

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

AGENDA REGULAR MEETING

TUESDAY

July 2, 2019

4:30 p.m.

Ordinance 1552 – Authorize Private Sale of Real Property – bulkhead 104th Street 2nd 3rd and final (1) Krafczek

Resolution – Join COOP NJ Wastewater Cooperative Pricing (2) Parzych

Resolution – Refunds – Kiosk charge & Beach tags (3) Gallagher

Resolution – Professional Services Contract Shore Counseling (4) Rich

Resolution – Refund – Overpayment Construction Permit (5) Gallagher

**Motion – Special Event Application (6) Gallagher
Ace Furniture Sale**

Motion – New Fireman (7) Dallahan

DISCUSSION:

(1)

**BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY
ORDINANCE NO 1552**

**AN ORDINANCE TO AUTHORIZE A PRIVATE SALE OF REAL PROPERTY
SITUATE BETWEEN AN EXISTING BULKHEAD AND THE
NORTHWESTERLY PROPERTY LINE OF LOTS 539 AND 540, BLOCK 200.03
ON THE TAX MAP OF THE BOROUGH OF STONE HARBOR TO THE
CONTIGUOUS LANDOWNER THERETO PURSUANT TO N.J.S.A. 40A:12-
13.2**

WHEREAS, the Borough of Stone Harbor appears to have an ownership interest in a certain tract or parcel of land having no lot or block designation but being described pursuant to a metes and bounds description prepared by Dante Guzzi Engineering Associates, LLC with dimensions of approximately 79.05' x 4.49' and containing 361.84 sq. feet, hereinafter "Property"; and

WHEREAS, RKH Holdings, LLC (hereinafter "Contiguous Landowner") is the owner of lands contiguous to the Property, said lands being known as Block 200.03, Lots 539 & 540 as shown on the official tax map of the Borough of Stone Harbor and being commonly known as 344 104th Street; and

WHEREAS, Contiguous Landowner desires to purchase the property consisting of approximately 79.05' x 4.49' and containing 361.84 sq. feet landward of the existing bulkhead facing the waterway and has offered to reconstruct approximately 85 linear feet of bulkhead fronting the property and as shown on a survey prepared by Dante Guzzi Engineering Associates dated June 10, 2014 last revision October 29, 2018 and described by a metes and bounds description copies of which are attached hereto and made a part hereof as Exhibit A, with said design and construction to meet the approval of the Borough Engineer; and

WHEREAS, a portion of the Property is without any capital improvements thereon (the existing bulkhead is in disrepair and in need of replacement) and is less than the minimum size required for development under the municipal zoning ordinance; and

WHEREAS, in the judgment of the Governing Body of the Borough of Stone Harbor the said land is of no further use for public purpose and is not needed for public use and should be disposed of in accordance with *N.J.S.A. 40A:12-13.2* by sale to the contiguous landowner upon the terms and conditions hereinafter set forth.

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

SECTION 1. There is hereby authorized for private sale to the Contiguous Landowners, RKH Holdings, LLC, pursuant to the provisions of *N.J.S.A. 40A:12-13*, a tract of parcel of land having no lot or block designation but being described pursuant to a metes and bounds description prepared by Dante Guzzi Engineering Associates, LLC with dimensions of approximately 79.05' x 4.49' and containing 361.84 sq. feet (Schedule A).

SECTION 2: The consideration for this sale shall be a payment to the Borough in the amount of \$25,000.00 and the construction of approximately 85 linear feet of replacement bulkhead in the same location as an existing deteriorated bulkhead fronting the parcel.

SECTION 3: The cost estimate of construction of the bulkhead if performed by the Borough would be approximately \$1,500.00 per linear foot for a total estimated cost of \$127,500.00, which sum meets or exceeds the fair market value of the property.

SECTION 4: An Agreement with the Contiguous Landowner containing the terms herein and as provided by the Borough Solicitor, is hereby authorized and shall be executed by the Mayor of the Borough of Stone Harbor and the Contiguous Property Owner incorporating all essential terms and conditions of the conveyance.

SECTION 5: The Mayor of the Borough of Stone Harbor shall execute and deliver to the Borough Solicitor, a Quit Claim Deed in proper form for recording in accordance with the laws of the State of New Jersey, conveying the Property, which deed is to be held in escrow by the Borough Solicitor pending completion and approval of the bulkhead by the Borough Engineer. Construction shall be performed no later than five (5) months from the passage of this Ordinance.

SECTION 6: Settlement for conveyance of the Property shall occur within thirty (30) days after completion and approval of the constructed bulkhead, settlement to be held at the Borough of Stone Harbor City Hall or such other place as agreed to by the parties.

SECTION 7: All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 8: This ordinance shall take effect upon its final passage and publication as required by law.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

Introduction: _____

Enactment: _____

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

WHEREAS, the Borough of Stone Harbor desires to become a member of the North Jersey Wastewater Cooperative Pricing System, NJWCPS , effective July 2, 2019 and, that such membership shall be for the period ending November 24, 2019, and each renewal, thereof of the system, unless the Borough of Stone Harbor formally withdraw from the system;

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of July, 2019 that the Mayor and Borough Clerk are hereby authorized to execute the attached agreement for such membership.

DATED:

BY:

ATTEST:

Borough Clerk

Mayor

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

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

WHEREAS, the following has applied for a refund for a seasonal pass at the Boat Ramp and was charged \$100.00 twice; and

WHEREAS, the credit card transaction for the boat ramp is attached;

Boat Ramp Pass Paid twice - \$100
Tom McKelrie
1350 Trenton Avenue
Williamstown, N.J. 08094; and

WHEREAS the following have applied to the CFO for refunds for beach tags; and

WHEREAS there are no written requests, all have been verbal to the CFO and the beach tags have been returned.

Beach Tags
Julie Schellenger \$230.00
1 Jorrocks Lane
Malvern, Pa. 19355

Sara Schwartz \$92.00
827 Cobb Hill Lane
Pottstown, Pa. 19465

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 2nd day of July, 2019 that the above mentioned amounts be refunded and that the proper Borough 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

(4)

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH SHORE COUNSELING SERVICES

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body ; and

WHEREAS, the Borough, like may other municipalities, offers an Employee Assistance Program (EAP) to provide confidential counseling; and

WHEREAS, Shore Counseling Service, LLC are experienced mental health counselors and possess knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction; and

WHEREAS, the total amount of the contract for the EAP is \$2700.00, as referenced in the attached contract which is incorporated herein by reference and made a part hereof, which amount is below the bid threshold and below the pay-to-play threshold; the contract timing being from June 1, 2019 to May 31, 2020; and

WHEREAS, funds are available as evidenced by the Chief Financial Officer's Certification attached hereto;

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 2nd day of July 2019, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the Mayor and Clerk are directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract which is incorporated herein by reference and made a part hereof;
3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law;
4. That the aforementioned contract is entered into under and subject to the equal opportunity, anti-discrimination and affirmative action laws and regulations of the State of New Jersey, which are hereby incorporated by reference and the contractor shall execute a copy of the required language which shall become part of the contract;
5. That a notice of the letting of this Professional Services Contract be published in accordance with law within ten (10) days of its passage in an official paper of the Borough as designated in accordance with law.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2019

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

WHEREAS, the following submitted fees for a Construction Permit in the amount of \$ 96.00 for a work site location of 120 – 115th Street ; and

WHEREAS, the amount due on the permit was \$ 76.00, causing an overpayment of \$ 20.00; and

WHEREAS, builder has requested a refund of the overpayment.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the Construction Permit overpayment of \$ 20.00 be refunded to the following:

Eldon Builders
1001 Shunpike Road
Cape May, N.J. 08204

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

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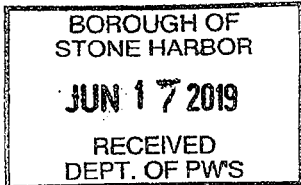
Borough Clerk

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

.....

Mayor

(6)



Date of Application 6/14/19
circ. 6/14/19



Borough of Stone Harbor 2019 Special Events Application

Name of Event: The Brown Family SANDCASTLE
Date of Event: 7/30/19 rainedate 7/31 Time of Event: 11AM - 6PM
Type of Event: Festival 1K / 5K / Athletic / Bike Race / Marathon Other SANDCASTLE

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A non-refundable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee charged to each organization operating a special event. A contract will then be executed stating the terms and conditions in which both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials. Special events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special event permit. Such special events shall be governed by applicable Borough policies. Borough Council retain the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

APPLICATION REVIEW FEES

- \$50 if filed prior to 60 Days of event
- \$75 if filed prior to 30 Days of event
- \$125 if filed prior to 15 Days of event

Organization is responsible for the non-refundable application review fee. If organization paid the non-refundable deposit with their *Letter of Commitment*, it will be reflected in the event contract following Borough Council approval. Additional event and public land fees may apply. You will be notified of any applicable fees following the review of your application.

2019 EVENT FEES

5k:\$150 (0-250 Participants) 10k or Triathlons\$500
(Designated Route Only) \$250 (250-500 Participants)
\$500 (500 Participants or More)

Event Fees.....\$250 Per Day (1000 Participants and Under) / \$500 Per Day (1000 Participants and Over)

Seasonal use of facilities by Local Schools\$1500 per season / \$750 per season for each additional sport
(No Application Review Fee is required)

Use of 80th St. Fields\$250 per day (Before Friday of Memorial Day and after Labor Day)

Use of 80th St. Fields\$500 per day (first two days) / \$250 per each additional day (Memorial Weekend-Labor Day Weekend)

Use of Recreation Support Building (82nd & Second Avenue).....\$300