

(11)

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY
ORDINANCE 1564

AN ORDINANCE AMENDING CHAPTER 178 BUILDING CONSTRUCTION, ARTICLE III, Sub-Section 178-11 OF THE GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR

Whereas, Borough Council deems it to be in the best interest of the Citizens of Stone Harbor to amend the within ordinance; now, therefore be it ordained by the Borough Council, the Governing Body of the Borough of Stone Harbor, New Jersey as follows:

Section 1. CHAPTER 178 Building Construction, ARTICLE III, entitled "Construction and Demolition during the Summer" is hereby amended as follows:

The following provisions shall replace Sub-section 178-11 E.

178-11 Construction and Demolition Regulations:

E. All Contractor information including Name, Site Address and Emergency Contact Numbers along with all permits issued must be prominently displayed in a waterproof box on Construction site. All information shall be permanently written on a 18 inch by 24 inch sign easily visible from the street. ~~Specific size and location of box shall be determined by Construction Official.~~

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

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or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

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

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

SELF EXAMINATION OF THE BUDGET 2020

WHEREAS, N.J.S.A 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1979; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Stone Harbor has been declared eligible to participate in the program by the Division of Local Government Services, and Chief Finance Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "Cap" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form arrangement and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOVLED, that a copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

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, 2020

Borough Clerk

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

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(3)

**Authorizing the Mayor to Sign
Proposal, Princeton Hydro**

(Replaces Resolution 2020-S-62)

WHEREAS, Princeton Hydro , P.O. Box 720 11108 Old York Road, Ringoes, N.J. 08551 has attached a Proposal for the Stone Harbor Bird Sanctuary Habitat Restoration Effort in which they will furnish consulting services for Habitat Restoration for Stone Harbor Bird Sanctuary; and

WHEREAS, the Borough Council of the Borough of Stone Harbor hereby approves the Proposal, a copy of which is attached hereto for the Stone Harbor Bird Sanctuary Habitat Restoration Effort that include Task 1 – Meetings at \$750.00 per meeting, Task 2 – 2020 Herbicide Application- fixed fee \$7,200 and Task 3 – Professional Services Hourly - \$167.00 per hour, not to exceed \$1,000.00; and

WHEREAS, Princeton Hydro has also requested the following attached forms be signed by the Mayor in support of the Stone Harbor Bird Sanctuary Habitat Restoration project:

- 1. Division of Land Use Form
- 2. Site Access Consent Letter
- 3. Certification of Truth and Accuracy,

All of which have been reviewed and approved by the Borough Solicitor.

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 Bird Sanctuary Habitat Restoration Effort to manage and enhance this program; 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 listed forms from Princeton Hydro on this 17th day of March 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 theday of, 2020

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

Borough Clerk

.....
Mayor

(4)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Resolution Expressing Support for Legislation Increasing State Funding to The "Shore Protection Fund" from \$25 Million to \$50 Million (A-639/S-1071)

WHEREAS, the State of New Jersey maintains the Shore Protection Fund, which was established in 1992; and

WHEREAS, the Shore Protection Fund provides important funding that allows the State and Municipalities to engage in cost-share partnerships with the U.S. Army Corps of Engineers on shore protection projects including beach restoration and maintenance; and

WHEREAS, the Shore Protection Fund is funded by State Realty Transfer Fee revenues, and is currently capped at \$25 million, an amount that was last adjusted in 1999; and

WHEREAS, following the devastating effects of Superstorm Sandy, it has become evident that the current funding to the Shore Protection Fund is inadequate for allowing the State and Municipalities to fund necessary recovery projects; and

WHEREAS, pending before the Legislature are bills A-639 and S-1071, which would increase the cap on funding to the Shore Protection Fund to \$50 million; and

WHEREAS, the Mayor and Council of the Borough of Stone Harbor believes this proposed increase to the Shore Protection Fund is essential to protecting the shoreline of the Borough of Stone Harbor and that of every other Shore Community comprising the Jersey Shore.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May, State of New Jersey, that it hereby expresses its support for an increase in funding to the Shore Protection Fund from \$25 million to \$50 million, as provided in the bills pending before the New Jersey Legislature as A-639 and S-1071.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to Governor Phil Murphy, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin, Senator Declan O'Scanlon, Assemblywoman Serena DiMaso, and Assemblyman Gerry Scharfenberger.

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, 2020

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

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and the State of New Jersey that the following be appointed as a Class II Special Law Enforcement Officer this 17th day of March, 2020 with the Stone Harbor Police Department

Effective from April 21, 2020 to September 30, 2020.

- SLEO II
- Jared Carll
- Louis Ceras
- Eric Courtney
- Daniel Gomez
- Matthew Grubb
- Hayden Lechner
- Nick McLaren
- Nil Mistry
- Alexandra Morse
- Alexander Pantaleo

Effective from May 1, 2020 to September 30, 2020.

- SLEO I
- Timothy Meineke
- Jani Kolefski
- Gerard Sinnott, Jr.

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

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Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(6)

Council Meeting – March 17, 2020

REFUND DUPLICATE UTILITIES PAYMENT

WHEREAS, duplicate utilities payments were received by Seaboard Title Company and the homeowner for the 4th quarter irrigation account #5062 located at 263 89th Street East & West; and

WHEREAS, Seaboard Title Agency requested a refund; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that a refund check in the amount of \$174.00 be issued to Seaboard Title Agency, %Nicole Jones, 2761 Dune Drive, Avalon NJ 08202; and

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

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2020

Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(1)

RESOLUTION

Council Meeting March 17, 2020

RESOLUTION AUTHORIZING REFUND OF REDEMPTION

MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal Tax Sale held on September 18, 2019, a lien was Sold on Block 99.03 Lot 77, A.K.A. 9901 Second Ave, for 2018 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 2019-2, was sold to US BANK CUST FOR PRO CAP 8, for a 0% redemption fee and an \$800.00 Premium; and,

WHEREAS, CoreLogic Tax Servicing Agency has effected redemption of Certificate #2019-2 in the amount of \$1,675.92; and

NOW, THEREFORE, BE IT RESOLVED, that the CFO/Treasurer be authorized to issue a redemption refund check in the amount of \$1,675.92, to US BANK CUST FOR PRO CAP 8, %US Bank Global Corp Trust Services/Tax Lien Service Grp, 50 South 16th St Suite 2050, Philadelphia PA 19102, for the redemption of Tax Sale Certificate 2019-2; and,

BE IT FURTHER RESOLVED, that the CFO/Treasurer be authorized to issue a check in the amount of \$800.00 (Premium) to the aforementioned lien holder.

CFO/Treasures Note: 1099 = \$33.50

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

(8)

**Approve Proposal for Engineering Services within County Right-of-Way
(Work on the 93rd Street Pump Station Project)**

WHEREAS, Mott MacDonald is working on the design of the new stormwater pump station and collection & conveyance network for the 93rd Street stormwater drainage basin; and

WHEREAS, a significant portion of the proposed improvements are situated within 96th Street and Third Avenue; and

WHEREAS, Mott MacDonald proposes to undertake the work for performing additional required field survey and preparing the design for improvements within approximately 4,200 LF of County right-of-way for a lump sum fee of \$88,600.

WHEREAS, the Borough and Mott MacDonald spoke with the Cape May County Engineer and discussed the portion of the project that is being proposed within the County's right-of-way and the County Engineer agreed the County would pay its share of design fees and construction costs for improvements directly within the County's jurisdiction by entering into an Interlocal Agreement with the Borough; and

WHEREAS, it is the intention of Council to approve this proposal as presented, upon final approval of Borough Solicitor and Borough Administrator.

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 Borough Council approves the attached Proposal for Professional Engineering Services for Work on the 93rd Street Pump Station Project within the County Right-of-Way presented on this 17th day of March, 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 theday of, 2020

Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

RESOLUTION

**Authorizing the Mayor to Sign
Treatment Works Approval Application Modification - 94th Street Pump Station**

WHEREAS, NJDEP has ruled the Borough of Stone Harbor must submit a Modification of the previously approved Treatment Works Approval (TWA) Application concerning the replacement of the 93rd Street Pump Station to 94th Street; and

WHEREAS, this modification includes minor changes to the required TWA-1 Form, a revised Engineer's Report and the required fee of \$880.00 to be payable to NJDEP.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey on this 17th day of March, 2020, that the Mayor, Judith M. Davies-Dunhour is hereby authorized to sign the attached Treatment Works Approval Permit Modification and that the check for the permit review fee be prepared as requested.

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

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Mayor

(10)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION
AUTHORIZING A 2020 CONTRACT
WITH RICHARD GRAVER, NETWORK ENGINEER
FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES

WHEREAS, The Borough Council of the Borough of Stone Harbor has determined that there exists a need for oversight and maintenance of the Borough's information technology; and

WHEREAS, Richard Graver, Network Engineer of 118 Reading Avenue Tuckahoe, N.J. 08250 supplies a service that is specialized and qualitative in nature requiring expertise, extensive training and proven reputation in this field of endeavor, which constitutes an Extraordinary Unspecifiable Service not subject to public bidding; and

WHEREAS, the Borough Council is satisfied to engage Mr. Graver for the purposes outlined herein in accordance with the attached contract which is incorporated herein and made a part hereof by reference; and

WHEREAS, the amount of the contract in question is \$ 15,000, which amount is less than the threshold which would require public bidding, and

WHEREAS, funds are available for such services as evidenced by the certification of the Chief Financial Officer of the Borough attached hereto;

WHEREAS, this resolution authorizing the award of a contract for "Extraordinary, Unspecifiable Services" and shall serve as the agreement between the parties and shall be available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 17th day of March, 2020, as follows:

1. The Mayor and the Clerk are hereby authorized and directed to execute this Resolution, as the contract for provision of an "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this service is specialized and qualitative in nature requiring expertise, extensive training and proven reputation in this field of endeavor

2. A notice of this action shall be published in accordance with law.

Richard Graver _____ date Judith M. Davies-Dunhour, Mayor _____ date

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2020

The above resolution approved this day of, 2020

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(11)

REIMBURSE ZONING BOARD ESCROW

WHEREAS, there is a remaining balance in the escrow account for Project: Regatta Bay Condominium (96.04 L 119) of \$1,865.47; and

WHEREAS, Remington Vernick has confirmed that the final bill has been paid to the Borough and the project closed out; and

WHEREAS, PPA Realty Group has requested the remaining balance of \$1,865.47 be returned to them at 134 W. Main Street, Leola, Pa. 17540..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that a refund check in the amount of \$ 1,865.47 be issued.

BE IT FURTHER RESOLVED that Borough Officials 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 theday of, 2020

The above resolution approved this day of, 2020

Borough Clerk

.....
Mayor

(14)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC
IN ACCORDANCE WITH THE PROVISIONS OF
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,
N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters related to purchase, lease, sale or acquisition of real property with public funds.*
2. *Pending or anticipated litigation/Attorney/Client Privilege*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on March 17, 2020 that an Executive Session closed to the public shall be held on March 17, 2020 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

Official action may be taken as a result of said executive session.

It is anticipated that, in accordance with law and in a timely manner, the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2020

Borough Clerk

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

Mayor