

Web

REGULAR MEETING IMMEDIATELY
FOLLOWING THE WORK SESSION

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE
PRELIMINARY AGENDA FOR COUNCILMEMBERS

AGENDA REGULAR MEETING

TUESDAY June 16, 2020

PRESENTATION – 93RD Street Stormwater Pump Station UPDATE – Mott MacDonald Engineers - Tom Thornton

DOCK HEARING – POSSIBLE

ORDINANCE 1569 Exception – Alcohol Outdoors 2nd 3rd and final (1) Krafczek

Resolution- Change Order 1 ADA Ramps Replacement Phase I (2) Parzych

Resolution – Gov Deals (3) Parzych

Resolution – SLEO Officers from II to I – amend March 17th resolution (4) Dallahan

Resolution – Reimbursement Surety & Maintenance – VARIOUS (5) Rich

Resolution – Refund & Cancel Taxes – Totally Disabled Veteran (6) Gensemer

Resolution – Appoint Alternate Fund Commissioner (7) Moore

Resolution – COOP purchase Fire Company (8) Dallahan

Resolution - Storm Sewer Master Plan – DeBlasio (9) Moore

Resolution – Liquor License renewal – Shelter Haven (10) Dallahan

Resolution – Refund Beach Tags – Staley (11) Rich

Resolution – Refund Beach Tags – Larned (12) Gensemer

Resolution – Tents permitted in conjunction with outdoor dining during Covid 19 (13) Krafczek

Resolution – EUS Camps (14) Gensemer

DISCUSSION

Mayor Report
Office of Emergency Management Report

Suzanne Stanford

From: Lauren Plasket <lauren@channelmarineconstruction.com>
Sent: Monday, June 08, 2020 11:58 AM
To: Suzanne Stanford
Cc: Sue Brown
Subject: 9301 Sunset Dr

Hi Sue,

I would like to know if I can get on the agenda for the 6/16 council meeting for 9301 Sunset Drive please. It is for a pier permit. If I can get on, I will send out the neighbor notifications today and get you all the needed information. Will it be good to email you everything, mail or drop off. Let me know when you can.

Thank you!

Kind Regards,

Lauren Plasket

Channel Marine Construction, Inc.

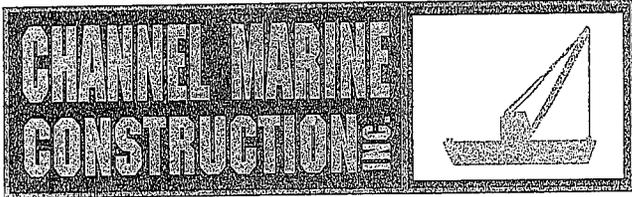
31 Clermont Drive

Clermont, NJ 08210

Office: 609-967-5600

Fax: 609-624-1225

[Email Me](#) | [Visit our Website](#) | [Like us on Facebook](#)



CC COPY

31 Clermont Drive
Clermont, NJ 08210
Phone: 609-967-5600
Fax: 609-624-1225

June 16, 2020

To Whom It May Concern:

Per ordinance No. 1530: 199-1, this letter is to provide you with notification that Richard Marino of 9301 Sunset Drive, Stone Harbor, NJ has submitted a request to Stone Harbor Construction and Zoning for approval to replace the existing Pier, Docks, and Ramp.

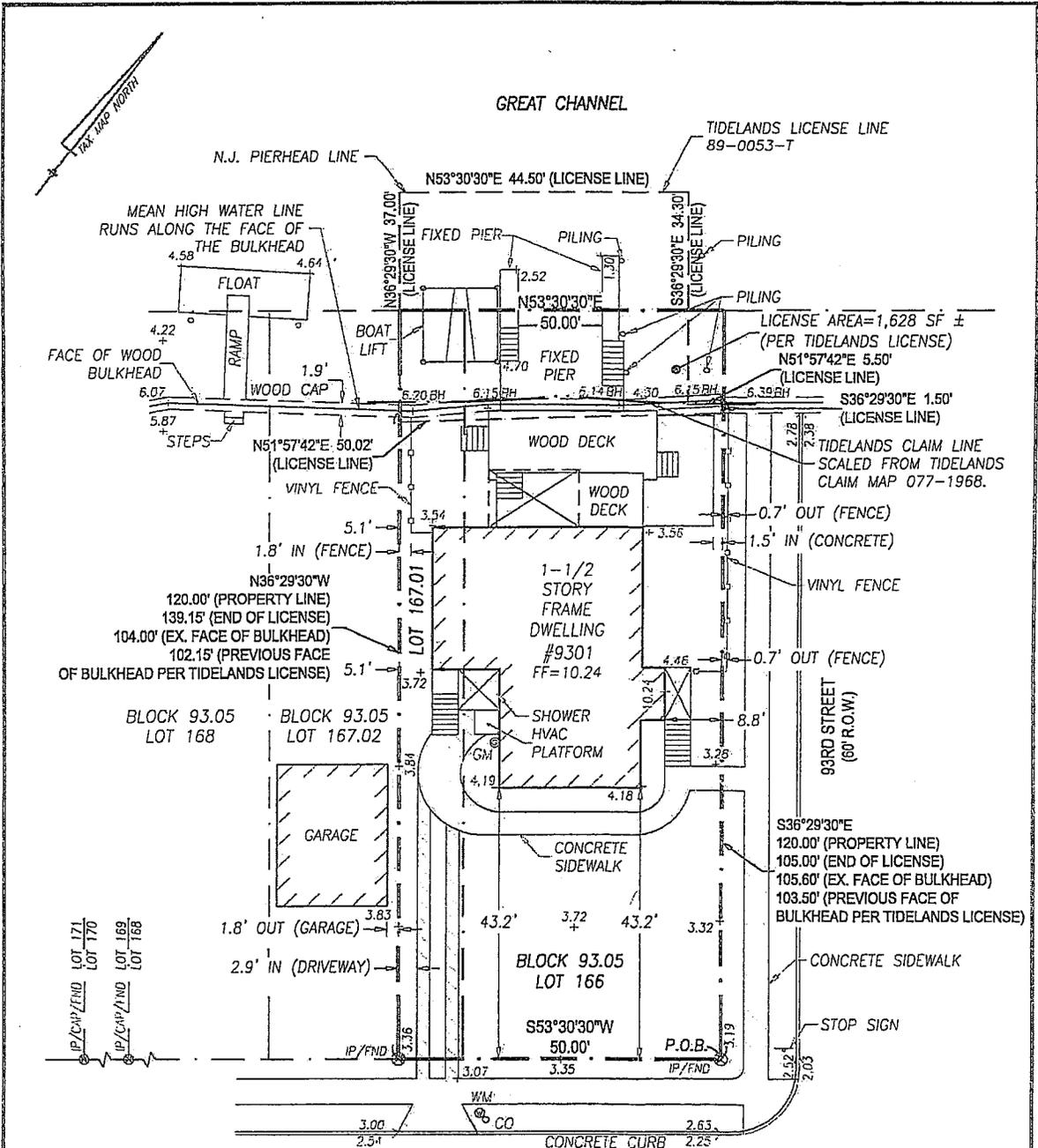
The Mayor and Council meeting is scheduled for June 16, 2020 at 4:30 pm. Please be advised that current council meetings are being held via Zoom. Please check www.stoneharbornj.org for up to date information. In person council meetings are held at the Municipal Building, 9508 Second Avenue, Stone Harbor, NJ 08247.

Sincerely;

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Frank Bowen
President

FB/lp



LEGEND

- 6.20 BH = TOP OF BULKHEAD ELEVATION
- IP/FND = IRON PIPE FOUND
- IP/CAP/FND = IRON PIN WITH CAP FOUND

SUNSET DRIVE
(60' R.O.W.)

PLAN OF SURVEY

SCALE : 1" = 20'

NOTES:

1. SURVEY PERFORMED WITHOUT BENEFIT OF A TITLE REPORT. PROPERTY SUBJECT TO ANY EASEMENTS OR RESTRICTION OF RECORD.
2. SURVEY BASED ON DEED BOOK 3848 PAGE 5.
3. LOT AND BLOCK NUMBERS REFER TO THE BOROUGH OF STONE HARBOR TAX MAPS, SHEET #14.
4. ELEVATIONS SHOWN BASED ON NAV88.
5. PROPERTY CORNERS WERE FOUND AT TIME OF SURVEY.
6. PROPERTY LIES IN ZONE "AE" (EL. 9.0) & ZONE "VE" (EL. 11.0) AS SHOWN ON F.I.R.M. #340090242F, DATED 10/05/2017.
7. TIDELANDS CLAIM LINE PER ATLAS SHEET 077-1968.

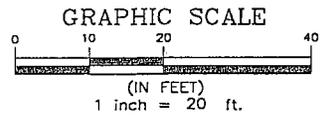
TO: RICHARD MARINO AND TERESA MARINO
SEABOARD TITLE AGENCY

IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I HEREBY DECLARE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS MAP OR PLAN IS THE RESULT OF A FIELD SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS NJAC 13:40-5.1 LAND SURVEYOR; PREPARATION OF LAND SURVEYS.

THE INFORMATION SHOWN HEREON CORRECTLY REPRESENTS THE CONDITIONS FOUND AS OF THE DATE OF THE FIELD SURVEY 06/25/19 EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, LOCATED BELOW THE SURFACE OR NOT VISIBLE.

THIS DECLARATION IS GIVEN SOLELY TO THE ABOVE NAMED PARTIES FOR THIS TRANSACTION ONLY. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR USE OF THIS SURVEY FOR ANY OTHER PURPOSE, INCLUDING BUT NOT LIMITED TO USE OF SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR BY ANY PERSON NOT LISTED ABOVE EXCEPT AS FOLLOWS:

- A. TO THE TITLE INSURER SO IT MAY INSURE TITLE TO THE PREMISES SHOWN HEREON.
- B. TO THE MORTGAGE HOLDER THE DECLARATION SHALL SURVIVE TO ITS SUCCESSORS OR ASSIGNS.



 <p>Dante Guzzi Engineering Associates 203 South Main Street, Cape May Court House, New Jersey 08204 Telephone (609) 483-2333 NJ Certificate of Authorization No. 24682907590 Facsimile (609) 483-2337 www.guzziengineering.com</p>	<p>PLAN OF SURVEY 9301 SUNSET DRIVE BLOCK 93.05, LOTS 166 & 167.01 BOROUGH OF STONE HARBOR CAPE MAY COUNTY, NEW JERSEY</p>		<p>DRAWING NO. SV1</p>
	<p>FILE: 9301SUNSETDR-SUR DATE: 07/08/2019 DRAWN BY: DM</p>	<p>SCALE: AS SHOWN PROJECT NO.: C-19-293 CHECKED BY: SDB DATE: 07/08/2019</p>	<p>SHEET 1 OF 1</p>
<p>SCOTT D. BROWN, P.E., P.L.S. DATE: 7/08/2019 PROFESSIONAL ENGINEER AND LAND SURVEYOR N.J. LICENSE NO. 38250</p>			



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
 Telephone: (609) 777-0454 or Fax: (609) 777-3656
 www.nj.gov/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		<p>Approval Date 2/12/2020</p> <p>Expiration Date 2/11/2025</p>
<p>Permit Number(s): 0510-09-0023.1 LUP190001</p>	<p>Type of Approval(s): WFD Individual Permit-SFH/Duplex(Waterward)</p>	<p>Enabling Statute(s): N.J.S.A. 12:5-3 et seq.</p>
<p>Permittee: Richard & Teresa Marino 783 Mitchell Rd Wilmington, OH 45177</p>	<p>Site Location: Block(s) & Lot(s): [93.05, 166] [93.05, 167.01] Municipality: Stone Harbor Borough County: Cape May</p>	
<p>Description of Authorized Activities:</p> <p>This document authorizes the installation of 50 linear feet of vinyl or steel replacement bulkhead (in-place) and install a 5' return; reconstruct a 4'x8' floating dock (currently a fixed pier), reconstruct a 2.75'x12' floating dock (previously a fixed pier); legalize the existing 13'x13' open boat lift and 3 mooring piles.</p> <p>This project is authorized under, and in compliance with, the applicable Coastal Zone Management Rules, N.J.A.C. 7:7, as amended through July 15, 2019.</p>		
<p>Prepared by:  Amy Wells, Environmental Specialist 2</p>		<p>Received and/or Recorded by County Clerk:</p>
<p>If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.</p>		
<p align="center">This permit is not valid unless authorizing signature appears on the last page.</p>		

STATEMENT OF AUTHORIZED IMPACTS:

This document authorizes the installation of 50 linear feet of vinyl or steel replacement bulkhead in-place and install a 5' return; reconstruct a 4'x8' floating dock (currently a fixed pier), reconstruct a 2.75'x12' floating dock (previously a fixed pier); legalize the existing 13'x13' open boat lift and install 3 mooring piles. The authorized activities allow for the permittee to undertake impacts to regulated areas as described herein. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:7-2.1(a).

PRE-CONSTRUCTION CONDITIONS:

1. Within 90 days of permit issuance, and prior to site preparation and/or construction, the permittee shall reduce the existing fixed pier to 9.96'x13.63' as shown on the approved plan.
2. Within 90 days of permit issuance, and prior to site preparation and/or construction, the permittee shall apply for and receive a Tidelands grant, lease or license from the Bureau of Tidelands prior to construction. Failure to comply with this condition will result in fines up to \$1000 plus \$100 per day, a higher fee for the conveyance and possible prosecution by the Attorney General's Office to remove unauthorized structures and to pay use and occupancy charges.
3. This permit is not valid until such time as you have obtained a Department of the Army authorization. Prior to site preparation or construction, the permittee shall obtain authorization from the U.S. Army Corps of Engineers for the proposed project. You are advised to contact the Philadelphia District at 215-656-6729.

SPECIAL CONDITIONS:

1. Timing: If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee must comply with such condition(s) within the time required by the permit or, if no time specific requirement is imposed, then within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such condition(s) cannot be satisfied.
2. The permittee shall notify the Department in writing within five working days prior to commencement of operation of a CAFRA individual permit. At this time, the permittee shall certify that all conditions of the permit that must be met prior to operation of the development have been met.
3. Consistent with Assembly Bill, No. 2804, P.L. 2007, CHAPTER 113 the use of creosote treated material (or other descriptive term from the law) in the construction of the authorized structure(s) is prohibited
4. This permit authorizes construction of the proposed development only. This permit does not legalize any upland structures not associated with the proposed development.
5. No more than four (4) vessels may be moored at any time.
6. All structures and mooring areas shall be located as depicted on the approved plans and within the permittee's property line extension and/or limit of a Tidelands instrument.
7. Space between horizontal planking is maximized and width of horizontal planking is minimized to the maximum extent practicable. Under normal circumstances, a minimum of 3/8-inch, 1/2-inch, 3/4-inch, or one-inch space is to be provided for 4-inch, 6-inch, 8 to 10-inch, or 12-inch plus wide planks, respectively.
8. The width of the structure shall not exceed twice the clearance between the structure and the surface of the ground below or the water surface at mean high tide (measured from the bottom of the stringers).

9. All debris, wood, trash, and other loose materials shall be discarded and legally disposed of offsite. The applicant shall take special care that no debris enters or remains in the water.
10. The proposed bulkhead shall be constructed in the same footprint as the existing bulkhead.
11. Manufacturer's recommendations shall be followed for the field patching of all cuts, drilled holes or any tears in the surface of the structural members used for dock construction.
12. This permit does not authorize dredging activities. If dredging is required in the future, a new Waterfront Development application showing compliance with 7:7-12.9 New Dredging will be required to be submitted to this Division.
13. The lift shall be an open-type lift. No decking or planking shall be installed on the lift.
14. All debris generated from the proposed project is to be disposed of at an approved disposal site.
15. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit.
16. This permit is issued subject to compliance with N.J.A.C 7:7-27.2 conditions that apply to all coastal permits.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District or designee having jurisdiction over the site.
5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Division of Land Use Regulation by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:

- i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.
 9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
 10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.
 11. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.
 12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
 13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - iii. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action.
 14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel while the regulated activity, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, the permittee shall remove and dispose of in a lawful manner all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
 15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
 16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
 17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.

18. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.
20. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.
21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
25. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
26. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, PO Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.
27. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to the Division of Land Use Regulation at the address listed on page one of this permit.

APPROVED PLAN(S):

The drawing(s) hereby approved consist of one sheet, page 1 of 1, prepared by Robert Douglas Green, P.E., dated November 26, 2019, last revised February 5, 2020, and entitled: "NJDEP PERMIT PLAN, 9301 SUNSET DRIVE, BLOCK 93.05 – LOTS 166 & 167.01, BOROUGH of STONE HARBOR, CAPE MAY COUNTY, NJ".

APPEAL OF DECISION:

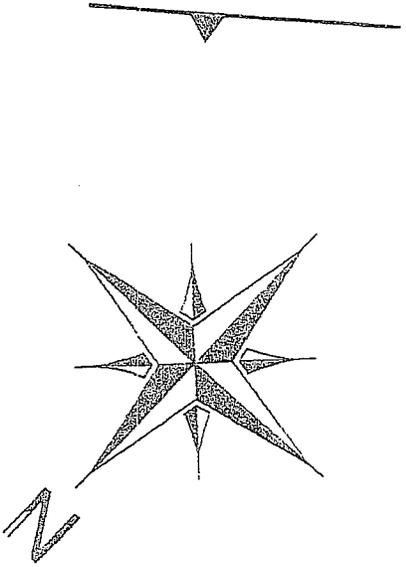
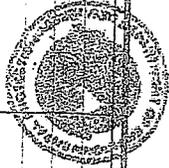
Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at www.nj.gov/dep/bulletin). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at www.nj.gov/dep/landuse/forms.html). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. Additionally, a copy of the hearing request shall be submitted to the Director of the Division of Land Use Regulation at the address listed on page one

DATE	11-26-19
SHEET NO.	1 OF 1
DRAWN BY	WEE
CHECKED BY	RDS
SCALE	NOTED

DWG. NO. 1570-1-19

No.	1
REVISION	PER MRDP COMMENTS
DATE	2-5-20
BY	WE
CHK	RDS

Approved
 FEB 12 2020
 New Jersey Department of Environmental Protection
 Division of Land Use Regulation



PROJECT
9301 SUNSET
 BLOCK 93.05 - LOTS 1
 BOROUGH OF STONE HARBOR, CAJ
 DWG. TITLE
NJDEP PERMIT

(1)

Web

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY

ORDINANCE NO 1569

AN ORDINANCE AMENDING CHAPTER 134 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF STONE HARBOR, 2005

(Adding an Exception)

Section 1. Chapter 134 is hereby amended as follows:

§ 134-9 Consumption in public; permit required.

A. The consumption of any alcoholic beverages in public is prohibited.

B.. Exceptions:

1. The Borough Council may approve, upon written application therefor, a permit for the use of Borough property for the consumption of alcoholic beverages in connection with a special event. The Borough Council shall approve or deny applications for such permits, on a case-by-case basis, as it deems advisable based upon the best interest of the Borough employees and the general public.

2. Alcoholic beverages consumed in compliance with an outdoor dining permit as outlined in Ordinance 1568. (June 2020)

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

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

Section 4. This Ordinance shall take effect immediately upon final adoption and publication in accordance with law.

APPROVED:

Judith M. Davies -Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Walters Marine Construction 414 Woodbine- Oceanview Road, Ocean View, N.J. 08230 for Beach ADA Ramps Replacement Phase I; and

WHEREAS, it is the recommendation of the Borough's Engineer, Marc DeBlasio to authorize Change Order No. 1 – Unused allowance credit and Stainless Steel hardware credit ; and

WHEREAS, Change Order No. 1 will result in a decrease of \$29,407.94 to the original contract amount of \$535,000.00 for a final contract amount of \$505,592.06.

NOW, THEREFORE, BE IT RESOLVED, this 16th day of June, 2020 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1 be and hereby is authorized;

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 1 .

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

(3)

RESOLUTION

Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Stone Harbor is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, Cape May County, on this 16th day of June, 2020 as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Public Works Department of the Borough.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is attached.

(5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Stone Harbor reserves the right to accept or reject any bid submitted.

List Attached: June 16, 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

RESOLUTION

(4)

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 SLEO II officers be changed to SLEO I officers as of this date

SLEO I

Eric Courtney

Matthew Grubb

Nick McLaren

Nil Mistry

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

(5)

RESOLUTION

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

WHEREAS, none of the fees were used in conjunction with the projects, and

WHEREAS, the Zoning Officer has requested and approved the return of the fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor on this 16th
day of June, 2020 that the fees be reimbursed as follows:

- 1. KSM Irrevocable Trust
230 Biddulp Road, Radnor, PA 19087
Block 90.91 Lot 168 a/k/a 349 - 89th Street
Amount \$ 2,320
- 2. Brandywine Developers
PO Box 373, Avalon, NJ 08202
Block 102.02 Lot 31 a/k/a 10205 First Avenue
Amount: \$ 2,080
- 3. Brandywine Developers
PO Box 373, Avalon, NJ 08202
Block 119.02 Lot 104 a/k/a 115 - 109th Street
Amount \$ 6,200
- 4. James or Joanne Carrigan
62 Hargrave Lane, Media, PA 19063
Block 202 Lot 23 a/k/a 10540 Corinthian Place
Amount \$ 3,200

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

(6)

RESOLUTION

RESOLUTION TO REFUND AND CANCEL TAXES FOR TOTALLY DISABLED VETERAN

WHEREAS, N.J.S.A. 54:4-3.30 a., provides that an Honorably Discharged Veteran who served in active service time of war in any branch of the Armed Forces of the United States who has been declared by the United States Veterans Administration to be 100% permanently disabled resulting from enemy action, or accident, or disease, contracted while in such active service shall upon proof of the facts set forth herein be exempt from real estate taxes on his dwelling house; and,

WHEREAS, Hilbert T. Steltz, Jr. an Honorably Discharged Veteran, has supplied the Borough with the required proofs and has been determined by the Department of Veteran Affairs to be totally disabled as a result of wartime service connected disability; and

WHEREAS, the exemption was approved by the County Tax Board effective May 7, 2020 for the 2020 municipal tax list.

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 Tax Collector is hereby authorized and directed to refund the 2020 preliminary (1st and 2nd quarter) taxes in the amount of \$2,258.20, and to cancel the 2020 Final (3rd & 4th quarter) estimated taxes in the sum of \$2,325.19, and to cancel the reconciled 2020 Final/2021 Preliminary taxes to be issued in September for Block 108.31 Lot 40.02, a/k/a/ 241 – 108th Street; and

BE IT FURTHER RESOLVED that the Tax Collector make the proper adjustments 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

**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 Kate McGonagle as Alternate Fund Commissioner for the year 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor on this 20th day of June, 2020 that it does hereby appoint James Craft as Fund Commissioner and Kate McGonagle 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

(8)

WHEREAS, the Borough of Stone Harbor entered into the Sourcewell (formally NJPA 120716-NAF approved by Resolution 2015-S-118 on June 16, 2015 for the purpose of purchasing various goods and services; and

WHEREAS, the Stone Harbor Fire Department will be using this Co-Op to purchase a New 2020 Chevrolet Silverado 1500 (CK10543) 4 WD Crew Cab 147" Custom 5.8' Box with A & K Equipment per quote attached from National Auto Fleet Group 490 Auto Center Drive, Watsonville, CA 95076 for a total of \$ 47,554.75.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey on this 16th day of June, 2020 that the purchase of a New 2020 Chevrolet Silverado 4 WD Crew Cab as per quote attached for a total price of \$ 47,554.75, and which amends Resolution 2020-S-84, passed on April 7, 2020 be approved.

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

(9)

**Approve Proposal for Professional Services
Storm Sewer System Master Plan and Flood Mitigation
Borough of Stone Harbor**

WHEREAS, DeBlasio & Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal (copy attached) to provide Professional Services for Storm Sewer System Master Plan and Flood Mitigation D&A File #: SH-C-018:

Services will include the following tasks:

- 1. Data Collection
- 2. Field Observations and Investigations
- 3. Topographic Survey
- 4. Drainage Area Map
- 5. Runoff Computations
- 6. Analysis
- 7. Capital Improvement Recommendations
- 8. Overall Conceptual Improvement Plan
- 9. Meeting Attendance
- 10. Final Report

Not to exceed \$54,000.00, estimated fees per task are included in the proposal.

Proposal predicated on the Borough providing the following documentation

- 1. Watershed Management Plan
- 2. Dune Management Plan
- 3. Beach Management Plan
- 4. Bulkhead elevational Survey
- 5. Storm Sewer Inlet Flood Gauge Date

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 Services as presented on this 16th day of June, 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

(10)

WHEREAS, Shelter Haven Hospitality, Inc. License #0510-33-003-007 Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2020 to June 30, 2021; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant; and

WHEREAS, a Place to Place (Expansion of Premises) Transfer Application Rider No. 3.1, 3.2, 3.3, 3.4, 3.5 and 3.6 was approved by Resolution 2015-S-76 on April 7, 2015 and submitted to the State of New Jersey, under and subject to the following conditions:

1. Alcoholic beverages shall be served upon outdoor areas newly licensed by this approval only by a server who obtains such beverages from an inside bar area.
2. There shall be no portable or fixed bar located outside in the outdoor areas newly licensed by this approval.
3. There shall be no live or recorded entertainment, including musicians, whether amplified or not, upon the outdoor areas newly licensed by this approval and no amplification of any indoor live or recorded entertainment, including musicians, onto the outdoor areas newly licensed by this approval.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey, that a Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven of 9601 Third Avenue. That said license shall become effective on

July 1, 2020 and be for the one year from said date expiring at the close of business on June 30, 2021 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

BE IT FURTHER RESOLVED that the Borough Council has determined that it is in the best interests of the health, safety and welfare of the citizens of and visitors to the Borough of Stone Harbor to impose certain limited and reasonable conditions in order to reduce the likelihood of noise and other disruption of peace and good order, taking into consideration the prior history, before current ownership, of this area as an operating licensed establishment, which included noise associated with music and outdoor liquor service as well as the disturbance peace and good order associated with same, as well as recent complaints and concerns raised by nearby homeowners, accordingly , the conditions imposed by the Borough via Resolution 2015-S-76, as detailed hereinabove, and amended by the State on September 1, 2015, are reaffirmed and remain in full force and effect for this renewal period for that portion of the licensed premises referenced in Resolution 2015-S-76.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(11)

WHEREAS, Patricia Staley of 537 Glen Arden Drive, Pittsburgh, Pa. 15208 purchased 12 seasonal beach tags for 2020 and sent in another check, ordering them again; and

WHEREAS she contacted the Borough and has requested a refund for twelve (12) 2020 seasonal tags and the request was received before the June 30 deadline, established by Resolution 72 of 1979 and the request has been approved by the CFO and by the Beach & Recreation Committee of the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 16th day of June, 2020 that \$ 300.00 be refunded to Patricia Staley and that the proper Borough officers make the proper adjustments in their records.

Offered by Seconded by.....

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

Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(12)

WHEREAS, David & Roberta Larned of 705 N. Dupont Rd. Wilmington, DE 19807 purchased 4 seasonal beach tags for 2020 and thinking the check had not reached the office, purchased 4 more at the 95th Street location; and

WHEREAS she contacted the Borough and has requested a refund for four (4) of the 2020 seasonal tags and the request was received before the June 30 deadline, established by Resolution 72 of 1979 and the request has been approved by the CFO and by the Beach & Recreation Committee of the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 16th day of June, 2020 that \$ 100.00 be refunded to David & Roberta Larned and that the proper Borough officers make the proper adjustments in their records.

Offered by Seconded by.....

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

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(13)

RESOLUTION

A RESOLUTION AUTHORIZING THE ZONING OFFICER TO EXERCISE DISCRETION WITH REGARD TO APPROVING AND ENFORCING OUTDOOR DINING PERMITS TO ENSURE THEY ARE CONSISTANT WITH EXECUTIVE ORDER 150 AND ANY SUBSEQUENT EXECUTIVE ORDERS AND GUIDANCE PROVIDED BY THE STATE OF NEW JERSEY

WHEREAS, On July 2nd, 2020 the Borough Council of the Borough of Stone Harbor approved Ordinance No. 1568 which established the regulations and process for obtaining an outdoor dining license; and

WHEREAS, Ordinance No. 1568 section 380-5 Borough Approval of Outdoor Dining Licenses, provides the Zoning Officer with the power to approve or deny Outdoor Dining Licenses based on the criteria set forth in the ordinance with his discretion; and

WHEREAS, Ordinance No. 1568 section 380-10 Amendments; allows Borough Council of the Borough of Stone Harbor to amend the ordinance by resolution during times of economic uncertainty or when circumstances require it; and

WHEREAS, on June 3rd, 2020, Governor Murphy signed Executive Order 150 which allows outdoor dining to begin on June 15th, 2020, along with an Executive Directive from the New Jersey Department of Health outlining health and safety standards.

WHEREAS, the Council of the Borough of Stone Harbor previously adopted Ordinance 1568, which modifies Section 380 of the Stone Harbor Code (Outdoor Dining); and

WHEREAS, modifications and interpretations of said Ordinance are permitted by Resolution pursuant to section 380-10 of same.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor that the Zoning Officer is hereby deemed, pursuant to Ordinance number 1568, to be empowered to exercise his discretion as follows:

1. The Zoning Officer may approve Outdoor Dining Licenses in areas where tables might not have previously been permitted. This may encompass areas including, but not limited to, parking lots owned by dining establishments. In conjunction with that approval the Zoning Officer, in his discretion, may permit additional umbrellas or tents to be erected in those areas for a period of time to be determined by the Zoning Officer, provided the same comport with applicable public safety requirements.

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

(14)

RESOLUTION

RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR EXTRAORDINARY UNSPECIFIABLE SERVICES FOR STONE HARBOR DURING THE SUMMER OF 2020

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

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

WHEREAS, a contract for the following services have been prepared and are on file with the Borough Clerk:

1. Field Hockey Camp – Powerhouse Field Hockey
2. Lacrosse Camp – Exit Zero
3. Multi Sport Camp – Shore Sports
4. Soccer Camp – Steel Soccer
5. Surf Camp – Stone Harbor Surf & Paddle
6. Basketball Skills Clinic – Shore Shot
7. Drop & Chop Cooking Classes – The Crafty Chef Academy
8. Yoga Classes – Just Breath Yoga
9. Zumba – Avalon Fitness Upstairs
10. Sandbarre Classes – Avalon Fitness Upstairs
11. Power Yoga Classes – Anjali Power Yoga

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 16th day of June, 2020, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Mayor and Clerk are hereby authorized and directed to execute the aforementioned contracts on behalf of the Borough.

Offered by Seconded by.....

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

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

Borough Clerk

Mayor