

THIS AGENDA IS SUBJECT TO LAST MINUTE ADDITIONS  
OR DELETIONS  
**AGENDA      ORGANIZATION MEETING      JANUARY 7, 2020**

1. Meeting called to order
2. Clerk call the Roll
3. Notice concerning Public Meetings Law
4. Salute to the Flag
5. Reading of Election Results
6. Swearing in of Councilmember Gensemer – 222 votes  
Swearing in of Councilmember Krafczek – 194 votes  
Swearing in of Councilmember Moore – unexpired term – 196 votes  
Swearing in of Councilmember Dallahan – unexpired term – 201 votes
7. Nominations for President of Council
8. Nomination for Council Representative on Planning Board
9. Motion concerning Roberts Rules of Order
10. Standing Committees for 2020 Mayor will read
11. Non-Board Appointments Mayor will read  
Board appointment List 2020 Mayor will read
12. Hearing of the Public

13. Resolutions

- |   |                   |
|---|-------------------|
| 1. Temp Budget                          | (1-6) Dallahan    |
| 2. Newspapers                           |                   |
| 3. Meeting dates                        |                   |
| 4. Dates for Parking Meters             |                   |
| 5. Trash Collection Schedule            |                   |
| 6. Litter Abatement                     |                   |
| 7. Fund Commissioner                    | (7-12) Moore      |
| 8. Compliance Officer                   |                   |
| 9. Small Contracts                      |                   |
| 10. Cert of Receipt of Material         |                   |
| 11. Utility Exceptions                  |                   |
| 12. Contracts below Bid Limit           |                   |
| 13. Registrar                           | (13-17) Gensemer  |
| 14. Depositories                        |                   |
| 15. Tax Assessor file Appeals           |                   |
| 16. Interest of Taxes                   |                   |
| 17. Transfer 2019 tax to 2020           |                   |
| 18. Cash Management Plan                | (18 -22) Krafczek |
| 19. Appoint Borough Administrator       |                   |
| 20. Appoint Solicitor                   |                   |
| 21. Appoint Bond Counsel                |                   |
| 22. Appoint Alternate Engineers         |                   |
| 23. Appoint Conflict Attorney           | (23-27) Parzych   |
| 24. Public Defender                     |                   |
| 25. Labor Counsel                       |                   |
| 26. Employee Benefit Consultant         |                   |
| 27. Borough Auditor                     |                   |
| 28. Fire Company Stipend                | (28-34) Rich      |
| 29. Special Counsel, Affordable Housing |                   |
| 30. Animal Services                     |                   |
| 31. Wetlands                            |                   |
| 32. Beach Survey – Stockton             |                   |
| 33. Residential Fee changes             |                   |
| 34. Fire Inspection changes             |                   |

14. Ordinances

- a. Ordinance 1562 (Salary Ranges) INTRO Rich
- b. Ordinance 1563 (Sale of ground) INTRO Parzych

Motion – Acknowledging receipt of 2019 CRS progress report

- 15. Communications
- 16. Comments from Mayor and Councilmembers
- 17. Hearing of the Public
- 18. Motion to pay the bills
- 19. Motion to adjourn

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS FOR THE YEAR 2020

WHEREAS, in the normal operation of the business of the Borough of Stone Harbor, it will be necessary for making contracts, commitments and payments prior to the adoption of the regular budget for the Borough of Stone Harbor; and

WHEREAS, revised Statute 40A:4-19 of the State of New Jersey provides that the Governing Body of any municipality may make temporary appropriations to provide for any contracts, commitments or payments made between the beginning of the budget year and the adoption of the final budget; and

WHEREAS, the date of this resolution is within the thirty-one (31) days of the month of January, 2020 and will become effective January 1, 2020; and

WHEREAS, the total amount of appropriation hereunder of \$3,637,390.00 do not exceed twenty six and one quarter percent (26.25%) of the total appropriations of the Borough of Stone Harbor for 2019, exclusive of any 2019 appropriations made for debt service, capital improvement fund and public assistance.

BE IT RESOLVED that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records:

#### 1. GENERAL GOVERNMENT

|                             |            |
|-----------------------------|------------|
| General Administration      |            |
| Salaries & Wages            | 41,709.25  |
| Other Expense               | 7,697.00   |
| Mayor & Council             |            |
| Salaries & Wages            | 20,686.25  |
| Other Expense               | 3,519.25   |
| Municipal Clerk             |            |
| Salaries & Wages            | 50,299.75  |
| Other Expense               | 4,875.00   |
| Financial Administration    |            |
| Salaries & Wages            | 21,287.50  |
| Other Expense               | 14,490.00  |
| Audit Services              | 7,500.00   |
| Collection of Taxes         |            |
| Salaries & Wages            | 14,867.75  |
| Other Expense               | 3,208.50   |
| Assessment of Taxes         |            |
| Salaries & Wages            | 14,279.50  |
| Other Expense               | 3,776.25   |
| Legal Services              | 36,250.00  |
| Engineering Services & Cost | 6,250.00   |
| Planning Board              |            |
| Salaries & Wages            | 1,758.75   |
| Other Expense               | 5,896.25   |
| Zoning Board of Adjustment  |            |
| Salaries & Wages            | 10,762.50  |
| Other Expense               | 3,412.50   |
| Inspection of Buildings     |            |
| Salaries & Wages            | 54,192.50  |
| Other Expense               | 2,487.50   |
| Other Insurance Premiums    |            |
| General Liability           | 95,000.00  |
| Employee Group Insurance    | 360,000.00 |

# BOROUGH OF STONE HARBOR

## 2. PUBLIC SAFETY

Police Department CAPE MAY COUNTY, NEW JERSEY

|                  |            |
|------------------|------------|
| Salaries & Wages | 408,048.75 |
| Other Expense    | 22,125.00  |

## RESOLUTION

Office of Emergency Management

|                  |          |
|------------------|----------|
| Salaries & Wages | 3,925.00 |
| Other Expense    | 1,600.00 |

|                     |           |
|---------------------|-----------|
| Aid To Rescue Squad | 17,500.00 |
|---------------------|-----------|

Vol. Fire Company

|               |           |
|---------------|-----------|
| Other Expense | 95,962.50 |
|---------------|-----------|

Uniform Fire Code Official

|                  |           |
|------------------|-----------|
| Salaries & Wages | 27,007.00 |
| Other Expense    | 3,175.00  |

Municipal Prosecutor

|                |          |
|----------------|----------|
| Other Expenses | 5,100.00 |
|----------------|----------|

Municipal Court

|                  |           |
|------------------|-----------|
| Salaries & Wages | 37,625.00 |
| Other Expense    | 4,000.00  |

Public Defender OE

875.00

Natural Resources

|                  |           |
|------------------|-----------|
| Salaries & Wages | 6,250.00  |
| Other Expense    | 15,250.00 |

## 3. PUBLIC WORKS

Public Works General

|                             |            |
|-----------------------------|------------|
| Labor Pool Salaries & Wages | 246,455.00 |
| Other Expense               | 51,050.00  |

Solid Waste Collection

|                  |            |
|------------------|------------|
| Salaries & Wages | 156,862.50 |
| Other Expenses   | 13,500.00  |

Buildings & Grounds

|               |           |
|---------------|-----------|
| Other Expense | 30,250.00 |
|---------------|-----------|

## 4. HEALTH AND WELFARE

Animal Control

4,750.00

Safety Compliance Other Expenses

7,500.00

## 5. RECREATION AND EDUCATION

Recreation Services

|                  |           |
|------------------|-----------|
| Salaries & Wages | 45,000.00 |
| Other Expense    | 25,000.00 |

Marina Salaries & Wages

2,000.00

Beach

|                  |            |
|------------------|------------|
| Salaries & Wages | 152,158.50 |
| Other Expense    | 15,750.00  |

Special Events

|                  |           |
|------------------|-----------|
| Salaries & Wages | 11,875.00 |
|------------------|-----------|

Museum Other Expense

6,250.00

Tourism

|                  |           |
|------------------|-----------|
| Salaries & Wages | 12,500.00 |
| Other Expense    | 32,799.50 |

## 6. UNCLASSIFIED

Utilities

|               |           |
|---------------|-----------|
| Electric      | 37,500.00 |
| Street Lights | 31,500.00 |
| Telephone     | 14,750.00 |
| Gasoline      | 37,500.00 |
| Natural Gas   | 10,000.00 |

|                   |           |
|-------------------|-----------|
| Sanitary Landfill | 50,000.00 |
|-------------------|-----------|

|            |          |
|------------|----------|
| Contingent | 1,250.00 |
|------------|----------|

BOROUGH OF STONE HARBOR

|                             |  |            |
|-----------------------------|--|------------|
| Statutory Expenditures      |  |            |
| CAPE MAY COUNTY, NEW JERSEY |  |            |
| DCRP                        |  | 1,000.00   |
| Social Security System      |  | 101,750.00 |
| SUI                         |  | 6,250.00   |

RESOLUTION

|   |  |           |
|---|--|-----------|
| Interlocal Municipal Service Agreements |  |           |
| Emergency Dispatch Services             |  | 75,905.75 |
| Chief Financial Officer                 |  | 18,834.50 |

|  |  |              |
|--|--|--------------|
| Total Appropriations within 26.25% Limit |  | 2,632,590.00 |
|--|--|--------------|

|                                |  |              |
|--------------------------------|--|--------------|
| 7. MUNICIPAL DEBT SERVICE      |  |              |
| Bond Principal                 |  | -            |
| Bond Interest                  |  | 619,200.00   |
| BAN Interest                   |  | -            |
| BAN Principal                  |  | -            |
| NJEIT Principal                |  | 54,100.00    |
| NJEIT Interest                 |  | 31,500.00    |
| Capital Improvement Fund       |  | 300,000.00   |
| Grand Total General Government |  | 3,637,390.00 |

SEWER AND WATER UTILITY

|                                     |  |              |
|-------------------------------------|--|--------------|
| 1. OPERATIONS                       |  |              |
| Salaries and Wages                  |  | \$101,875.00 |
| Other Expenses                      |  | \$147,725.00 |
| CMC MUA                             |  | \$390,000.00 |
| 2. DEBT SERVICE                     |  |              |
| Payment of Notes - Interest         |  | \$0.00       |
| Payment of Bonds - Interest         |  | \$70,000.00  |
| Payment of Bonds - Principal        |  | \$120,000.00 |
| Capital Improvement Funds           |  | \$4,500.00   |
| 3. Interlocal Agreement             |  |              |
| Chief Financial Officer             |  | \$4,708.75   |
| 3. STATUTORY EXPENDITURES           |  |              |
| FICA                                |  | \$7,800.00   |
| NJ SUI                              |  | \$500.00     |
| Grand Total Sewer and Water Utility |  | \$847,108.75 |

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 ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**BOROUGH OF STONE HARBOR**

**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Cape May County Herald and the Press of Atlantic City are designated as official publications for local advertising for the Borough of Stone Harbor during the year 2020.

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 ....., 2020

.....

**Borough Clerk**

The above resolution approved this ..... day of....., 2020

.....  
**Mayor**

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION ESTABLISHING MEETING DAYS  
IN THE BOROUGH OF STONE HARBOR  
FOR THE MAYOR AND MEMBERS OF COUNCIL

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BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the following dates and times have been established as meeting dates for the governing body during the year 2020. Legal action may be taken at these published meetings.

|          |                  |   |                 |                                |   |
|----------|------------------|---|-----------------|--------------------------------|---|
| January  | 7 <sup>th</sup>  | Organization Meeting (4:30)                         | July            | 7 <sup>th</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 21 <sup>st</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 21 <sup>st</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
| February | 4 <sup>th</sup>  | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) | August          | 4 <sup>th</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 18 <sup>th</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 18 <sup>th</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
| March    | 3 <sup>rd</sup>  | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) | September       | 1 <sup>st</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 17 <sup>th</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 15 <sup>th</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
| April    | 7 <sup>th</sup>  | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) | October         | 6 <sup>th</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 21 <sup>st</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 20 <sup>th</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
| May      | 5 <sup>th</sup>  | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) | November        | 3 <sup>rd</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 19 <sup>th</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 16 <sup>th</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
| June     | 2 <sup>nd</sup>  | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) | December        | 1 <sup>st</sup>                | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          | 16 <sup>th</sup> | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |                 | 15 <sup>th</sup>               | Work Session (3:00 pm)<br>Regular Meeting (4:30 pm) |
|          |                  |   | January 5, 2021 | Organization Meeting (4:30 pm) |   |

BE IT FURTHER RESOLVED that a complete list of these dates and times to be published in the newspaper and posted according to 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 the .....day of ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**BOROUGH OF STONE HARBOR**

**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

DATES FOR PARKING METERS - 2020

WHEREAS, Section 391-7 of the Revised General Ordinances 2005 of the Borough of Stone Harbor provides that the Borough shall have the right to set the dates that the parking meters are operational;

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor that meters will be in operation from Friday, May 1, 2020 through Thursday, October 1, 2020.

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 ....., 2020  
.....

The above resolution approved this ..... day of....., 2020  
.....  
Borough Clerk  
.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**TRASH COLLECTION SCHEDULE 2020**

WHEREAS, Section 466-4, Collections – Frequency, of the Revised General Ordinances of the Borough of Stone Harbor 2005 provides that the Borough shall have the right to set the dates for trash collection;

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor that the following schedule will be in effect for the year 2020:

Solid Waste/Recycle Winter/Summer Schedule

|                         |  |
|-------------------------|--|
| Winter Schedule         | January 1, 2020 through May 23, 2020         |
| Summer Schedule         | May 24, 2020 through September 19, 2020      |
| Back to Winter Schedule | September 20, 2020 through December 31, 2020 |

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

# **BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

## **RESOLUTION**

### **AUTHORIZING PARTICIPATION IN CAPE MAY COUNTY LITTER ABATEMENT PARTNERSHIP PROGRAM FOR 2020**

WHEREAS, the Cape May County Municipal Utilities Authority has adopted a Litter Abatement Partnership Program for 2020; and

WHEREAS, the Borough of Stone Harbor desires to participate in said program.

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 that the Borough of Stone Harbor is hereby authorized to participate in the Cape May County Litter Abatement Partnership Program for 2020 as established by the Cape May County Municipal Utilities Authority.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor will initiate the following steps:

I. Providing a minimum of four (4) days of residential bulky waste collection services at no cost to individual customers (including or restoring bulky waste collection as part of the weekly municipal solid waste collection routes and schedules, at no cost to individual customers, would also satisfy this requirement).

The schedule for these collection services must be established and provided to the Authority prior to being eligible for any benefits under this program. The dates for 2020 have been set for Monday, March 16<sup>th</sup>, Monday, May 11<sup>th</sup>, Monday, September 14<sup>th</sup>, and Tuesday, October 13<sup>th</sup>.

II. Enforcement of an anti-littering and anti-dumping ordinance which establishes penalties for littering and illegal dumping at a minimum \$500.00 fine plus the cost of clean-up, and provides financial rewards for reporting such activities. The Borough of Stone Harbor adopted such an ordinance a few years ago and it is found in the Revised General Ordinances of the Borough of Stone Harbor, 2005, as Sections 357 through 357.10.

III. As a supplement to these basic litter abatement services, the following measures have been approved:

A. Provide satellite container and/or drop-off areas for household bulky wastes.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

- B. Conduct special community-wide clean-up projects and/or special clean-up projects of selected local areas where illegal refuse dumping has occurred. (The CMCMUA must be advised, in advance, of the dates and locations of any special clean-up projects in order for any refuse collected from these special clean-up projects to be eligible as one of the municipality's four (4) no-cost disposal days at the Authority's solid waste disposal facilities.)
- C. Develop and carry out, within six (6) months of program adoption, a community-wide litter abatement education and information program. Such a program should disseminate anti-littering information to the entire community at least once every six (6) months. Assistance in preparing such programs will be provided by the Authority upon request.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor, by the adoption of this Resolution, becomes eligible to participate in the Litter Abatement Partnership for 2020 during the period of January 1, 2020 to December 31, 2020.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND  
RESOLUTION APPOINTING FUND COMMISSIONER**

WHEREAS, the Borough Council of the Borough of Stone Harbor has resolved to join the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the Bylaws of the Atlantic County Municipal Joint Insurance Fund require that each municipality appoint a Fund Commissioner; and

WHEREAS, the Borough Council recommends the appointment of James Craft as Fund Commissioner and Patricia Wagner as Alternate Fund Commissioner for the year 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that it does hereby appoint James Craft as Fund Commissioner and Patricia Wagner as Alternate Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**A RESOLUTION APPOINTING THE  
PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, the State of New Jersey requires each governmental unit to designate a "Public Agency Compliance Officer" to ensure compliance with the Affirmative Action mandates of State Law relative to public contracts, said position being a contact point for the State on these issues and not a new, compensated employment position with the Borough; and

WHEREAS, the Mayor has offered for appointment to said position for 2020, James Craft, the Chief Financial Officer of the Borough; and

WHEREAS, Council consents to the appointment of Mr. Craft to said position;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the Appointment of James Craft to the position of "Public Agency Compliance Officer" offered by Mayor Davies-Dunhour, is hereby CONFIRMED.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**AUTHORIZING SMALL CONTRACTS WITHOUT  
SOLICITING COMPETITIVE QUOTATIONS**

**WHEREAS**, N.J.S.A. 40A:11-6.1 c. provides that when authorized by resolution of the governing body, all contracts that are in the aggregate less than 15% of the bid threshold, may be awarded by the contracting agent without soliciting competitive quotations; and

**WHEREAS**, the bid threshold as of this date is \$40,000, so that 15% thereof is \$6,000; and

**WHEREAS**, it is deemed to be in the best interest of the Borough of Stone Harbor that small contracts like this be awarded without competitive quotations.

**NOW, THEREFORE, BE IT RESOLVED** on January 7, 2020 by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that such contracts in the aggregate in the amount of \$6,000 or less may be awarded as of this date by the contracting agent without obtaining competitive quotations.

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 ....., 2020

.....

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the Director of Finance/CFO be and he is hereby appointed to be the person required to make or cause to be made by the persons having knowledge thereof, the certification of the receipt of materials, supplies and equipment of the services rendered on all vouchers for payment of Municipal Funds as required by 40A:5-16.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION EXEMPTING CERTAIN UTILITY CHARGES  
IN THE BOROUGH OF STONE HARBOR, NEW JERSEY

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BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the following utility charges be exempted for the billing period up to and including December 1, 2020 and

BE IT FURTHER RESOLVED that the Utilities Collector make the proper adjustments in her records:

| <u>Account</u> |   |
|----------------|---|
| <u>Number</u>  | <u>Owner</u>                                    |
| 6625           | Evangelical Lutheran Church                     |
| 7040           | Evangelical Lutheran Church                     |
| 7370           | Stone Harbor Board of Education                 |
| 7390           | Stone Harbor Board of Education                 |
| 8020           | St. Mary's Episcopal Church                     |
| 8860           | Women's Civic Club                              |
| 11990          | St. Brendon the Navigator                       |
| 19945          | Immaculate Heart of Mary, Villa Maria - Rectory |
| 21150          | Stephen C. Ludlam Post 331 (American Legion)    |

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 ....., 2020

.....

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

AUTHORIZING CONTRACTS BELOW THE BID LIMIT WITHOUT  
PUBLIC ADVERTISING

WHEREAS, N.J.S.A. 40A:11-3 provides that all contracts for the performance of work or for hiring materials or supplies, the cost of which is less than the bid limit described therein, which as of this date is \$40,000 need not be publicly bid; and

WHEREAS, from time to time the Borough will desire to enter into contracts less than \$40,000; and

WHEREAS, N.J.S.A. 40A:11-3 further requires that these contracts be approved by resolution, either individually or by general authorization.

NOW, THEREFORE, BE IT RESOLVED on January 7, 2020 by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the appropriate Borough officials are hereby authorized and empowered to enter into contracts for the performance of work or the furnishing or hiring of materials or supplies, in amounts less than \$40,000 as of this date, without the necessity of public bidding, in accordance with the Borough’s regulations and guidelines.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**APPOINTING REGISTRAR, DEPUTY REGISTRAR AND  
ALTERNATE DEPUTY REGISTRAR**

**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 Suzanne C. Stanford be and is hereby appointed as Borough Registrar, Carrie Bosacco be appointed as Deputy Registrar and Diane Frangiose be appointed as Alternate Deputy Registrar for the Borough of Stone Harbor for the year 2020.

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 ....., 2020

.....

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, New Jersey, that the official depositories of the Borough of Stone Harbor funds for the year 2020, are Sturdy Savings Bank, PNC Bank, Ocean First, TD Bank, First Bank of Sea Isle City and Crest Savings Bank.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, by a directive from the County Board of Taxation pursuant to N.J.A.C. 18:12A-1(c), all tax appeals submitted to the Cape May County Board of Taxation by the Tax Collector, Tax Assessor, or Solicitor on behalf of the Borough of Stone Harbor must be authorized by Resolution of Borough Council for the Tax Year 2020; and,

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

- 1. Borough Council hereby authorizes the Tax Assessor to file Tax Appeals on behalf of the Borough whenever she feels it is in the best interest of the Borough to do so. The Tax Assessor shall have the right to terminate and/or settle, by Stipulation or otherwise, any such Tax Appeals that he shall institute.
- 2. The Borough Solicitor is hereby authorized to institute any Tax Appeals on behalf of the Borough requested by the Tax Assessor and, with the Tax Assessor's concurrence, to terminate and/or settle by Stipulation or otherwise, any such Tax Appeals that she shall institute.
- 3. The Borough Solicitor shall have the right to institute Tax Appeals on behalf of the Borough at the request of the Mayor and Borough Council and shall have the authority to terminate or settle any such appeal with the consent of Mayor and Borough Council by Stipulation or otherwise.
- 4. The Borough Solicitor and the Tax Assessor shall have the joint right and obligation to defend Tax Appeals brought on behalf of taxpayers, and they shall jointly have the authority to settle, by Stipulation or otherwise, any such Tax Appeals.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Cape May County Board of Taxation and to furnish copies of same to the Borough Tax Assessor, Tax Collector and Solicitor.

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 ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that the interest penalty for delinquent taxes shall be 8% per annum of the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00 on each parcel of land by block and lot, and

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made within ten (10) calendar days after the date on which same is payable, said ten (10) calendar days to be straight calendar days and if the tenth day falls on a Saturday, Sunday or legal holiday, then the grace period shall extend to the next business day, and

BE IT FURTHER RESOLVED pursuant to N.J.S.A. 54:4-67 that an additional penalty of 6% shall be charged against any property with a delinquency related to taxes and/or any other municipal charges in excess of \$10,000.00 which remains in arrears beyond December 31 of each prior year.

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 ....., 2020

.....

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**A RESOLUTION TO TRANSFER 2019 REAL ESTATE  
TAX PAYMENTS TO 2020**

**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 upon recommendation of the Tax Collector, the overpayments for the year 2019 be transferred to 2020 (with the exception of overpayments and underpayments of \$10.00 or less which are hereby cancelled by the authority of State Statute).

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**RESOLUTION TO CREATE A LIST OF QUALIFIED FIRMS TO CHOOSE FROM FOR SERVICES IN THE FUTURE –  
ALTERNATE ENGINEERS**

WHEREAS, the Borough of Stone Harbor has chosen a Borough Engineer and wishes to create a list of qualified firms as Alternate Engineers, which it may choose to enter into a contract to provide profession services in the future as needed; and

WHEREAS, the firms named below have provided responses which satisfy the minimum requirements; and

WHEREAS, at the time the Borough is prepared to enter into a contract, qualified firms shall comply with “Local unit Pay-To-Play Law” and where appropriate, the Local Public Contracts Law; and

WHEREAS, the list of qualified firms is for a one (1) year period from January 7, 2020. Prior to incurring services the certification of availability of funds shall be made by the CFO as appropriate and attached.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Stone Harbor does hereby create a list of qualified Alternate Engineers who may be called upon to provide engineering services as the need should arise:

MOTT MCDONALD

211 Bayberry Drive, Suite 1A

Cape May Court House, N.J. 08210

KATES SCHNEIDER ENGINEERING, LLC

624 Shore Road

Somers Point, N.J. 08244

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 ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**ADOPTING A CASH MANAGEMENT PLAN FOR  
THE BOROUGH OF STONE HARBOR**

**WHEREAS**, N.J.S.A. 40A: 5-14 provides that each municipality shall adopt a Cash Management Plan and shall deposit its funds pursuant to that plan, which plan shall include the designation of the depositories, and management of cash to assure the investment of the municipality’s funds in interest bearing accounts; and

**WHEREAS**, a Cash Management Plan for the Borough of Stone Harbor has been prepared, based upon information supplied to the Borough’s Chief Financial Officer from the Borough Auditor’s; and

**WHEREAS**, the Mayor and Members of Council have reviewed the attached Cash Management Plan for the Borough of Stone Harbor and believe that it will be in the best interest of the Borough that said plan be adopted by the governing body.

**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 that the attached Cash Management Plan for the Borough of Stone Harbor is hereby adopted for the year 2020.

**BE IT FURTHER RESOLVED** that hence forth the Borough’s money shall be deposited and invested, and otherwise handled pursuant to the Cash Management Plan hereby adopted.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:9-137 and N.J.S.A. 40A:9-137 to appoint a Borough Administrator; and

WHEREAS, N.J.S.A. 40A:9-137 allows for the term of office of the Borough Administrator to be at the pleasure of the governing body; and

WHEREAS, the Mayor and Council wish to retain the services of Mr. Robert J. Smith for the period of January 21, 2020 through December 31, 2020, on a contractual basis in accordance with the contract attached hereto and made a part hereof by reference, and

WHEREAS, the Mayor has offered Mr. Robert J. Smith for appointment to the office of Borough Administrator seeking the advice and consent of the Council for the term aforementioned; and;

WHEREAS, the Borough Council believes that it is in the interest of the citizens of the Borough of Stone Harbor to appoint Mr. Robert J. Smith as aforementioned;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, assembled in open session this 7<sup>th</sup> day of January, 2020, that the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;

BE IT FURTHER RESOLVED, that Robert J. Smith is hereby appointed to the office of Borough Administrator effective January 21, 2020 in accordance with the terms of the attached signed Contract for Employment.

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 ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### RESOLUTION AUTHORIZING APPOINTMENT OF THE MUNICIPAL ATTORNEY/PROSECUTOR UNDER THE “NONFAIR AND OPEN” PROCESS

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for “Professional Services” without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the “fair and open” process; and

WHEREAS, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign; and

WHEREAS, the required pay-to-play disclosures are on file with the Borough Clerk as required by law; and

**WHEREAS**, the Borough of Stone Harbor is mandated by state statute to appoint a Municipal Attorney and a Municipal Prosecutor and the law specifically allows for these posts to be filled by the same attorney. The law also requires that municipalities designate litigation counsel and counsel to the tax assessor. These tasks are typically performed by the Municipal Attorney; and

**WHEREAS**, Blaney & Karavan, P.C. , Attorneys at Law in good standing in the State of New Jersey, has offered the attached Proposal and are experienced in the area of Local Government Law and municipal prosecution; and

**WHEREAS**, Blaney & Karavan, P.C. is a authorized by law to practice a recognized profession, the practice of which is regulated by law, and the performance of these service requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction;

**WHEREAS**, NJSA 40A:11 *et seq.* allows the Borough to enter into contracts for “Professional Services,” including legal 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, on this 7<sup>th</sup> day of January, 2020, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That, as required by law, having been nominated by the Mayor of the Borough of Stone Harbor, Blaney & Karavan, P.C. be and are hereby appointed Municipal Attorney/Municipal Prosecutor for the Borough of Stone Harbor in accordance with and under the terms of a contract for professional services, which includes provisions for litigation and representation of the Tax Assessor and other extraordinary matters, which is on file with the Borough Clerk for public review, for a term of one year, said term commencing on January 7, 2020 and continuing until the reorganization meeting of the Borough in 2021 or in accordance with law.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

- 3. That the Mayor is authorized and directed to forthwith execute on behalf of the Borough of Stone Harbor the contract for professional services, such contract being under and subject to the provisions of the affirmative action and antidiscrimination laws and regulations of the State of New Jersey, an acknowledgement of same to be executed by the Municipal Attorney.
- 4. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law which allows under NJSA 40A:11-5 and that the Solicitor be compensated as detailed in the contract for professional services in an amount not to exceed \$53,825 for Solicitor services and \$19,721 for Municipal Prosecutor Services, and funds are available as evidenced by the Certification of the Chief Financial Officer attached hereto.
- 5. That a notice of the letting of the within contract be published in accordance with law within ten (10) days of passage in the official newspaper designated by the Borough for legal notices and that the contract be open to public viewing in accordance with the Open Public Records Act.

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 ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING APPOINTMENT OF BOND COUNSEL UNDER THE "NONFAIR AND OPEN" PROCESS

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for "Professional Services," including legal 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 is in need of legal representation by bond counsel of recognized national standing with advanced expertise in the area of Municipal Bonding Law in connection with the Borough's capital projects bond financing procedures including the sale of bonds and/or bond anticipation notes; and

WHEREAS, Robert Beinfield, Esquire, of the Law Firm of Hawkins, Delafield & Wood is an attorney at law in good standing in the State of New Jersey and has been found to be experienced in the area of Municipal Bonding Law and has familiarity with the Federal and State laws and regulations related to the bonding process; and

WHEREAS, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and "nonfair and open" process prevents any professional from contributing more than \$300.00 to any local political party or campaign; and

WHEREAS, the required pay-to-play disclosures are on file with the Borough Clerk as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, 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 is Directed to forthwith execute on behalf of the Borough of Stone Harbor the attached contract for professional services in accordance with this resolution providing for the retention of Hawkins, Delafield & Wood as Bond Counsel to the Borough of Stone Harbor. The letter of Mr. Beinfield dated December 11, 2019, is attached hereto for reference only and is not part of the contract.
3. That the aforementioned contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law and 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.
4. That a notice of the letting of the within 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 the .....day of ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT  
WITH MICHAEL COSKEY, ESQ. ATTORNEY AT LAW**

WHEREAS, the Borough of Stone Harbor in the County of Cape may and State of New Jersey occasionally requires the review of certain conflict legal matters; and

WHEREAS, Michael J. Coskey, law offices at Parker McCay, 1809 Pacific Avenue, Atlantic City, N.J. 08401 could handle such matters for the Borough Council, Planning and Zoning Boards and is an attorney at law in good standing who is familiar with municipal law and CRS; and

WHEREAS, Michael J. Coskey will serve in the capacity of conflict counsel for the Borough for an amount not to exceed \$ 145.00/ hour which amount has been certified as available by the Chief Financial Officer and is below the bid and play-to-play thresholds;

NOW, THEREFORE, BE IT RESOLVED on this 7<sup>th</sup> day of January, 2020 by the Borough Council of the Borough of Stone Harbor that Michael J. Coskey be and hereby is designated as conflict counsel for the Borough Council, Planning and Zoning Board for the year 2020, under and subject to all legal requirements related to professional services contracts, at an hourly rate of \$145.00

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

WHEREAS, the Borough is required to provide a Public Defender for the Stone Harbor Municipal Court; and,

WHEREAS, the Public Safety Committee has recommended the hiring of Michael A. Sorensen, Esq. who has agreed to handle the post; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. permits the execution of a contract with a professional for professional services without the necessity of competitive bids but requires that such contracts be available for public inspection,

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 that a contract be and it is hereby awarded to Michael A. Sorensen, Esq. as the Public Defender for the Stone Harbor Municipal Court at a fee of \$3,500.00, total, for the year 2020, regardless of the number of cases assigned by the Court.

BE IT FURTHER RESOLVED that notice of the letting of this contract be published in the Cape May County Herald within 10 days of the date hereof.

BE IT FURTHER RESOLVED that this resolution shall only become effective when a copy of the Certification of Availability of Funds, prepared by the CFO of this Borough, is attached hereto.

BE IT FURTHER RESOLVED that two copies of this resolution shall be forwarded to Michael A. Sorensen, Esq. to be signed where his name appears at the bottom of said copies, which signature shall constitute a contract between the parties when a copy of same has been signed and delivered to the Borough Clerk.

BOROUGH OF STONE HARBOR

\_\_\_\_\_  
Michael A. Sorensen, Esq.

\_\_\_\_\_  
Judith M. Davies-Dunhour, 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 the ..... day of ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### RESOLUTION APPROVING A CONTRACT FOR PROFESSIONAL SERVICES OF LABOR RELATIONS COUNSEL

**WHEREAS**, The Borough of Stone Harbor requires the professional services of a specialist in the field of collective bargaining negotiations, personnel administration, and employer-employee relations; and

**WHEREAS**, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of collective bargaining negotiations, personnel administration and employer-employee relations; and

**WHEREAS**, the local Public Contracts Law provides for the entering into of a contract for Professional services pursuant to N.J.S.A. 40A:11-5(1)(a), without advertising for competitive bidding; and

**WHEREAS**, Borough has determined that Lawrence Pepper, Jr. and other members of the law firm of Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey hold professional licenses and are qualified to perform the said work and it is desired to enter a professional services contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

**WHEREAS**, funds are available for the aforementioned as indicated in the Certificate of Available Funds prepared by the CFO of the Borough and attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Stone Harbor as follows:

1. Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. of Vineland, New Jersey is hereby retained as a professional labor negotiator to provide specialized services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations. The said professional services to be received shall be "as directed" by the Borough of Stone Harbor from time to time.
2. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Lawrence Pepper, Jr. and Gruccio, Pepper, DeSanto & Ruth, P.A. for specialized professional services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations, as aforesaid, for a term commencing upon the date of execution of the contract, a copy of which is attached hereto, and expiring on December 31, 2020 which contract shall provide for payment at the hourly rate of One Hundred Forty Five Dollars (\$145.00 ) Dollars per hour.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid and shall be in a form approved by the Borough. The preamble of the Resolution is hereby incorporated by reference as if set forth here at length.
4. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough of Stone Harbor for public inspection.
5. A copy of this Resolution shall be published in the local newspaper designed by the Borough as required by law, within ten (10) days of its passage.

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 ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**AUTHORIZING PROFESSIONAL SERVICES AGREEMENT - EMPLOYEE BENEFITS  
CONSULTANT, BOROUGH OF STONE HARBOR**

WHEREAS, Marsh & McLennan Agency has offered the Borough an Agreement for insurance and broker consulting services; and

WHEREAS, the Borough of Stone Harbor desires these professional services pursuant to this resolution adopted by Borough of Stone Harbor; and

WHEREAS, employee benefits consultants are extra-ordinary unspecified services, and permitted exceptions to the public bidding requirements of the Local Public Contracts Law; and

WHEREAS, N.J.A.C. 5:34-2 provides that the Division of Local Government Services believes that insurance contracts satisfy all the criteria for extra-ordinary unspecifiable services; and

WHEREAS, it is believed to be in the best interest of the Borough that it enter into an Agreement with Marsh & McLennan Agency as the Borough's employee benefits consultant.

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 that the Mayor and Borough Clerk be and they are hereby authorized, empowered and directed to execute an Agreement with Marsh & McLennan Agency, LLC, 510 Bank Street Commons, Cape May, N.J. 08204, to assist the Borough as the Employee Benefits Consultant as per the Agreement, attached hereto.

BE IT FURTHER RESOLVED that the Borough of Stone Harbor agrees to pay Marsh & McLennan Agency a fee of \$ 2,500 monthly for the period January 1, 2020 through December 31, 2020.

BE IT FURTHER RESOLVED that the statutory language required by N.J.S.A. 10:2-1 and 10:5-33 are hereby incorporated into the specifications, and this contract by reference, and the contractor contracting with the Borough is bound by said language, together with the other provisions of the Anti-Discrimination Laws of the State of New Jersey, Chapter 127 of the Laws of 1975.

BE IT FURTHER RESOLVED, that notice of this Resolution shall be published as required by law within ten (10) days of its adoption.

BE IT FURTHER RESOLVED that a copy of this Resolution shall only become effective when a copy of the Certificate of Availability of Funds prepared by the CFO of this Borough is attached hereto.

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 ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**RESOLUTION AUTHORIZING APPOINTMENT OF BOROUGH AUDITOR UNDER THE  
“NONFAIR AND OPEN” PROCESS**

BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey as follows:

WHEREAS, it is required that each Municipality have a Borough Auditor to handle accounting matters, and accounting services are professional services; and,

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 as long as the award of such contract is made public by a Resolution of the Governing Body and the contractor submits certain disclosures in accordance with the “fair and open” process’ and;

WHEREAS, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign; and

WHEREAS, the required pay-to-play disclosures are on file with the Borough Clerk as required by law;

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 as follows:

1. That Leon Costello, a Registered Municipal Accountant, of Ford, Scott, & Associates, L.L.C. is hereby appointed auditor for the Borough of Stone Harbor for the year ending December 31, 2020.
2. That the Mayor is authorized and directed for forthwith execute on behalf of the Borough of Stone Harbor a contract for Professional Services, such contract being under and subject to the provisions of the affirmative action and antidiscrimination laws and regulations of the State of New Jersey and that the Auditor be paid for his services at a fair and reasonable amount, said amount not to exceed \$35,000 as evidenced by a Certification from the Chief Financial Officer attached hereto.
3. That a copy of this resolution shall be published in the Cape May County Herald as required by law within 10 days of its adoption.

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 ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**RESOLUTION ACCEPTING THE  
STONE HARBOR FIRE COMPANY STIPEND POLICY**

WHEREAS, in accordance with Ordinance 1246, (§290), as adopted by Borough Council on December 6, 2005, the Stone Harbor Volunteer Fire Company #1 has submitted an updated stipend policy for review and acceptance by Borough Council; and

WHEREAS, the Fire Chief has presented the attached policy in the form of a Standing Order to Borough Council for approval, along with the appropriate form of waiver;

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 7<sup>th</sup> day of January, 2020 as follows;

- 1. That the preamble of this Resolution is hereby incorporated herein by reference;
- 2. That the attached forms of Standing Order and Waiver are hereby accepted for 2020 in accordance with Ordinance 1246 (§290).

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 ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT  
FOR SPECIAL COUNSEL – AFFORDABLE HOUSING FOR 2020

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, limiting the influence of campaign contributions on municipal appointments is an important policy of the Borough and the “nonfair and open” process prevents any professional from contributing more than \$300 to any local political party or campaign and this contract is let under that process and the required disclosure has been submitted; and

WHEREAS, the Borough Council and the Borough Solicitor’s Office have determined that it would be in the Borough’s best interest to hire Special Counsel to handle certain Affordable Housing matters on an as-needed basis; and

WHEREAS, Jeffrey R. Surenian, has an extensive background in Affordable Housing and possess knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized education, employment and experience; and

WHEREAS, the total amount of the contract is \$ 200.00 per hour not to exceed \$4,000 without approval by Council via Resolution and; 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 7<sup>th</sup> day of January, 2020 as follows:

- 1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
- 2. That the existing contract for professional services with Jeffrey R. Surenian P.C., which contract is incorporated herein by reference and made a part hereof, shall remain in effect and include litigation matters, at the rate referenced herein, as assigned by the Solicitor in consultation with the Borough Administrator;
- 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 the .....day of ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Authorizing the Mayor to Sign Agreement, Wetlands Institute

WHEREAS, the Wetlands Institute, 1075 Stone Harbor Boulevard, Stone Harbor, N.J. 08247 has proposed an Agreement in which the Wetlands Institute will furnish environmental restoration, management coordination and advice for managing Borough natural areas and select environmental education and outreach services; and

WHEREAS, the Borough Council of the Borough of Stone Harbor hereby approves the Proposal, a copy of which is attached hereto for furnishing of environmental restoration and management coordination of natural areas and in consideration will pay the Wetlands Institute \$ 26,000, made in four (4) payments,

- \$6,250 on 1/24/2020
- \$6,250 on 4/24/2020
- \$7,250 on 7/24/2020
- \$6,250 on 10/23/2020 as per Agreement; and

WHEREAS, The Borough Council of the Borough of Stone Harbor hereby approved the Proposal, a copy of which is attached hereto for the Stone Harbor Point Shorebird Stewardship Program, copy attached, and proposes a budget of \$16,000 to manage and enhance this program;

|                                  |               |
|----------------------------------|---------------|
| Hourly salaries & benefits costs | \$11,240      |
| Personnel expenses               | \$ 3,055      |
| Miss field supplies              | \$ 250        |
| Indirect expenses                | \$ 1,454 and: |

WHEREAS, the Chief Financial Officer has certified that funds are available.

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 the Mayor, Judith M. Davies-Dunhour be and hereby is authorized to sign the attached Agreement from Wetlands Institute on this 7<sup>th</sup> day of January, 2020.

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 ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION
AWARDING PROFESSIONAL SERVICES CONTRACT
FOR BEACH PROFILE SURVEY AND LOGOON SURVEY

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 of Stone Harbor requires specialized expert services in connection with an integrated study of shoreline changes in Stone Harbor; and

WHEREAS, the Richard Stockton College of New Jersey Coastal Research Center headed by Stewart C. Farrell, Ph.D., has agreed to continue the semi-annual survey monitoring of the municipal shoreline at 8 locations between 82nd and 123rd Street, as outlined in a proposal entitled "Proposal to Survey 8 Beach Profiles Semi-Annually in 2020 (Task 1) as part of a study of shoreline changes in Stone Harbor" made a part hereof by reference and on file with the Borough Clerk, with a project cost of \$ 18,734.67, and Stone Harbor Lagoon Survey Fall of 2020 (Task 2 A,B,C,) for a total of \$ 10,056.89. Total without contingency \$28,791.56. Contingency for meetings cost of \$ 1,507.78 and a contingency for emergency survey work of \$ 9,596.81. Project Total with Contingencies \$39,896.15; and

WHEREAS, funds are available for award of this contract as evidenced by the Chief Financial Officer's certification of funds attached hereto;

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, duly assembled in public session this 7th day of January, 2020, that a contract be and it is hereby awarded to Richard Stockton College Coastal Research Center/Stewart C. Farrell, Ph.D., to do these surveys; and

BE TI FURTHER RESOLVED that this Resolution, the incorporated proposal and the mandatory affirmative action and anti-discrimination language shall constitute the contract and that the Mayor and Clerk be and are hereby authorized and directed to execute said contract on behalf of the Borough.

BE IT FURTHER RESOLVED that the statutory language required by N.J.S.A. 10:2-1 and 10:5-33 shall be executed by the contractor as a condition of award and shall be part of the contract.

BE IT FURTHER RESOLVED that notice of the letting of this contract be published in accordance with law.

Contractor For the Borough of Stone Harbor
Dr. Stewart C. Farrell, Ph.D. Date Judith M. Davies-Dunhour, Mayor Date
Attest Suzanne C. Stanford, Clerk

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 , 2020

The above resolution approved this day of , 2020
Borough Clerk
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**A RESOLUTION ESTABLISHING CERTAIN FEES (Residential Rental License)  
AS AUTHORIZED BY ORDINANCE**

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Public Safety Committee of Borough Council has recommended that certain fees for the registration and licensing of residential rental units be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor duly assembled in public session this 7<sup>th</sup> day of January, 2020, that the following fees be set at the following levels:

- a. For an individual residential rental unit: \$ 125
- b. For the first of multiple residential units in common ownership and upon the same parcel: \$ 125
- c. For each additional unit in common ownership and upon the same parcel: \$ 25

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

# **BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

## **RESOLUTION**

### **A RESOLUTION ESTABLISHING CERTAIN FEES (Fire Inspection) AS AUTHORIZED BY ORDINANCE**

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Public Safety Committee of Borough Council has recommended that certain fees for Fire Inspection be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor duly assembled in public session this 7<sup>th</sup> day of January, 2020, that the following fees be set at the following levels:

A. A - Assembly.

- (1) A-1, Eating establishment under 50: \$ 75
- (2) A-2, Takeout food service (no seating): \$ 75
- (3) A-3, Church or synagogue: \$ 50
- (4) A-4, Recreation centers, multipurpose rooms, etc. (less than 100): \$ 75
- (5) A-5, Court rooms, libraries, fraternal organizations, condominium centers less than 100: \$ 75
- (6) A-6, Senior citizen centers less than 100: \$ 75

B. B - Business/Professional.

- (1) B-1, Professional use one- and two-story, less than 500 square feet per floor: \$ 75
- (2) B-2, Professional use one- and two-story, more than 500 square feet, less than 2,000 square feet per floor: \$ 75
- (3) B-3, Professional use one- and two-story, more than 2,000 square feet, less than 3,000 square feet per floor: \$ 85
- (4) B-4, Professional use one- and two-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 105
- (5) B-5, Professional use one- and two-story, more than 5,000 square feet per floor: \$150
- (6) B-6, Professional use three- to five-story, less than 1,000 square feet per floor: \$ 85
- (7) B-7, Professional use three- to five-story, more than 1,000 square feet, less than 5,000 square feet per floor: \$ 200
- (8) B-8, Professional use three- to five-story, more than 5,000 square feet per floor: \$275

C. M - Mercantile (Retail).

- (1) M-1, one- and two-story, less than 2,000 square feet per floor: \$ 75
- (2) M-2, one- and two-story, more than 2,000 square feet, less than 4,000 square feet per floor: \$ 105
- (3) M-3, one- and two-story, more than 4,000 square feet per floor: \$ 205
- (4) M-4, three- to five-story, less than 2,000 square feet per floor: \$ 250
- (5) M-5, three- to five-story, more than 2,000 square feet, less than 5,000 square feet per floor: \$ 275
- (6) M-6, three- to five-story, over 5,000 square feet per floor: \$ 325
- (7) M with the exception of hardware store 3,000 square feet, retail store over 12,000 square feet are life hazard uses.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

- D. S - Storage (moderate- and low-hazard, per building).
- (1) S-1, one- and two-story, less than 3,000 square feet per floor: \$ 75
- (2) S-2, one- and two-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 105
- (3) S-3, one- and two-story, more than 5,000 square feet per floor: \$ 150
- (4) S-4, three- to five-story, less than 3,000 square feet per floor: \$ 225
- (5) S-5, three- to five-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 275
- (6) S-6, three- to five-story, over 5,000 square feet per floor: \$ 325

E. Residential Rental Units: \$ 75 for the first unit and \$ 40 for each additional unit in common ownership on the same parcel.

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 ....., 2020

.....

Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

BOROUGH OF STONE HARBOR  
CAPE MAY COUNTY

ORDINANCE NO. 1562

An Ordinance establishing and fixing salary ranges for certain positions within the Borough of Stone Harbor, New Jersey, County of Cape May.

BE IT ORDAINED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey as follows:

Section 1. That the salary and wage ranges for certain positions within the Borough of Stone Harbor for the year 2020 are hereby fixed at the following amounts:

|  | <u>MIN</u> | <u>MAX</u> |
|--|------------|------------|
| Administrator                          | 90,000     | 150,000    |
| Police Chief                           | 90,000     | 150,000    |
| Police Captain                         | 70,000     | 130,000    |
| Borough Clerk                          | 57,000     | 115,000    |
| Zoning Officer/Code Enforcement        |            |            |
| Director of Public Works               | 60,000     | 97,920     |
| Uniform Construction Code Official     | 57,000     | 95,000     |
| Accounting Ass't/P/R Benf. Coordinator | 65,000     | 94,000     |
| Municipal Court Administrator          | 48,000     | 80,000     |
| Uniform Fire Code Official/Inspector   | 48,000     | 80,000     |
| Tax/Utility Collector                  | 48,000     | 80,000     |
| Recreation Director                    | 50,000     | 60,000     |
| Tourism Director                       | 50,000     | 60,000     |
| Tax Assessor                           | 28,000     | 80,000     |
| Tax Assessor/Clerk/Reception           | 15,000     | 35,000     |
| Supervisor/Public Works                | 40,000     | 65,000     |
| Ass't Director Public Works            | 65,000     | 80,000     |
| Administrative Assistant               | 30,000     | 58,465     |
| Deputy Borough Clerk                   | 40,000     | 64,000     |
| Administrative Assistant               | 30,000     | 58,000     |
| Deputy Tax & Utilities Collector       | 25,000     | 50,000     |
| Technical Assistant Construction       | 20,000     | 47,500     |
| Deputy Municipal Court Administrator   | 30,000     | 45,000     |
| EMT/Fire Code Inspector                | 25,000     | 45,500     |
| Administrative Assistant               | 30,000     | 58,000     |
| Recreation Manager                     | 25,000     | 40,000     |
| Receptionist                           | 15,000     | 35,000     |
| Public Works Clerk/Secretary           | 20,000     | 36,000     |
| Police Clerk                           | 20,000     | 36,000     |
| Mayor                                  |            | 15,003     |
| Council                                |            | 10,506     |
| Lifeguard Captain                      | 17,000     | 41,619     |
| Municipal Court Judge                  | 25,000     | 35,000     |
| Subcode Plumbing                       | 2,600      | 15,600     |
| Plumbing Inspector                     | 2,600      | 6,600      |
| Zoning Board Secretary                 | 1,500      | 4,500      |
| CRS Coordinator                        |            | 5,000      |

|  | MIN   | MAX    |
|--|-------|--------|
| OEM Coordinator                          | 4,000 | 8,000  |
| Deputy OEM Coordinator                   | 3,000 | 8,000  |
| Utilities Collection System Operator     |       | 5,000  |
| Utilities Treatment/Distribution License |       | 5,000  |
| Stipends                                 |       |        |
| Planning Board Secretary per/meeting     | 200   | 350.00 |
| ZBA/Planning Bd Officer per/meeting      |       | 200.00 |

Section 2. That Salaries, wages and compensation shall be paid in equal bi-weekly installments.

Section 3. This Ordinance shall become effective within the time prescribed by law and shall become void immediately after December 31, 2020.

APPROVED:

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

ATTEST:

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

*Organization*  
≡

**BOROUGH OF STONE HARBOR**

**COUNTY OF CAPE MAY, NEW JERSEY**

**ORDINANCE NO.**

**AN ORDINANCE TO AUTHORIZE A PRIVATE SALE OF REAL  
PROPERTY SITUATE BETWEEN AN EXISTING BULKHEAD ON BLOCK  
204.02, LOT 41 AND THE PROPERTY LINE OF 318 114<sup>TH</sup> STREET, BLOCK  
204.02, LOTS 39 AND 40 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 designated as Block 204.02, lot 41 being described as a parcel of land approximately 9 feet by 130 feet, hereinafter "Property"; and

**WHEREAS**, Bill Lauth and Ann Lauth, husband and wife (hereinafter "Contiguous Landowner") are the owners of lands contiguous to the Property, said lands being known as Block 204.02, Lots 39 & 40 as shown on the official tax map of the Borough of Stone Harbor and being commonly known as 318 114th Street; and

**WHEREAS**, Contiguous Landowner desires to purchase the property consisting of a parcel on land approximately 9 feet by 130 feet landward of the existing bulkhead facing the waterway and has offered to reconstruct the bulkhead 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.

**WHEREAS**, the statute also requires that the municipality file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publication of advertisements of the ordinance;

**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, Bill Lauth and Ann Lauth, pursuant to the provisions of N.J.S.A. 40A:12-13, a tract of parcel of land approximately 9 feet by 130 feet.

**SECTION 2:** The consideration for this sale shall be a payment to the Borough in the amount of \$50,000.00 plus the construction of a replacement bulkhead at Buyer's sole cost and expense, in the same location as an existing deteriorated bulkhead fronting the parcel, built to the satisfaction of the Borough Engineer who shall inspect same upon completeness.

**SECTION 3:** A Contract of Sale 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 4:** Settlement for conveyance of the Property shall occur within thirty (30) days after the execution of the Contract of Sale. Buyer must purchase title insurance and must provide Seller, at Buyer's sole expense and without offset, with a survey and legal description of the parcel to be purchased. Buyer acknowledges that Sellers title will be transferred via quit claim deed without further representation on the part of Seller; accordingly, Seller makes no representation as to the quality of Seller's title but shall transfer such interest as it may have to Buyer. Lastly, Buyer shall file a separate deed of consolidation to merge lots 39, 40 and 41 into one property.

**SECTION 5:** Buyer agrees to apply to the Borough within 90 calendar days (3 months) of settlement for permits to begin work on the Bulkhead and will complete the bulkhead project within 730 calendar days (24 months) of the permit approvals, to the satisfaction of the Borough Engineer.

**APPROVED:**

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

**ATTEST:**

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

Introduction: \_\_\_\_\_

Enactment: \_\_\_\_\_