

W 3/11

**AGENDA**  
**REGULAR MEETING**  
**Subject to change, additions or deletions**

**TUESDAY**                      **June 15, 2021**

**Dock Hearing – Channel Marine – 329 – 89<sup>th</sup> Street (1)**

**ORDINANCES**

**Bond Ordinance Various INTRO (2) Krafczek**  
**Bond Ordinance Water & Sewer INTRO (3) Moore**  
**Amend Affordable Housing INTRO (4) Parzych**

**Resolution – Approve Fireworks (5) Dallahan**

**Resolution – Refund Beach Tags – Shields (6) Gensemer**

**Resolution – Refund Sailcraft Permit – Schuster (7) Dallahan**

**Resolution – Refund Duplicate Tax Payment – Riener (8) Casper**

**Resolution – Liquor License – Stone Harbor Square (9) Krafczek**

**Resolution – Club License 222 – 81<sup>st</sup> Street (10) Parzych**

**Resolution – Liquor License – Quahog's (11) Dallahan**

**Resolution – Yacht Club of Stone Harbor (12) Moore**

**Resolution – Adopting Rehabilitation Program Manual (13) Casper**  
**Resolution – Adopting Accessory Apartment Manual (14) Parzych**  
**Resolution – Adopting Affordability Assistance Manual (15) Gensemer**

**(All Manuals available in the Borough Clerk's office)**

**DISCUSSION:**

**Closed Session – Personnel (16) Krafczek**

## Suzanne Stanford

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**From:** Lauren Plasket <lauren@channelmarineconstruction.com>  
**Sent:** Tuesday, June 08, 2021 12:51 PM  
**To:** Suzanne Stanford  
**Subject:** Council Agenda request 329 89th Street

Suzanne,

I would like to request to be placed on the agenda for the next council meeting on June 15<sup>th</sup>. The job is to install a new pier, dock and ramp at 329 89<sup>th</sup> Street. I can get the paperwork to you tomorrow if that's ok.

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](#)



copy

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

June 8, 2021

To Whom It May Concern:

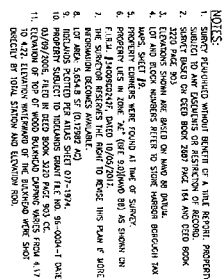
Per ordinance No. 1530: 199-1, this letter is to provide you with notification that Greg and Holly Flanagan of 329 89<sup>th</sup> Street, Stone Harbor, NJ have submitted a request to Stone Harbor Construction and Zoning for approval to replace the existing Pier, Docks, and Ramp.

The Mayor and Council meeting is scheduled for June 15, 2021 at 4:30 pm. Please be advised that council meetings are being held via Zoom. Please check [www.stoneharbornj.org](http://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;

Frank Bowen  
President

FB/lp



SCALE : 1"=20'

PLAN OF SURVEY & TOPOGRAPHY  
329 89TH STREET  
BLOCK 90.91, LOTS 164 & 166  
BOROUGH OF STONE HARBOR

DRAWING NO. SV1

CAPE MAY COUNTY, NEW JERSEY			
TAX	DATE	ISSUED BY	DATE
329 89TH-TOPD	01/21/2020	MM	
SOURCE	PROJECT NO	CHECKED BY	DATE
AS SHOWN	C-20-238	SCW	01/21/2020

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STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF LAND RESOURCE PROTECTION  
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

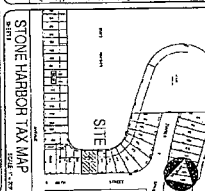
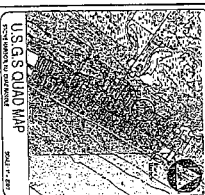
In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on 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.		Approval Date <b>November 24, 2020</b>
		Expiration Date <b>November 23, 2025</b>
Permit Number(s): 0510-20-0012.1 LUP200001	Type of Approval(s): WFD Individual Permit-SFH/Duplex(Waterward) Water Quality Certificate Army Corps of Engineers SPGP17	Governing Rule(s): N.J.A.C. 7:7-1.1(a) N.J.S.A. 58:10A-1 et seq.
Permittee: Greg & Holly Flanagan 271 South 3rd St Philadelphia, PA 19106		Site Location: Block(s) & Lot(s): [90.91, 164] [90.91, 166] Municipality: Stone Harbor Boro County: Cape May
<b>Description of Authorized Activities:</b>  This document authorizes the installation of approximately 60 linear feet of vinyl replacement bulkhead 24 inches from the existing bulkhead location as measured from the waterward face of the existing bulkhead to the waterward face of the replacement bulkhead and construction a 6' x 6' fixed pier with a 3' x 20' ramp to an "E" shaped floating dock made up of an 8' x 42' section with 4' x 10' extension, two (2) 6' x 30' sections and one (1) 8' x 30' section with two (2) 5' x 12.5' PWC floats on the parcel(s) referenced above. All work is shown on the approved plans referenced on page five (5) of this permit.  This project is authorized under and in conditional compliance with the applicable Coastal Zone Management Rules (N.J.A.C. 7:7-1.1 et seq.), as amended on February 20, 2020, provided that all conditions to follow are met.  Note: This permit does not authorize construction of or legalize any structures on the upland portion of the subject property.  <b>Within 90 days of permit issuance, the existing structures located below the mean high water line shall be removed as depicted on the approved plan.</b>		
Prepared by: Alison Astalos <i>Alison Astalos</i>		Received and/or Recorded by County Clerk:
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.		
This permit is not valid unless authorizing signature appears on the last page.		

18. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
19. 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.
20. 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.
21. 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.
22. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
23. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
24. A permit can be modified, suspended, or terminated by the Department for cause.
25. 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.
26. 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.
27. 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.
28. 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 Resource Protection at the address listed on page one of this permit.

**APPROVED PLAN(S):**

The drawing(s) hereby approved consist of one (1) sheet(s) prepared by Andrew C. Shawl, P.E. from Andrew C. Shawl, P.E. L.L.C., dated 9-30-20, last revised 11-10-20, and entitled:

“NJDEP PERMIT PLAN, 329-89th STREET, BLOCK 90.91 – LOTS 164 & 166, STONE HARBOR, CAPE MAY COUNTY, NJ”



- GENERAL NOTES**
1. The owner is responsible for obtaining all necessary permits from the appropriate local, state, and federal agencies.
  2. The owner is responsible for obtaining all necessary easements and rights-of-way from the appropriate landowners.
  3. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.
  4. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.
  5. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.

**FLOOD HAZARD AREA CONTROL CONSTRUCTION NOTES**

1. The owner is responsible for obtaining all necessary permits from the appropriate local, state, and federal agencies.

2. The owner is responsible for obtaining all necessary easements and rights-of-way from the appropriate landowners.

3. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.

4. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.

5. The owner is responsible for obtaining all necessary approvals from the appropriate regulatory agencies.

**DOCKPIER COMPLIANCE NOTES**

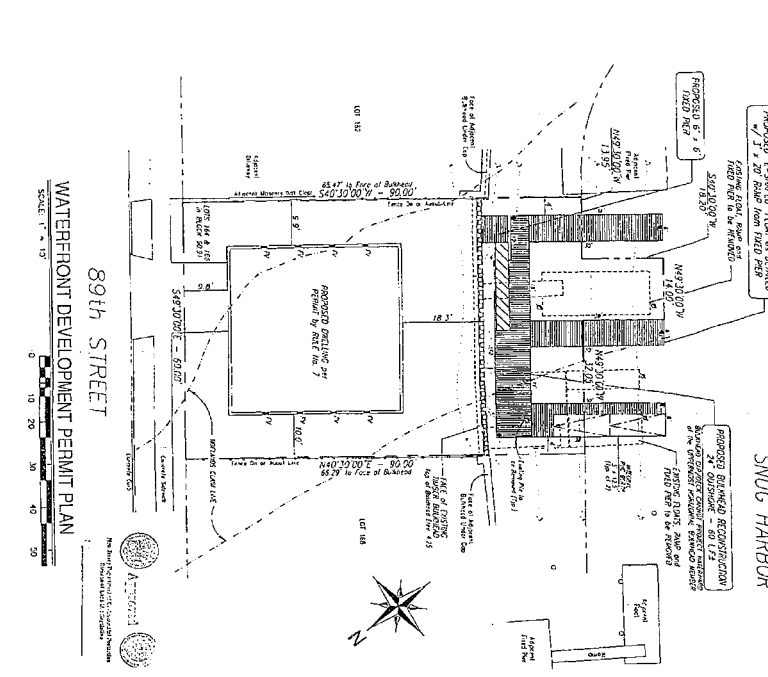
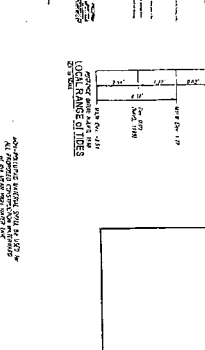
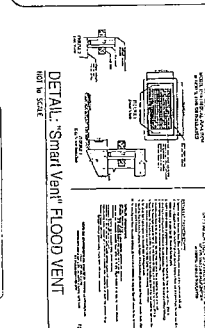
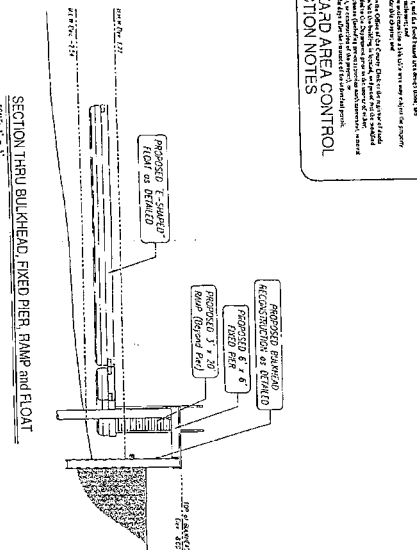
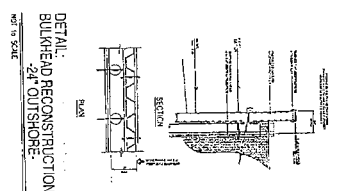
1. The owner is responsible for obtaining all necessary permits from the appropriate local, state, and federal agencies.

2. The owner is responsible for obtaining all necessary easements and rights-of-way from the appropriate landowners.

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PROJECT	329-89th STREET BLOCK 90.91 - LOTS 164 & 166 STONE HARBOR, CAPE MAY COUNTY, NJ
DWG. TITLE	NJDEP PERMIT PLAN
DATE	11-10-2022
DESIGNED BY	ANDREW C. SHAWL, P.E., L.L.C.
CHECKED BY	ANDREW C. SHAWL, P.E.
DATE	11-10-2022

DEPARTMENT OF THE ARMY GENERAL PERMIT  
NEW JERSEY-SPGP-17

PERMITTEE AND PERMIT NUMBER:

CENAP-OP-R-SPGP-17

ISSUING OFFICE:

Department of the Army  
U.S. Army Corps of Engineers, Philadelphia District  
Wanamaker Building - 100 Penn Square East  
Philadelphia, Pennsylvania 19107-3390

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**PROJECT DESCRIPTION:** This general permit authorizes the construction of structures, performance of work, and the discharge of dredged and fill material in substantially developed artificial tidal lagoons. The terms "structure" and "work" are defined in Federal regulations contained in 33 CFR 322.2[b] & [c]. The terms "discharge of dredged material", "fill material" and "discharge of fill material" are defined in Federal regulations contained in 33 CFR 323.2[d], [e] & [f] as described in the "Final Revisions to the Clean Water Act Regulatory Definitions of 'Fill Material' and 'Discharge of Fill Material'" as published in the Federal Register on May 9, 2002. "Substantially developed" artificial tidal lagoons are those where the surrounding lands are uplands and do not support wetlands other than a narrow band of fringe wetlands along the waterline. Lagoons are defined as artificially created linear waterways sometimes branched, ending in a dead end with no significant upland drainage or a natural waterway which was altered by activities including, but not limited to, filling, channelizing, or bulkheading to result in what could be considered a lagoon as described above so long as such modifications occurred prior to 1970. A bulkheaded and channelized natural waterway, including such culverted waterways, in general, shall not be considered a lagoon. A bulkheaded boat slip shall not be considered a lagoon. All work within the waterways shall be conducted in accordance with those plans or project description approved by the New Jersey Department of Environmental Protection-Land Use Regulatory Program unless otherwise specified by this office.

**PROJECT LOCATION:** This general permit is applicable to Waters of the United States in the State of New Jersey located in substantially developed artificial tidal lagoons within the geographic boundaries of both the Philadelphia District and the New York District, U.S. Army Corps of Engineers.

**TERMS OF AUTHORIZATION:**

1. That in order for the construction of structures, performance of work and/or the discharge of dredged and fill material to be approved by this general permit, these activities must be either reviewed and receive the approval(s), or exempted/waived of authorization from the New Jersey Department of Environmental Protection (NJDEP), pursuant to N.J.S.A. 12:5-3 (Waterfront Development Permit), N.J.S.A. 13:9A-1 et seq (Coastal Wetlands Permit), New Jersey Water Pollution Control Act, N.J.S.A. 58, 10A (Water Quality Certificate), and/or N.J.A.C. 7:7-



8. The replacement or repair of an existing bulkhead may not extend more than 18 inches channelward of the existing bulkhead unless the NJDEP, Land Use Regulation in accordance with New Jersey "Structural Shore Protection" regulations ["Coastal Engineering", NJAC 7:7-15.11(d)(2)], determines that the additional encroachment is necessary. In order to maintain safe navigability of the lagoons, any subsequent replacement or repair of the bulkhead shall be in place.
9. This general permit is applicable only for work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey previously authorized by the Corps of Engineers. It is also applicable to work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey that were constructed prior to December 18, 1968 and do not interfere with navigation. Work, structures and fill in all other waters of the United States do not qualify under this general permit and require separate Department of the Army authorization.
10. That this general permit does not authorize the construction of dams and/or dikes. An individual Department of the Army permit application must be submitted to the appropriate Corps of Engineers District (Philadelphia or New York) for such work.
11. Maintenance dredging, by mechanical and hydraulic methods, is authorized subject to the following terms:
  - a) That this general permit authorizes maintenance dredging of previously authorized lagoons only. Any new dredging will require submission of an individual Department of the Army permit application and approval by the District Engineer, Corps of Engineers. Dredging shall be considered new if it exceeds depths originally approved by this office or grandfathered depths resulting from initial lagoon construction existing prior to December 18, 1968;
  - b) That dredging performed under the authority of this general permit shall not exceed the controlling depth of adjacent waters or the original dimensions of the previously authorized lagoon whichever is less;
  - c) This general permit does not authorize dredging in wetlands. Additionally, the proposed slope from the waterward edge of any wetlands to the nearest edge of the dredged area shall not exceed three feet horizontal to one foot vertical; and
  - d) That the discharge of dredged or fill material associated with the construction of a disposal facility in waters of the U.S. is not authorized by this general permit. The entire disposal facility shall be located in an upland/non-wetland area or in an alternative, separately reviewed and approved, disposal site.
  - e) This general permit authorizes discharges of dredged material contained within return water associated with authorized dredging provided the return water is discharged within the lagoon where the material was generated or at another location approved by NJDEP.
  - f) That no dredging in, or placement of dredge pipe across, Federal channels or disturbance to Corps of Engineers property is authorized by this general permit without prior approval from the District Commander.
12. This general permit does not authorize discharges of dredged or fill material in wetlands. Work which involves the discharge of dredged and/or fill material in wetlands shall require a separate Department of the Army authorization.
13. When lagoons are to be crossed by submarine cables or pipelines, the cables or pipelines shall be suitably buried to a depth of at least four feet below the existing bottom or authorized dredging depth of the lagoon whichever is deeper.
14. This general permit authorizes the burial of submarine cables and pipelines by trenching or

other inert products. Creosote and un-coated pressure-treated lumber (i.e. preservative treatment such as CCA-C, ACZA, CC, ACQ, etc.)(wolmanized) which are susceptible to leaching are not acceptable for the purpose of this general permit in these locations.

17. That the structures subject to this general permit shall not extend more than 20 percent of the width of the lagoon measured from mean high water line.

PERMIT CONDITIONS:

General Conditions:

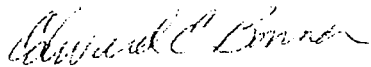
1. The time limit for completing the work authorized by this general permit ends on December 31, 2022. However, term of authorization 7 specifically addresses those circumstances where this time limit may be extended beyond December 31, 2022.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 3 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you sell the property associated with this general permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
4. If a conditioned water quality certification has been issued for your project by NJDEP, you must comply with conditions specified in the certification as special conditions to this general permit.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your general permit.
6. Damage to structures/vessels: That the permittee hereby recognizes the possibility that the structures permitted may be subject to damage by wave wash from passing vessels. The issuance of this general permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.
7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration. (This special condition is applicable to Corps of Engineers permits that provide authorization under Section 10 of the Rivers and Harbors Act of 1899.)

8. That all work identified and authorized herein shall be consistent with the terms and conditions of this general permit. The Corps may impose additional special conditions on a project authorized pursuant to SGP-17 when it is determined necessary to minimize adverse environmental effects or based upon any other factor of the public interest. Any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit and may result in the removal of the structures and/or the institution of such legal proceedings as the United States Government may consider appropriate.
9. The applicant shall notify the appropriate Corps District at least 10 days prior to the commencement of authorized work by completing and signing the enclosed Notification/Certification of Work Commencement Form (Enclosure 1). The applicant shall notify the appropriate Corps District within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (Enclosure 2). All notifications required by this condition shall be in writing and shall be transmitted to this office by registered mail, electronic mail, or telefacsimile. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit. Photocopies of the original forms may be used.
10. That the applicant shall notify this office 30 days before any subsequent maintenance dredging takes place. The notification shall include the location of the proposed dredging, existing and proposed dimensions of the area to be dredged, the amounts of dredged material to be generated and the location of the dredged material disposal facility.
11. Pipelines used for hydraulic dredging shall be marked in accordance with U.S. Coast Guard regulations/specifications and shall rest on the channel bottom where it crosses a navigation channel or submerged to a sufficient depth to protect navigation. Buoyant or semi-buoyant pipelines used outside of the navigation channels shall be marked in accordance with U.S. Coast Guard regulations/specifications. No placement of pipelines across Federal channels may occur without prior site-specific written approval from the Corps of Engineers.
12. Dredged material, other than return water from hydraulic dredging, shall not be discharged into waters of the U.S. unless separately authorized by this office or the NJDEP. Dredged material shall be placed in a disposal facility and contained in such a manner as to preclude its escape into waters or wetlands. The return water from a contained disposal facility is administratively defined as a discharge of dredged material by Federal regulations contained in 33 CFR 323.2(d).

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. Limits of this authorization.
  - a) This general permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b) This general permit does not grant any property rights or exclusive privileges.

has signed below.



(District Engineer)

Edward E. Bonner, Chief, Regulatory Branch

January 26, 2018

(DATE)

For Kristen N. Dahle  
Lieutenant Colonel, Corps of Engineers  
District Commander

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below and send to Philadelphia District or New York District.

(TRANSFEREE)

(DATE)

(2)

**BOND ORDINANCE APPROPRIATING \$9,676,000, AND  
AUTHORIZING THE ISSUANCE OF \$9,192,200 BONDS OR  
NOTES OF THE BOROUGH, FOR VARIOUS  
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE  
UNDERTAKEN BY THE BOROUGH OF STONE HARBOR,  
IN THE COUNTY OF CAPE MAY, NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY** (not less than  
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$9,676,000 including the aggregate sum of \$483,800 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$9,676,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$9,192,200 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$9,192,200 are hereby

authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional equipment, including one (1) street sweeper for use by the Department of Public Works of the Borough, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$276,000	\$262,200
(b) Improvement of the storm water drainage system in and by the Borough, including the construction of a pump station in and along 93 <sup>rd</sup> Street and the construction, reconstruction and upgrade of various outfalls, pipes and discharge structures, together with all structures, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	7,000,000	6,650,000
(c) Acquisition, by purchase, of lands and all the buildings, improvements and fixtures thereon by the Borough located at 514 North Wildwood Road and 504 Pershing Avenue in the Township of Middle, New Jersey, and shown at Lots 1 and 4 in Block 985 on the Official Tax Map of said Township, for public purpose including for use by the Department of Public Works of the Borough, all in accordance with the proposed contract therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>2,400,000</u>	<u>2,280,000</u>
Totals	\$9,676,000	\$9,192,200

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 39.36 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$9,192,200, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$950,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or

treasurer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as



approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(3)

**BOND ORDINANCE APPROPRIATING \$6,691,000, AND  
AUTHORIZING THE ISSUANCE OF \$6,691,000 BONDS OR  
NOTES OF THE BOROUGH, FOR VARIOUS WATER AND  
SEWERAGE SYSTEM IMPROVEMENTS OR PURPOSES  
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH  
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY,  
NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY** (not less than  
two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor.

Section 2. For the financing of said improvement or purpose and to meet said \$6,691,000 appropriations, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$6,691,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$6,691,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated

cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of the water and sewerage system in and by the Borough including the upgrade of the infrastructure located at the beach block and the 200 block of 106 <sup>th</sup> Street, the 200 block of 108 <sup>th</sup> Street, the 200 Block of 102 <sup>nd</sup> Street, the 100 Block of 101 <sup>st</sup> Street, the beach block of 99 <sup>th</sup> Street, the beach block of 103 <sup>rd</sup> Street and the beach block of 104 <sup>th</sup> Street, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$1,991,000	\$1,991,000
(b) Improvement of the water and sewerage system in and by the Borough including the construction of a new lift station and force main near 114 <sup>th</sup> Street, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	710,000	710,000
(c) Improvement of water wells and the water plant in and by the Borough including the rehabilitation and renovation thereof, together with all structures, equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	40,000	40,000
(d) Improvement of the water and sewerage system in and by the Borough including the construction or reconstruction of sanitary sewerage facilities in and along Third Avenue, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>3,950,000</u>	<u>3,950,000</u>
Totals	\$6,691,000	\$6,691,000

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Borough determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$6,691,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$1,000,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvements and are included in the foregoing estimates thereof.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in subsection (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is "self-

liquidating” within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to subsection (c) of section 40A:2-44 of said Local Bond Law, from gross debt of the Borough.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Borough (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from the revenues of the water and sewerage system of the Borough, the Borough shall be

obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

(4)

Borough OF Stone Harbor  
ORDINANCE NO. \_\_\_\_\_

**An Ordinance to Amend Chapter 560 (Affordable Housing) in the Code of the Borough of Stone Harbor, Which Will Address the Requirements of the Court-Approved Settlement Agreement Between the Borough and Fair Share Housing Center Regarding Compliance with the Borough's Affordable Housing Obligations.**

**WHEREAS**, Chapter 560, Section 48 (Affordable Housing) in the Code of the Borough of Stone Harbor must be amended to comply with the current state affordable housing regulations, including its obligations under the Court-approved Settlement Agreement between the Borough and Fair Share Housing Center.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR**, as follows:

**Section 1:**

Chapter 560-48 (Affordable Housing) of the Borough of Stone Harbor is hereby amended as follows [additions by underline, deletions by ~~strikethrough~~]:

560-48 Affordable Housing

- A. No change
- B. No change
- C. No change
- D. Affordable Housing Overlay District
  - 1) No change
  - 2) No change
  - 3) Residential ~~Affordable housing~~ units shall be permitted in the Overlay District as on the second and third floors of buildings ~~residential accessory apartments, through either new construction of a mixed-use building or placing residential multifamily units over existing structures,~~ subject to the following regulations:
    - a. Construction of new residential units, including but not limited to those in excess of the story and height limitations set forth in § 560-18, shall require not less than 20% of all ~~for-sale~~ residential units ~~and not less than 15% of all rental residential units~~ to be designated as affordable housing units.
    - b. The first floor of any building in which residential ~~affordable housing~~ units exist on the second and third floor shall be operated as a commercial use in accordance with § 560-18.
    - c. Structures housing third floor residential ~~affordable housing~~ units shall be subject to the following supplemental bulk regulations, which shall control in the event of a conflict with § 560-18.

**Section 2:**

After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Stone Harbor for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

**Section 5:**

The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Cape May County Planning Board and to all other persons entitled thereto pursuant to 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

**Section 6:**

*Repeal of Inconsistent Provisions.* All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

**Section 7:**

*Severability.* The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause, or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 8:**

*Codification.* This Ordinance shall be a part of the Code of the Borough of Stone Harbor as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article, and/or Section number of the Code of the Borough of Stone Harbor in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**Section 9:**

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

**Section 10:**

Upon adoption of this Ordinance, the Borough Clerk shall file same with (a) the Cape May County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1(c).

Introduced:

Adopted:

ATTEST:

BOROUGH OF STONE HARBOR

By: \_\_\_\_\_  
Suzanne C. Stanford, RMC  
Borough Clerk

By: \_\_\_\_\_  
Judith M. Davies-Dunhour  
Borough Mayor



# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

## RESOLUTION

### FIREWORKS DISPLAY

July 4, 2021

WHEREAS, the Volunteer Fire Company of the Borough of Stone Harbor has applied to the Governing Body of the Borough of Stone Harbor for permission to have a fireworks display on a barge in the ocean at 96<sup>th</sup> Street on July 4, 2021, with an inclement weather date of July 5 2021; and

WHEREAS, N.J.S.A. 21:3-3 permits the governing body of a municipality, upon posting of a suitable bond, and pending the receipt of a current Workers Compensation Liability certificate, to grant a permit for the purchase and public display of fireworks by organizations approved by the governing body; and

WHEREAS, the Fire Official shall be the person who will be satisfied that the display shall be made in a location where same shall not be hazardous to persons and property;

NOW, THEREFORE, BE IT RESOLVED, by the Members of Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey on this 15<sup>h</sup> day of June, 2021 that permission is hereby granted to the Fire Department of the Borough of Stone Harbor to sponsor a fireworks display in the ocean on a barge off Stone Harbor on July 4, 2021, with an inclement weather date of July 5, 2021, so long as the location thereof and the operator thereof are approved by the Chief of the Stone Harbor Police and Stone Harbor Fire Department.

BE IT FURTHER RESOLVED that Lewis Donofrio Jr. Fire Department President, is the person authorized to purchase, or otherwise order, the fireworks, and the fireworks shall be of the specific types and/or kinds as set forth on the attached sheets.

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 ....., 2021

The above resolution approved this ..... day of ....., 2021

Borough Clerk

Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

(6)

WHEREAS, Donna Shields 80 Old Mill Drive, Media, Pa 19063 picked up beach tags and her daughter-in-law unknowingly also picked up beach tags for the family; and

WHEREAS she ended up with 8 tags and only needs 3 tags so we will be refunding 5 tags for \$125.00. We received the request before the June 30 deadline, established by Resolution 72 of 1979 and the request has been approved by the CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 15<sup>th</sup> day of June, 2021 that \$ 125.00 be refunded to Donna Shields 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 ....., 2021

The above resolution approved this ..... day of....., 2021

.....  
Borough Clerk

.....  
Mayor

(7)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**AUTHORIZING THE REFUND OF SAILCRAFT PERMIT NO. 11**

**WHEREAS**, Jim Schuster 7601 Ashley Farms Dr. Fredericksburg, VA 22407 was issued Sailcraft Permit No. 11; and

**WHEREAS**, on May 28, 2021 Mr. Schuster notified the Borough that he will be having surgery and will not be able to sail this summer; and

**WHEREAS**, Mr. Schuster has requested a refund for his Sailcraft Permit in the amount of \$250.00.

**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 15<sup>th</sup> day of June, 2021 as follows:

1. That the Borough of Stone Harbor hereby authorizes the refund of \$250.00 Sailcraft Permit fee to Jim Schuster.

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 ....., 2021

The above resolution approved this ..... day of....., 2021

Borough Clerk

Mayor

(8)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, Mr. Michael Riener, property owner of Block 85.02 Lot 40 aka 141 85<sup>th</sup> Street, paid his February and May tax installments twice via his banks online bill pay which the Tax Office received electronically through the ACH Payargo Portal; and,

**WHEREAS**, the overpayments were transferred to the August 1st installment; and,

**WHEREAS**, Mr. Riener recently refinanced and will be escrowing his taxes through his mortgage bank thereby he 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 \$5,607.27 be issued to Michael & Margaret Riener, 302 Heritage Pl, Devon PA 19333; and,

**BE IT FURTHER RESOLVED** that the Tax 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 the .....day of ....., 2021

The above resolution approved this ..... day of....., 2021

.....  
Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(9)

**RESOLUTION**

WHEREAS, Stone Harbor Square License LLC, #0510-33-001-014 - 261 – 265 – 96<sup>th</sup> Street 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, 2021 to June 30, 2022; 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;

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 Stone Harbor Square LLC, of 261-265 96<sup>th</sup> Street and subject to the following conditions:

- a) Approved according to the plan submitted by Thomas-Amey-Shaw Inc. 6/10/14 marked "Plan of Existing Conditions" copy attached.
- b) Licensee is responsible for the removal and disposal of its trash on a daily basis during operations under the liquor license, in addition to the removal done by Borough employees, and in order to comply with the intent, shall supply four (4) 2 ½ yard dumpsters with tight fitting lids, to be located behind the Harbor Plaza for the storage of trash and garbage.

BE IT FURTHER RESOLVED, that said license shall become effective on July 1, 2021 and be for the one year from said date expiring at the close of business on June 30, 2022 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 1982, 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 ....., 2021

The above resolution approved this ..... day of....., 2021

Borough Clerk

Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### A RESOLUTION AUTHORIZING THE RENEWAL OF A CLUB LICENSE TO: 222 – 81<sup>st</sup> STREET, LLC

(10)

**Whereas**, 222 – 81<sup>st</sup> Street LLC #0510-31-006-001 has made a renewal application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for the Club License for the year beginning July 1, 2021 to June 30, 2022; 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 \$188.00 for the Club License has been attached to the application.

**Whereas**, the following conditions shall apply:

- A. Seating shall be reserved for members only and their guests;
- B. There shall be a service bar only without adjacent seating. No seating shall be permitted at the bar and drinks shall only be served by waiters or waitresses.
- C. The use shall be as a restaurant only with no catering functions. Accordingly, under no circumstances shall the premises be open for weddings or other "life celebratory" or catered events.
- D. Music shall be limited to live background music only, utilizing small amplifiers of 15 Watts or less.
- E. All live music shall terminate at 10 p.m. Further, any recorded music played through the sound system shall terminate no later than 11 p.m.
- F. The first dinner seating shall occur no earlier than 5:00 p.m. And the last dinner seating shall occur no later than 9 p.m.
- G. The premises shall be utilized as a restaurant seasonally and be open no earlier than the week-end before Memorial Day and close no later than the Sunday of the week-end after Labor Day.

During said time period, the club member may also utilize the premises for club member activities on Fridays, Saturdays and Sundays, during the hours of 9:00 am to 5:00 pm, so long as the club does not engage in the sale of alcohol during said time and the number of people attending the activity is limited to a maximum of 50 individuals.

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

- H. The Licensee shall comply with all Borough Regulations and Ordinances.
- I. Any violation of the above may result in a suspension or termination of the license at the discretion of the governing body.

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 Club License for the sale of alcoholic beverages shall be signed, issued and delivered to 222 – 81<sup>st</sup> Street, LLC. That said license shall become effective on July 1, 2021 and be for the one year from said date expiring at the close of business on June 30, 2022 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 ....., 2021

The above resolution approved this ..... day of ....., 2021

Borough Clerk

Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

WHEREAS, Quahog's Restaurant, Inc. 206 – 97<sup>th</sup> 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, 2021 to June 30, 2022; 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 15<sup>th</sup> day of June, 2021 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 – 97<sup>th</sup> Street, Stone Harbor, N.J. That said license shall become effective on July 1, 2021 and be for the one year from said date expiring at the close of business on June 30, 2022 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 ....., 2021

The above resolution approved this ..... day of ....., 2021

Borough Clerk

Mayor



# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

(12)

WHEREAS, The Yacht Club of Stone Harbor, License #0510-31-005-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Club License for the year beginning July 1, 2021 to June 30, 2022; 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 \$188.00 for the Club License has been attached to the application.

NOW, THEREFORE, BE IT RESOLVED on this 15<sup>th</sup> day of June, 2021 by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey, that a Club License for the sale of alcoholic beverages shall be signed, issued and delivered to The Yacht Club of Stone Harbor of 90th Street and Sunset Drive, Stone Harbor, New Jersey. That said license shall become effective on July 1, 2021 and be for the one year from said date expiring at the close of business on June 30, 2022 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 ....., 2021

The above resolution approved this ..... day of....., 2021

Borough Clerk

Mayor

(13)

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### RESOLUTION OF THE COUNCIL OF THE BOROUGH OF STONE HARBOR, CAPE MAY COUNTY, NEW JERSEY, ADOPTING AN REHABILITATION MANUAL

**WHEREAS**, a joint Mount Laurel Fairness and Compliance Hearing is scheduled to take place during which the Court will consider whether to approve the Borough's amended Round 3 Housing Element and Fair Share Plan, its implementing ordinances and ancillary documents; and

**WHEREAS**, as part of the compliance process, a Rehabilitation Manual has been prepared by Triad Associates, Inc., who will run the Borough's Rehabilitation Program; and

**WHEREAS**, the Rehabilitation Manual outlines the Borough's Rehabilitation Program, its processes, deadlines, and other relevant matters and is a mandatory element of the Borough's package of compliance documents; and

**WHEREAS**, the Rehabilitation Manual is a mandatory element of the Borough's package of documents to be considered by the Court at the joint Fairness and Compliance Hearing referenced above.

**NOW THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, approves and adopts its Rehabilitation Manual, attached hereto as Exhibit A, so that the Borough can implement its Rehabilitation Program after securing its Round 3 Judgment of Compliance and Repose.

\_\_\_\_\_  
Judith Davies-Dunhour  
Mayor, Borough of Stone Harbor

## CERTIFICATION

I, Suzanne Stanford, Municipal Clerk of the Borough of Stone Harbor, do hereby certify that the foregoing resolution was duly adopted by the Municipal Council of the Borough of Stone Harbor at a public meeting held on \_\_\_\_\_, 2021, a quorum being present and voting in the majority.

\_\_\_\_\_  
Suzanne Stanford  
Municipal Clerk, Borough of Stone Harbor

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 ....., 2021

The above resolution approved this ..... day of ....., 2021

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(14)

## RESOLUTION

### RESOLUTION OF THE BOROUGH OF STONE HARBOR, COUNTY OF CAPE MAY, STATE OF NEW JERSEY TO AUTHORIZING AND ADOPTING THE 'RENTAL UNIT OPERATING MANUAL' AND THE 'ACCESSORY APARTMENT OPERATING MANUAL'

**WHEREAS**, on or about June 30, 2015, the Borough of Stone Harbor filed a Declaratory Judgment Complaint in Superior Court of New Jersey pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, as amended, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

**WHEREAS**, in accordance with the Fair Housing Act and the New Jersey uniform Housing affordability Controls (N.J.A.C. 5:80-26-1, et seq.), the Borough of Stone Harbor is required to adopt all program operating manuals, which set forth the procedures for administering the programs and their associated affordability controls for affordable housing units created within the Borough of Stone Harbor; and

**WHEREAS**, the Borough of Stone Harbor has created operating manuals for two affordable housing programs: Rental Unit Operating Manual, and the Accessory Apartment Operating Manual, a copy of each is incorporated herein as if set forth at length.

**NOW THEREFORE BE IT RESOLVED**, the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the Borough does hereby authorize and adopt the following three operating manuals:

1. Rental Unit Operating Manual
2. Accessory Apartment Program Operating Manual

\_\_\_\_\_  
Judith Davies-Dunhour  
Mayor, Borough of Stone Harbor

## CERTIFICATION

I, Suzanne Stanford, Municipal Clerk of the Borough of Stone Harbor, do hereby certify that the foregoing resolution was duly adopted by the Municipal Council of the Borough of Stone Harbor at a public meeting held on \_\_\_\_\_, 2021, a quorum being present and voting in the majority.

\_\_\_\_\_  
Suzanne Stanford  
Municipal Clerk, Borough of Stone Harbor

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 ....., 2021

The above resolution approved this ..... day of ....., 2021

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

(15)

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### RESOLUTION OF THE COUNCIL OF THE BOROUGH OF STONE HARBOR, CAPE MAY COUNTY, NEW JERSEY, ADOPTING AN AFFORDABILITY ASSISTANCE MANUAL

**WHEREAS**, a Joint Mount Laurel Fairness and Compliance Hearing is scheduled to take place, during which the Court will consider whether to approve the Borough's amended settlement agreement with Fair Share Housing Center and amended Round 3 Housing Element and Fair Share Plan, its implementing ordinances and ancillary documents; and

**WHEREAS**, as part of the compliance process, an Affordability Assistance Manual has been prepared by Triad Associates, Inc., which will administer the program; and

**WHEREAS**, the Affordability Assistance Manual outlines the policies and procedures of the Affordability Assistance Program including the basic content and operation of the various program components; and

**WHEREAS**, the manual is a mandatory element of the Borough's package of documents to be considered by the Court at the Fairness and Compliance Hearing referenced above.

**NOW THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, approves and adopts its Affordability Assistance Manual, attached hereto as Exhibit A, so that the Borough can implement its Affordability Assistance Program.

\_\_\_\_\_  
Judith Davies-Dunhour  
Mayor, Borough of Stone Harbor

### CERTIFICATION

I, Suzanne Stanford, Municipal Clerk of the Borough of Stone Harbor, do hereby certify that the foregoing resolution was duly adopted by the Municipal Council of the Borough of Stone Harbor at a public meeting held on \_\_\_\_\_, 2021, a quorum being present and voting in the majority.

\_\_\_\_\_  
Suzanne Stanford  
Municipal Clerk, Borough of Stone Harbor

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 ....., 2021

The above resolution approved this ..... day of ....., 2021

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

# 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 Relating to employees, the relevant employees having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on June 15, 2021 that an Executive Session closed to the public shall be held on June 15, 2021 at or about 5:30 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 the ..... day of ....., 2021

The above resolution approved this ..... day of....., 2021

Borough Clerk

Mayor