection fee of \$25.00 for 282 – 82nd Street;
and

WHEREAS, it has been established by the Fire Official that a re-inspection was not
needed; and

WHEREAS, property owner has requested and the Fire Official has approved the return
of said fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor on this 7th
day of May, 2019 that the \$25.00 re-inspection fee be refunded to the following:

Chris Keller
417 Apache Drive
Sinking Spring, Pa. 19608

BE IT FURTHER RESOLVED that the Chief Financial Officer shall take any and all
steps necessary to effectuate such refund 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, 2019

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

Borough Clerk

Mayor