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

AGENDA REGULAR MEETING

TUESDAY August 4, 2020

Resolution – Shared Services Agreement – Federal Coastal Barrier Resources Act (1) Rich

Resolution – Joint Appointment of Neil Yaskin, Special Environmental Counsel – Federal Coastal Barrier Resources Act (2) Krafczek

Resolution – Alternate Registrar (3) Parzych

Resolution – Audit (4) Krafczek

Resolution – Refund Beach Tags Verba-Kramer (5) Gensemer

Resolution – Reimburse Surety and Maintenance (6) Moore

Resolution – Refund Surf Camp (7) Rich

Resolution – Liquor License Freds (8) Dallahan

Resolution – Liquor License Quahogs (9) Parzych

Resolution – Emergency Appropriation (10) Dallahan

Resolution – Amend Salary Range for Beach Tag personnel (11) Gensemer

Resolution – Professional Services – Appraiser (12) Krafczek

Motion Sidewalk Sale (13) Gensemer

Motion – St. Brendan (14) Gensemer

DISCUSSION

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

AMENDMENT No. 1

TO

SHARED SERVICES AGREEMENT FOR
THE JOINT EMPLOYMENT AND APPOINTMENT OF SPECIAL COUNSEL FOR
ENVIRONMENTAL AND LITIGATION ISSUES PERTAINING TO THE FEDERAL
COASTAL BARRIER RESOURCES ACT AND OTHER FEDERAL LAWS AND THE
INTERPRETATION THEREOF BY THE UNITED STATES FISH AND WILDLIFE
SERVICES

THIS AMENDMENT made effective as of JULY 1, 2020 by and between the
BOROUGH OF AVALON, (hereafter "Avalon") having its principal offices located at
3100 Dune Drive, Avalon, New Jersey 08202, and the
CITY OF NORTH WILDWOOD, (hereafter "North Wildwood") having its principal offices
at 900 Atlantic Avenue, North Wildwood, New Jersey 08260, and the
BOROUGH OF STONE HARBOR, having its principal offices located at 9508 Second
Avenue, Stone Harbor, New Jersey 08247,

each of which are Municipal Corporations of the State of New Jersey and which shall
hereafter collectively be known as "Municipalities"

WITNESSETH:

WHEREAS the Municipalities have previously entered into a shared services agreement
("SSA") pursuant to the provisions of the New Jersey Uniform Shared Services and
Consolidation Act, N.J.S.A. 40A: 65-1 *et seq.* ("USSC Act") for the purposes described
therein; and

WHEREAS, the SSA was for a term of two years commencing May 1, 2019 through
April 30, 2021 unless sooner terminated; and

WHEREAS the SSA has not been terminated and remains in full force and effect;

WHEREAS, pursuant to the SSA the Municipalities have jointly appointed Neil Yoskin,
Esquire and the Law Firm of Cullen and Dykmann, LLP as Special Counsel to provide
legal representation in matters involving the CBRA pursuant to a Professional Services
Contract ("PSC") which was for a one-year term that expired on April 30, 2020;

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS the Municipalities have determined to amend and extend the SSA in accordance with Section 16 of said SSA as hereinafter provided and to take other action as hereinafter provided;

NOW, THEREFORE, in consideration of mutual covenants, agreements and considerations contained herein, as well as those contained in the original agreement dated and effective May 1, 2019, AVALON, NORTH WILDWOOD, and STONE HARBOR do hereby agree as follows:

A1.1 PREAMBLE

The Preamble shall be amended to add a Paragraph H which shall provide as follows:

H. On or about November 4, 2019 the Honorable David Bernhardt issued an official letter in his capacity as Secretary of the United States Department of the Interior determining and affirming that "Sec. 6(G) of CBRA applies to any 'non-structural projects for shoreline stabilization that are designed to mimic, enhance, or restore a natural stabilization system' including those outside of a system unit". The effect of such determination was that sand from CBRA NJ-09 (Hereford Inlet Borrow Zone) could be used in the future to provide sand for beach stabilization and renourishment projects for areas that are outside the CBRA Unit.

On July 2, 2020 the National Audubon Society filed suit against Secretary Bernhardt, the United States Department of the Interior, Aurella Skipwith as Director of the U.S. Fish and Wildlife Service ("USFWS") and the USFWS challenging the determination of Secretary Bernhardt and seeking declaratory and injunctive relief that would nullify the Secretary's determination and restore the prohibition against the use of CBRA NJ-09 to preserve and protect our beaches.

The National Audubon Society lawsuit was filed in the United States District Court for the Southern District of New York, Case No. 20-cv-5065 ("Litigation")

The challenge by the National Audubon Society to Secretary Bernhardt's determination, should it be successful, will have immediate and devastating consequences for the Municipalities individually and collectively.

For these and other reasons the Municipalities have determined that they must seek to intervene in said litigation, and/or take any other appropriate action that is deemed necessary and in furtherance of the interests of the Municipalities or any of them and to promote the public health, safety and welfare of each. As a consequence, the municipalities intend to (1) Reauthorize and/or renew the PSC with Special Counsel for a one-year term effective July 1, 2020; and (2) Amend the existing SSA and provide for

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

a one-year extension thereof; and (3) authorize Special Counsel to intervene or take other action with respect to the Litigation;

A.1.2 INCORPORATION OF THE PREAMBLE.

SECTION 1 of the May 1, 2019 SSA is amended and supplemented to include Paragraph H above.

A.1.3 SHARED SERVICES AGREEMENT; TERM.

SECTION 2 of the May 1, 2019 SSA is amended to extend the term of the Agreement from two years to three years. Accordingly, the SSA which would have expired April 30, 2021 shall be extended for an additional twelve (12) months with an expiration date of April 30, 2022. The SSA shall remain subject to earlier cancellation in accordance with Section 7 thereof.

A.1.4 PROFESSIONAL SERVICES CONTRACT; TERM; COMPENSATION.

The Municipalities shall jointly enter into a renewal of a Professional Services Contract ("PSC") with NEIL YOSKIN, Esquire and the Law Firm of CULLEN and DYKMAN, LLP (hereafter "Special Counsel") in accordance with New Jersey Law which shall encompass, among other things, the following:

- a) The term shall be one year from July 1, 2020 until June 30, 2021 and subject to cancellation in accordance with the provisions contained in the PSC.
- b) Fees shall remain unchanged at Three Hundred Dollars (\$300.00) per hour and shall not exceed the sum of Thirty Thousand Dollars (\$30,000.00) per Municipality for an aggregate gross fee not to exceed the sum of Ninety Thousand Dollars (\$90,000.00). The "not to exceed amount" is intended to comply with Local Finance Notice LFN 2017-10.

A.1.5 EFFECTIVE DATE OF SHARED SERVICES AGREEMENT; MUNICIPAL AUTHORIZATION.

SECTION 8 of the May 1, 2019 SSA is amended to provide as follows:

Pursuant to N.J.S.A.40A:65-5, the parties shall adopt resolutions authorizing this Agreement which shall remain in full force and effect from its effective date (May 1, 2019) for a period of three (3) years (through April 30, 2022) provided, however, that any municipality shall have the option to withdraw from this Agreement upon ninety (90)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

days written notice to each of the other municipalities, which may, in the exercise of their discretion, continue with the Agreement.

This Amendment to the SSA dated and effective May 1, 2019¹ has been authorized by formal action by each Municipality as follows:

Borough of Avalon pursuant to Resolution No. _____ adopted on July 22, 2020.

Borough of Stone Harbor pursuant to Resolution No. _____ adopted on _____.

City of North Wildwood pursuant to Resolution No. _____ adopted on _____.

A.1.6 NOTICES.

SECTION 9 of the May 1, 2019 SSA is amended, in part, to delete all reference to Jill Gougher, Administrator and to substitute in place thereof the following:

As to BOROUGH OF STONE HARBOR:

Robert Smith, Administrator
BOROUGH OF STONE HARBOR
9508 Second Avenue
Stone Harbor, New Jersey 08510

With a copy to Stone Harbor Borough Clerk

A.1.7 AGREEMENT EXECUTED IN COUNTERPARTS.

This Amendment to the SSA may be executed in counterparts. Each Party shall execute three (3) copies of this Agreement so that each party will have a copy of this Agreement with original signature pages. At the election of the Municipalities, faxed or scanned signatures may be used in lieu of original signatures. By using faxed or scanned signature pages, each Municipality represents and warrants that an original signature page is on record with the Municipal Clerk of that Municipality.

¹ May 1, 2019 SSA was authorized as follows:

Borough of Avalon pursuant to Resolution No. 99-2019 adopted on May 8, 2019.

Borough of Stone Harbor pursuant to Resolution No. 2019-S106 adopted on June 4, 2019.

City of North Wildwood pursuant to Resolution No. 141-19 adopted on May 21, 2019.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A.1.8 OTHER PROVISIONS

- a) All terms, conditions, and other provisions contained in the SSA dated and effective May 1, 2019 which have not been amended herein shall remain in full force and effect for the duration of this SSA and any further extension thereof.
- b) This Amendment No. 1 shall, when executed, be attached to the SSA dated and effective May 1, 2019 and together shall constitute the SSA, as amended.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date hereinafter stated to be effective as of the day and year first above written.

Attest: **BOROUGH OF AVALON**

 C. Danielle Nollett
 Borough Clerk
 DATED: _____

 Martin L. Pagliughi
 Mayor

Attest: **CITY OF NORTH WILDWOOD**

 W. Scott Jett
 City Clerk
 DATED: _____

 Patrick Rosenello
 Mayor

Attest: **BOROUGH OF STONE HARBOR**

 Suzanne C. Stanford
 Borough Clerk
 DATED: _____

 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 theday of, 2020

The above resolution approved this day of, 2020

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

A RESOLUTION:

1. AUTHORIZING THE JOINT REAPPOINTMENT OF NEIL YOSKIN, ESQUIRE AND THE LAW FIRM OF CULLEN AND DYKMAN LLP AS SPECIAL ENVIRONMENTAL AND LITIGATION COUNSEL ("SPECIAL COUNSEL") FOR A ONE-YEAR TERM COMMENCING JULY 1, 2020 INCONJUNCTION WITH AN EXISTING SHARED SERVICES AGREEMENT AMONG THE BOROUGH OF AVALON, THE BOROUGH OF STONE HARBOR, AND THE CITY OF NORTH WILDOOD FOR ALL MATTERS RELATING TO THE COASTAL BARRIER RESOURCES ACT AND THE INTERPRETATION AND ENFORCEMENT THEREOF; AND
2. AUTHORIZING AMENDMENTS TO AND THE EXTENSION OF THE EXISTING SHARED SERVICES AGREEMENT AMONG THE BOROUGH OF AVALON, THE BOROUGH OF STONE HARBOR, AND THE CITY OF NORTH WILDOOD WHICH AGREEMENT IS DATED AND EFFECTIVE AS OF MAY 1, 2019; AND
3. AUTHORIZING SPECIAL COUNSEL TO INTERVENE IN OR TAKE SUCH OTHER ACTION WHICH SPECIAL COUNSEL DEEMS APPROPRIATE WITH RESPECT TO CERTAIN LITIGATION NOW PENDING THE UNITED STATES FEDERAL DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK AND/OR SUCH OTHER LITIGATION WHICH MAY BE RELATED THERETO.

WHEREAS, the Borough of Avalon ("Avalon"), the Borough of Stone Harbor ("Stone Harbor"), and the City of North Wildwood ("North Wildwood") have heretofore authorized and executed a Shared Services Agreement ("SSA") pursuant to the Uniform Shared Services and Consolidation Act of the State of New Jersey, N.J.S.A. 40A:65-1 et seq. ("Shared Services Act") pursuant to appropriate Resolutions adopted by each of the Municipalities; and

WHEREAS, the reasons for such action were fully described in Avalon Resolution 100-2019 adopted on May 8, 2019 which Resolution is incorporated herein by this reference and made a part hereof; and

WHEREAS, Neil Yoskin, Esquire and the Law Firm of Cullen and Dykman LLP were jointly appointed by each Municipality as Special Counsel pursuant to a Professional Services Contract ("PSC") for a term of one-year (the maximum term permitted under the statute) which has now expired and Stone Harbor and the two other Municipalities intend to reauthorize a PSC for an additional year commencing July 1, 2020 through June 30, 2021; and

WHEREAS, the combined efforts of Avalon, North Wildwood and Stone Harbor aided by Congressional Representative Congressman VanDrew resulted in the issuance of a favorable determination by the United State Secretary of the Interior, David Bernhardt, in a determination letter dated on or about November 4, 2019 the effect of which was to determine that sand from the Hereford Inlet Borrow Zone, otherwise known as CBRA NJ-09, could be used for future beach fills, beach nourishment, and beach stabilization projects, as a recognized exception under the CBRA and specifically under 16 U.S.C. 3505 (a)(6)(G); and

WHEREAS, documentary evidence was submitted to the Secretary of the Interior which conclusively demonstrated that the interpretation sought by the Municipalities would not result in any adverse environmental impact but, rather, will serve to enhance and benefit the

environment consistent with the express purpose of CBRA and other federal and state legislation aimed at shore protection; and

WHEREAS, the determination of the Secretary of the Department of the Interior has now been challenged in a lawsuit filed by the National Audubon Society in an action filed on July 2, 2020 and now pending in the United States Federal District Court for the Southern District of New York entitled: *NATIONAL AUDUBON SOCIETY VS DAVID BERNHARDT as Secretary of the Interior, AURELLA SKIPWITH as Director of the U.S. Fish and Wildlife Service, UNITED STATES DEPARTMENT OF THE INTERIOR, and U.S. FISH AND WILDLIFE SERVICE, Case No. 20-cv-5065, ("Litigation")*; and

WHEREAS, it is the collective judgment of the Municipalities that there will be devastating consequence to the public health, safety and welfare should the Litigation be successful and it will nullify the favorable determination of the Secretary of the Interior; and

WHEREAS, it is the further judgment of each of the Municipalities that they have a vested interest in the outcome of this Litigation which will not be advanced or protected by any of the other parties thereby necessitating that Special Counsel intervene in such Litigation or take such further or additional action that may be necessary or advisable in the opinion of Special Counsel; and

WHEREAS, the Chief Financial Officer of the Borough of Stone Harbor has determined that sufficient funds are available in order to authorize the renewal of the Professional Services Contract with Special Counsel in an amount not to exceed Thirty Thousand Dollars (\$30,000.00); and has issued a Certificate of Availability of Funds dated _____, 2020 certifying that funds are available in the 2020 Budget in the Current Fund Account No. _____.

WHEREAS, the Borough Council has determined that the action to be authorized by this Resolution is in the best interest of the Borough and its residents and that such action is necessary to protect and promote the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOVED BY THE BOROUGH COUNCIL, THE GOVERNING BODY OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY AND STATE OF NEW JERSEY AS FOLLOWS:

1. The allegations of the preamble are incorporated herein by reference and made a part hereof.
- 2.. Neil Yoskin, Esquire and the Law Firm of Cullen and Dykman LLP of Princeton, New Jersey is hereby authorized to continue as Special Environmental and Litigation Counsel pursuant to the SSA identified herein. Accordingly, a Professional Services Contract is hereby authorized substantially in accord with the prior PSC for a term commencing July 1, 2020 and ending on June 30, 2021. . The fees shall be at the rate of \$300.00 per hour to be shared equally among the three municipalities provided the fee shall not exceed the sum of Thirty Thousand Dollars (\$30,000.00) for each of the individual participating municipalities and for an aggregate amount not to exceed Ninety Thousand Dollars (\$90,000.00) for all participating municipalities combined.

3. The SSA dated May 1, 2019 is hereby authorized to be amended in accordance with amendments filed in the office of the Municipal Clerk and the term thereof is authorized to be extended for an additional year and shall now expire on April 30, 2022 (as opposed to April 30, 2021).

4. Special Counsel is hereby authorized and directed to file an application with the Federal Court seeking to intervene in the Litigation described herein or to take such other, further or additional action that Special Counsel, in the exercise of his judgment, deems necessary or advisable, with respect to the Litigation or any other Litigation that may be filed which is related to the same issue or issues.

5. **BE IT FURTHER RESOLVED** that this professional services contract has been awarded without competitive bidding for the following reason or reasons:

(A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;

(B) The services required are highly specialized or technical in nature;

(C) The services require peculiar ability or skill and demand a high degree of specialized knowledge or expertise;

(D) The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

(E) The services required are professional services and/or unspecified extraordinary services within the meaning of N.J.S.A. 40A:11-5(a);

(F) The individual who will provide these services has demonstrated his competence and particular expertise in the services required;

(G) The individual who will perform these services is licensed by the State of New Jersey and is an Attorney at Law in good standing;

(H) The individual who will perform these services is held to and fully adheres to the strict ethical standards that govern his profession;

(I) The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

(J) The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

6. **BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption and is contingent upon identical resolutions being adopted by all three Municipalities, that is, the Borough of Avalon, the City of North Wildwood, and the Borough of Stone Harbor,

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

and further contingent upon the execution of a Shared Services Agreement among said Municipalities pursuant to the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

7. **BE IT FURTHER RESOLVED** that each Municipality adopting this Resolution shall forward a certified copy thereof to each of the other participating Municipalities.

8. **BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute the PSC referred to herein and the amendment to the SSA in accordance with this Resolution.

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)

APPOINTING 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 Megan Brown be and is hereby 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

(4)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Stone Harbor hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON _____ - _____ Borough 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

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(5)

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

WHEREAS none of the beach tags were picked up and they have been returned to the CFO

Beach Tags

Barbara Verba
10363 Barcan Circle
Columbia, MD 21044 5 seasonal....\$125.00

Doug Kramer
9 Brantwood Dr.
Summit, N.J. 07901 15 seasonal....\$375.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 4TH day of August, 2020 that the above mentioned amounts be refunded and that the proper Borough officers make the proper adjustments in their records.

Offered by Seconded by.....

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

Borough Clerk

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

Mayor

(6)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

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 4th
day of August, 2020 that the fees be reimbursed as follows:

1. J. Craig Otton Custom Builder - 8310 Sunset Drive
372 – 92nd Street
B. 90.91 Lot 163 \$3,280.00
2. JPL Properties – P.O. Box 1250 Marlton, N.J. 08053
145 – 109th Street
B. 109.02 Lot 40 \$2,520.00
3. Eldon Builders – 1001 Shunpike Road, Cape May, N.J. 08204
120 – 115th Street
B. 114.02 Lot 108 \$6,400.00
4. Harbaugh Cottages – 9727 Third Ave. Stone Harbor, N.J. 08247
10010 Sunrise Drive
B. 100.04 Lot 131.02 \$ 480.00
5. P & M Builders LLC -23 Somers Ave. Seaville, N.J. 08230
270 – 92nd Street
B. 91.03 Lot 101 \$1,800.00
6. Harbaugh Cottages – 9727 Third Ave. Stone Harbor, N.J. 08247
179 – 114th Street
B. 114.02 Lot44 \$ 920.00
7. Thomas Welsh Builders 2589 Ocean Drive, Avalon, N.J. 08202
218 – 119th Street
B. 118.03 Lot 217 \$940.00
8. Bowman Walker Construction 3101 Dune Drive Avalon, N.J. 08202
284 – 86th Stret
B. 85.03 Lot 107 \$480.00
9. AV10 LLC – 3283 Dune Drive, Avalon, N.J. 08202
10307 Second Avenue
B. 103.03 Lot 75.02 \$800.00
10. Carl Wright – 205 Olive Street, Suite 203, Media, Pa. 19063
319 – 84th Street
B. 84.04 Lot 136 \$2,415.00
11. Ceramic Artistry – 348 – 96th Street Stone Harbor, N.J. 08247
9425 Sunset Drive
B. 94.05 Lot 174 \$680.00

BOROUGH OF STONE HARBOR

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- 12. Winfield Developers – 2162 Dune Drive Stone Harbor, N.J. 08247
9315 Sunset Drive
B. 93.05 Lot 169 \$2,680.00
- 13. Mary Parsons – 725 Camp Woods Road, Villanova, Pa. 19085
331 – 93rd Street
B. 93.0 Lot 128.01 \$1,300.00
- 14. Architivist Developers – 3690 Canterbury Lane, Vineland, N.J. 08361
106 – 119th Street
B. 118.02 Lot 108 \$2,320.00
- 15. DePalantino Contractors – 114 Stagecoach Road Cape May Court House, N.J. 08210
8614 Second Avenue
B. 86.21 Lot 63.01 \$640.00

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 theday of, 2020

Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(7)

RESOLUTION

AUTHORIZING REFUNDS FOR RECREATION

WHEREAS, the following are requesting refunds from Stone Harbor Recreation; and

WHEREAS, the Recreation Director has requested and approved these requests;

SURF CAMP	
Jack Meehan	\$ 35.00
Deborah Sugden	\$105.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey on this 4th day of August, 2020 that the above refunds 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

The above resolution approved this day of, 2020

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(8)

RESOLUTION

WHEREAS, Fred's Tavern and Liquor Store, Inc., License #0510-32-002-001 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 government 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 licensing 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.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of August, 2020 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 Fred's Tavern and Liquor Store, Inc. of 310-320 96th Street. 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.

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

(9)

RESOLUTION

WHEREAS, Quahog’s Restaurant, Inc. 206 – 97th Street License #0510-32-004-010 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 government 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 licensing 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.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of August, 2020 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 Quahog’s Restaurant Inc. at 206 – 97th Street, Stone Harbor, N.J. 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.

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

(10)

RESOLUTION

EMERGENCY APPROPRIATION

WHEREAS, an emergency has arisen with respect to the payment of Lifeguard Salaries and Wages. The 2020 Budget does not contain an adequate appropriation to continue pay the Lifeguard Salaries for the entire 2020 summer season due to an increase in the wage scale along with Covid related issues. For public safety reasons, a reduction in number projected beaches is not feasible. NJS40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$335,000.00 and three (3) percent of the total operating appropriations in the budget for 2020 is \$427,666.66 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2020,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

- 1. An emergency appropriation is here by made for the Lifeguard Salaries and Wages in the amount of \$335,000.00
- 2. That said emergency appropriation shall be provided for in full in the 2021 budget
- 3. That two (2) certified copies of this resolution be filed with 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

(11)

WHEREAS, the Mayor and Council of the Borough of Stone Harbor passed Resolution 2020-S-61 on March 3, 2020 approving wages for beach tag personnel; and

WHEREAS, the CFO has requested that the range for Beach Tag Checkers and Office Staff be extended from \$18.50/ hour to \$19.00/hour; and

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 Resolution 2020-S-61, previously passed by Borough Council as set forth above is hereby amended by changing the pay range:

Beach Tag Checkers and Office Staff as follows:

Range \$12.00/hour -- \$18.50 \$19.00 / hour

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

(12)

RESOLUTION

AUTHORIZING EXECUTION OF A PROPOSAL FOR APPRAISAL AND CONSULTING SERVICES

WHEREAS, a proposal for appraisal and consulting services has been negotiated between Helix Real Estate LLC, 34 Park Avenue, Maplewood, N.J. 08040 and Borough Administrator, Borough of Stone Harbor in connection with the referenced properties (504 Pershing Avenue (Block 985, Lot 4) 506 Pershing Avenue (Block 985, Lot 5) and 514 North Wildwood Road (Block 985, Lot 1) to assist in establishing the market value of these properties; and

WHEREAS, a copy of said agreement has been annexed hereto and include:

Report Format: Phase 1 Development of an opinion of value (\$3,500)
Phase 2 Reporting (\$3,500)

WHEREAS, the Chief Financial Officer of the Borough of Stone Harbor has certified as to the availability of necessary funds, as required by law:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 4th day of August, 2020 as follows:

1. That the provisions of the above preamble of this Resolution are hereby incorporated herein, by this reference, as set forth in length
2. That the Borough Council hereby approves the proposal, as annexed hereto
3. That the Mayor and Municipal Clerk are hereby authorized and directed to sign said proposal on behalf of the Borough of Stone Harbor.
4. That notice of this Resolution shall be published 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 theday of, 2020

Borough Clerk

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

Mayor