

(Web)

**REGULAR MEETING: IMMEDIATELY FOLLOWING WORK SESSION MEETING AT
MUNICIPAL BUILDING, 9508 SECOND AVENUE**

AGENDA

Tuesday, June 21, 2022

Ordinance 1608 – Trash Changes 2nd, 3rd & final (1)(Moore)

Ordinance 1609 – Code of Conduct 2nd, 3rd & final (2)(Gensemer)

Ordinance 1612 – Lot Grading – INTRO (3)(Krafczek)

Resolution – Place to Place (Expansion of Premises)(4)(Moore)
Stone Harbor Square License LLC

Resolution – Stone Harbor FY2023 NJDOT Municipal Aid – Roadway 96th Street (5)

Resolution – File Application State Aid Grant (6)

Resolution – Approve Proposal DeBlasio – 80th & 96th Street Well Improvements
(7)

Resolution – Summer Leak Adjustment (8)

Resolution – Reimbursement for Surety & Maintenance Bonds (9)

Resolution – Supporting Appropriations & Levy Cap (10)

Resolution – Liquor License – Fred's Tavern (11)

Resolution – Authorize Mott MacDonald Feasibility Study (12)

Resolution – Appoint Municipal Clerk/Registrar (13)

Resolution – Appoint Deputy Registrar (14)

Motion – St Mary's Church Use of 101st Street Pavilion (15)

Motion to Bid – ADA Ramp & Pavilion Replacement (16)

Bid Advertisement – June 24th

Bid Opening – July 20th @ 10am

Possible Award – August 2nd Council Meeting

Motion – Approve St Brendan the Navigator Wedding (Presented at 5/24 Work
Session) (17)

Resolution – Closed Session: Personnel (18)

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY
ORDINANCE 1608

§ 466-2 **Collection requirements.**

A.

Garbage and acceptable recyclables shall be contained in separate receptacles to be collected and removed from the Borough by the municipality on such days as may be determined by the Borough Council from time to time.

B.

An adequate number of receptacles as described below shall be provided by the property owner at each premises from which collections are to be made so that garbage and acceptable recyclables may be contained in one place between established collection days. Effective May 1, 2023, the receptacles shall be ANSI Z245.60 – 2008 Type B plastic receptacles with suitable handles, wheels, metal bar and tight-fitting covers. The receptacles shall be up to 96 gallons capacity, except as specifically set forth in Subsection G hereof. The receptacles shall be kept covered at all times to prevent attracting insects, rodents, etc., and shall be kept clean, whether inside or outside an enclosure. No rainwater or other fluids shall be allowed to accumulate or remain therein. [Amended 6-3-2008 by Ord. No. 1315]

C.

Receptacles shall be placed at a location on the property convenient for collection. The receptacles may be placed in a fenced in or otherwise enclosed area on the property, including a fenced in or otherwise enclosed area on the property that contains a pool, dog(s) or other pets, or to which dog(s) or other pets have access. However, the property owner shall ensure that their receptacles are placed outside said fenced or enclosed area that contains a pool, dog(s) or other pets at the time of collection or the same will not be collected.

D.

When necessary to protect the public safety or the general welfare of the public, an enclosure shall be provided when so designated by the Borough Public Works Director. A copy of such notice shall be sent to the property owner and Zoning Official. A zoning permit shall be required prior to the construction or placement of any such enclosure, and its dimensions and location on the premises shall be subject to the approval of the Zoning Inspector. Every application for a permit, and granting of a permit, shall be predicated upon a sketch or plan.

E.

Loose garbage and acceptable recyclables shall not be permitted on the premises or in any enclosure but shall be contained within a receptacle. Property owners are responsible for cleaning of their receptacles and enclosures.

F.

C.

If special collections service is required on a schedule other than the established frequency (see Subsection A), such service shall be no more frequent than once daily and will be available upon registering in person with the Borough Clerk.

§ 466-5 - Collections by authorized and unauthorized persons.

A.

In addition to the collections by the Borough, an owner or occupier of property in the Borough may arrange to have an independent contractor pick up their acceptable recyclables, trash and garbage, or said owner or occupier may pick up their own acceptable recyclables, trash and garbage for disposal. However, if no such independent contractor has been designated by the owner or occupier, from the time of the placement of the acceptable recyclables, trash or garbage outdoors for pickup, such acceptable recyclables, trash or garbage shall be and become the property of the Borough of Stone Harbor or its authorized agent or agents. It shall be a violation of this chapter for any person unauthorized by the Borough of Stone Harbor or by the owner of the acceptable recyclables, trash or garbage to collect or pick up or cause to be collected or picked up any items of such refuse, trash or garbage. Each and every such collection in violation hereof, from one or more residences, businesses or institutions, shall constitute a separate and distinct offense punishable as hereinafter provided.

B.

Any vehicle engaged in collecting or disposing of acceptable recyclables, trash or garbage shall carry such material in a receptacle that is waterproof, leakproof and covered with a plastic lid or cover in the body of said vehicle, which is waterproof and leakproof, capable of being entirely closed, and shall be kept closed except between points of collection less than 500 feet apart.

C.

Any authorized person transporting acceptable recyclables, trash or garbage, as herein defined, shall transport same in a receptacle which is waterproof, leakproof and covered with a closed lid or cover.

D.

The above notwithstanding, there shall be no prohibition against any person collecting, removing, or picking up bulk items that have been placed in the public right of way for collection; however, no one shall remove any items placed on private property.

[Added 9-3-2019 by Ord. No. 1555⁽¹⁾]

[1]

Editor's Note: This ordinance also redesignated former Subsection D as Subsection E.

E.

Any person, persons or association of persons convicted of a violation of this section shall, upon conviction hereof, be subject to the penalties set forth in Chapter 1, Article III, Penalty, of the Borough of Stone Harbor Code.⁽²⁾

[2]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(2)

**BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY**

ORDINANCE 1609

**AN ORDINANCE AMENDING ARTICLE II (RULES AND REGULATIONS)
of CHAPTER 400 (PARKS, RECREATION AREAS AND BIRD
SANCTUARY) OF THE CODE OF THE BOROUGH OF STONE HARBOR**

WHEREAS Section §400-2 of the Code of the Borough of Stone Harbor, entitled "Rules and Regulations" provides for the administration of Borough owned recreational facilities; and

WHEREAS the Borough Council deems it to be in the best interest of the Borough to amend and supplement said section as set forth herein; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Borough Council; the Governing Body of the Borough of Stone Harbor as follows:

Section 1. The averments above are incorporated herein as if set forth at length.

Section 2. Section §400-2 of the Code of the Borough of Stone Harbor, entitled "Rules and Regulations" shall be and is hereby stricken. The following section shall be substituted in its place:

Section 400-2. Rules and Regulations.

The use of all Borough owned recreational facilities shall be subject to such rules and regulations as may be established by the Borough Council. The Borough Council does hereby create the Committee for Recreation and Publicity. Said committee shall hear complaints regarding the violation of the rules and regulations concerning the use of Borough -owned recreational property and equipment, the conduct of persons who may use the Borough- owned recreational property and equipment, and other general rules and regulations regarding Borough owned recreational properties and equipment.

Section 3. The following sections shall also be added to Section 400:

§400-2.1 The Committee shall be comprised of the Police Chief or his designee, the Business Administrator, and the Council Person in charge of Recreation and Tourism. The Municipal Solicitor shall be the legal adviser to the Committee.

§400-2.2. The Committee shall be empowered to temporarily suspend an individual's ability to use the Borough Facilities relative to an alleged disciplinary infraction pending a hearing; however, an initial hearing before the Committee shall be scheduled within 20 days of the suspension to provide due process to the alleged violator on an expedited basis.

§400-2.3. Actual notice shall be provided to the alleged violator at least 10 calendar days in advance of the hearing via certified and ordinary mail.

§400-2.4. The Committee's determination shall be supported by a residuum of legally competent evidence consistent with the standard set forth in N.J.A.C. 1:1-15.5(b). The penalty to be enacted by the Committee shall be limited to a suspension of use of Borough facilities but the duration of the suspension shall be within the Committee's discretion. However, nothing herein shall preclude the Borough or Borough representatives from seeking alternate remedies in the Municipal Court, or other forum, if warranted.

CODE OF CONDUCT

The purpose of the Code of Conduct is to promote sportsmanship, enjoyment of participation and the welfare of participants while respecting and maintaining Borough Property and Equipment. Participants are expected to:

1. Demonstrate courtesy, respect and consideration of other participants and Borough of Stone Harbor Recreation & Tourism staff.
2. Respect reasonable instruction, and comply with direction from Borough of Stone Harbor Recreation staff, and rules set forth.
3. Avoid using obscene, abusive and offensive language.
4. Respect the right of all participants to engage in activity without disruptive behavior and interruption.
5. Abide by all local ordinances and New Jersey statutes and regulations.
6. Treat Borough Property and Equipment with due care and consideration and avoid causing damage to same.

(3)

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY

ORDINANCE 1612

AN ORDINANCE OF THE BOROUGH OF STONE HARBOR, COUNTY OF
CAPE MAY, NEW JERSEY ESTABLISHING ADDITIONAL REGULATIONS
FOR THE GRADING AND MANAGING STORMWATER RUNOFF WITHIN
THE BOROUGH OF STONE HARBOR

BE IT ORDINANED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF STONE HARBOR, COUNTY OF CAPE MAY, STATE OF
NEW JERSEY, AS FOLLOWS:

Section 1a. Section 560-50 is amended as follows:

§ 560-50 Lot Grading.

- A. (7) All new construction, or construction constituting substantial improvement, adjacent to roadways where the average centerline elevation, measured at the property lines, is below elevation 6' (NAVD 1988) will be required to construct retaining walls consistent with §560-50 A. (4). The retaining walls will be constructed along all of the property lines, except as noted in §560-50A(7)a, to facilitate raising the lot grade to a required minimum elevation 6.5' (NAVD 1988), measured at the foundation. Retaining walls will be built to a minimum elevation of 6' (NAVD 1988). Garage floors shall be built to a minimum elevation of 7' (NAVD 1988).
- a. Driveway grades at the property line are exempt from the 6' (NAVD 88) elevation requirement where required to allow for vehicle access to the property provided that: minimum grades at the foundation are maintained and the width of the exempt area does not exceed 12' wide for a driveway designed to accommodate in-line parking or 22' wide for a driveway designed to accommodate two cars side by side.

Section 1b. Section 560-13 is amended as follows:

§ 560-13 Residential A Zoning District.

D. Supplemental Regulations

- (1) Private garages and accessory buildings shall not exceed one story, shall not exceed an overall height of 14 feet measured from the lowest adjacent grade of the accessory structure to the uppermost point of the roof, and shall be a minimum of five feet from the principal structure. No cooking facilities or toilet shall be installed in any private garage or accessory building. No private garage or accessory building may be utilized for dwelling purposes; the installation or use of a sink, shower, or clothes washing or drying machine shall be permitted.

Section 1c. Section 560-14 is amended as follows:

§ 560-14 Residential B Zoning District.

D. Supplemental Regulations

- (1) Private garages and accessory buildings shall not exceed one story, shall not exceed an overall height of 14 feet measured from the lowest adjacent grade of the accessory structure to the uppermost point of the roof, and shall be a minimum of five feet from the principal structure. No cooking facilities or toilet shall be installed in any private garage or accessory building. No private garage or accessory building may be utilized for dwelling purposes; the installation or use of a sink, shower, or clothes washing or drying machine shall be permitted.

Section 1d. Section 560-16 is amended as follows:

§ 560-16 Residential C Zoning District.

D. Supplemental Regulations

- (1) Private garages and accessory buildings shall not exceed one story, shall not exceed an overall height of 14 feet measured from the lowest adjacent grade of the accessory structure to the uppermost point of the roof, and shall be a minimum of five feet from the principal structure. No cooking facilities or toilet shall be installed in any private garage or accessory building. No private garage or accessory building may be utilized for dwelling purposes; the installation or use of a sink, shower, or clothes washing or drying machine shall be permitted.

Section 1e. Section 200-6 is amended as follows:

§ 200-6 Bulkhead Specifications

- E. All components of the bulkhead system up to the minimum required elevation shall be constructed to be watertight. New homes or homes being brought into conformance due to substantial improvement will be required to backfill the bulkhead to within one foot of the top of the bulkhead. In all other instances watertight may include backfilling up against the landward side of the bulkhead, water stop sealants for steel and PVC sheet piles, continuous and solid landward capping and any other methods approved by the Borough Engineer.

Section 2. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. This ordinance shall take effect after final adoption and publication as required by law.

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(4)

WHEREAS, Stone Harbor Square License LLC , 261- 96th Street, Stone Harbor, N.J. 08247 Plenary Retail Consumption License #0510-33-001-014 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Place-To-Place (Expansion of Premises) Transfer; 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 \$250.00 to the Borough and \$200.00 to NJ Division of ABC has been attached to the application of the above mentioned applicant, and the license consists two additional areas of the existing licensed premises,

1. A new restaurant to be known as the Poke Bowl/Rum Bar, located on the ground level of The Walk at Harbor Walk, immediately below the existing Watering Hull
2. A new restaurant to be located on the ground and second levels of The Walk at Harbor Walk, to be known as Agave, including an outdoor patio area adjacent to the 97th Street side of the building, and an adjacent outdoor dining area in front of the establishment opening onto the internal pedestrian mall area.

WHEREAS, detailed plans showing the presently-licensed areas and the expanded area to be licensed are included and attached to this Resolution.

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 this 21st day of June, 2022, that this Place to Place (Expansion of Premises) Transfer Application 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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

5

RESOLUTION

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2023 NJDOT TRANSPORTATION TRUST FUND PROJECT

WHEREAS, the Council of the Borough of Stone Harbor has agreed to apply for an NJDOT State Aid grant for the Reconstruction of 96th Street from Second Avenue to Third Avenue in the Borough of Stone Harbor; and

WHEREAS, the Borough wish to authorize the Borough Engineer, Marc DeBlasio of DeBlasio & Associates 4701 New Jersey Avenue, Wildwood, N.J. 08260 to prepare said application; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Stone Harbor, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Robert Smith, Borough Administrator and Suzanne Stanford, Borough Clerk is hereby authorized to submit an electronic grant application via NJDOT SAGE identified as MA-2023-Reconstruction of 96th Street-00121 to the Department of Transportation on behalf of the Borough of Stone Harbor.

BE IT FURTHER RESOLVED that Robert Smith, Borough Administrator and Suzanne Stanford, Borough Clerk is hereby authorized to sign the grant agreement on behalf of the Borough of Stone Harbor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as true copy of the Resolution adopted by the Council

On this _____ day of _____, 2022

Borough Clerk
Suzanne Stanford

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Borough Clerk)
Suzanne Stanford

(Borough Administrator)
Robert Smith

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, 2022

The above resolution approved this day of....., 2022

.....
Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(6)

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2023 NJDOT TRANSPORTATION TRUST FUND PROJECT

WHEREAS, the Council of the Borough of Stone Harbor has agreed to apply for an NJDOT State Aid grant for the Reconstruction of 96th Street from Second Avenue to Third Avenue in the Borough of Stone Harbor; and

WHEREAS, the Borough wish to authorize the Borough Engineer, Marc DeBlasio of DeBlasio & Associates 4701 New Jersey Avenue, Wildwood, N.J. 08260 to prepare said application; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Stone Harbor, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Robert Smith, Borough Administrator and Suzanne Stanford, Borough Clerk is hereby authorized to submit an electronic grant application via NJDOT SAGE identified as MA-2023-Reconstruction of 96th Street-00121 to the Department of Transportation on behalf of the Borough of Stone Harbor.

BE IT FURTHER RESOLVED that Robert Smith, Borough Administrator and Suzanne Stanford, Borough Clerk is hereby authorized to sign the grant agreement on behalf of the Borough of Stone Harbor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as true copy of the Resolution adopted by the Council

On this _____ day of _____, 2022

Borough Clerk
Suzanne Stanford

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Borough Clerk)
Suzanne Stanford

(Borough Administrator)
Robert Smith

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, 2022

The above resolution approved this day of, 2022

.....
Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Approve Proposal for Engineering & Construction Phase Services 80th Street Well and 96th Street Water Treatment Plant Improvements (Part of the 2021 Utility & Road Program)

WHEREAS, DeBlasio & Associates. Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal (copy attached) to provide Engineering and Construction Phase services Engineering and Construction Phase Cost (part of 2021 Utility & Road Program) which tasks include:

Prepare plans and specifications to accomplish the following task as part of the negotiated change order with Fred M. Schiavone Construction:

1. Install the necessary disinfection contact piping at the 80th Street Well House site as required by the Borough's NJDEP permit No. WCP180001 dated June 1, 2018.
2. Replace the existing chlorine gas disinfection system at the 80th Street Well House site with a chlorine tablet disinfection system selected the Public Works Department in accordance with the Borough's NJDEP permit No. WCT180001 dated June 1, 2018.
3. Replace the existing chlorine gas disinfection system at the 96th Water Treatment Plant site with a chlorine tablet disinfection system selected by the Public Works Department in accordance with the Borough's NJDEP permit No WCP 180001 dated June 1, 2018.

Estimate of construction cost for additional items listed above is approximately \$260,000.00 (remaining balance in our original professional services fee sufficient to fund our construction observation services for this additional work.)

ENGINEERING, PERMITTING & CONSTRUCTION PHASE COST: \$10,500.00

Design Plans and Specifications
NJDEP Permit Compliance
Contract Administration

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough Council approves the attached Engineering & Construction Phase Cost Proposal for the Additional Services, 80th & 96th Street Treatment Plan Improvements as presented on this 21st day of June, 2022.

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, 2022

The above resolution approved this day of, 2022

Borough Clerk

Mayor



BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

SUMMER LEAK IN CONNECTION WITH ORDINANCE 542-22C

WHEREAS, Mr. James Murdough, owner of record at Block 88.04 Lot 123, A.K.A. 326 89th Street, experienced a summer leak in 2022; and,

WHEREAS, being appropriately documented and certified that said leak did not drain into the sanitary collection system; and,

WHEREAS, under the provisions of ordinance 542-22C, the 2021 summer usage shall be adjusted to the average of the prior three years' summers consumption for the purpose of calculating 2022 sewer volume charges; 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 account #4840 shall have the 2021 summer consumption adjusted to the average usage of 16.7 gallons; and,

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

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on theday of, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

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 21st
day of June, 2022 that the fees be reimbursed as follows:

1. Eldon Builders
1001 Shunpike Road
Cape May NJ 08204
RE: 20-101st Street Block: 100.01 Lot : 19
Amount: \$6,800.00
2. Alexandria Builders
423 Portsmouth Road
Cape May NJ 08204
RE: 415 Berkley Road Block 200.02 Lot 449
Amount: \$1,240.00
3. Seaside Builders & Developers
162 60th Street
Avalon NJ 08202
RE: 344 104th Street Block 200.03 Lot 539
Amount: \$2,340.00
5. TCW Premier
468 Loucroft Road
Haddonfield, NJ 08033
9913 Sunset Drive Block 200.01 Lot 303
Amount: \$4,660.00
6. Raymond Pagotto
619 Arch Street
PenArgyl PA 18072
322 100th Street Block 99.04 Lot 129
Amount: \$2,800.00
7. Ceramic Artistry
348 96th Street
Stone Harbor NJ 08247
230 111th Street Block 110.31 Lot 31
Amount: \$1,720.00

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

8. DiPalantino Contractors
114 Stagecoach Road
Cape May Court House NJ 08210
8631 Sunset Drive Block 86.05 Lot 147
Amount \$1,760.00

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, 2022

.....

Borough Clerk

The above resolution approved this day of....., 2022

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(10)

RESOLUTION

A Resolution Supporting an Appropriations and Levy Cap Exemption for a Three Year Period for Increases in Liability, Worker's Compensation, Cyber Liability and Property Insurance

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities have incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding workers compensation funding has generated increased costs to municipalities by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs by an estimated amount of 6%; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in doubling premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Stone Harbor that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representatives for the 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, 2022

.....
Borough Clerk

The above resolution approved this day of....., 2022

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

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, 2022 to June 30, 2023 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 21st day of June, 2022 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, 2022 and be for the one year from said date expiring at the close of business on June 30, 2023 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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(12)

RESOLUTION

Approve Proposal for Stone Harbor Oceanfront Feasibility Study

WHEREAS, Douglas Gaffney, Coastal Engineer, Mott MacDonald, 211 Bayberry Drive, Suite 1A, Cape May Court House N.J. 08210 has prepared a Proposal (copy attached) to provide Coastal Engineering services to complete an Oceanfront Feasibility Study which include the following tasks:

Task 1: Feasibility Study providing a wide range of potential options for Stone Harbor's beachfront. The study will include an assessment of existing conditions, problem identification and assessment of the dry beach.

Task 2: Modeling Phase 1 - Modeling provides valuable insight for design and decision-making by comparing the performance of different designs to each other and existing conditions. Modeling scenarios will be selected to evaluate long-term sediment transport trends along the beach, including potential effects from sea level rise. Model results will inform expected beach growth and erosion due to the three different design options. A report summarizing model findings will be prepared for inclusion in the Feasibility Study Report.

Task 3: A report will be developed summarizing the findings of the feasibility study, from problem identification to recommended alternatives. A draft report will be prepared and provided to the Borough Council for review and comment. The feasibility study report will then be finalized and implemented by the Borough Council as the basis for future implementation.

Estimate of project cost for completing the Feasibility Study is approximately \$173,100.00.

WHEREAS, it is the intention of Council to approve this proposal as presented.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough Council approves the attached Stone Harbor Oceanfront Feasibility Study presented on this 21st day of June, 2022.

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, 2022

Borough Clerk

The above resolution approved this day of, 2022

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(13)

RESOLUTION

DESIGNATING THE APPOINTMENT OF MUNICIPAL CLERK AND LOCAL REGISTRAR AND CONFIRMING SAID APPOINTMENTS

WHEREAS, pursuant to N.J.S.A. 40A:9-133(a.), in every municipality there shall be a Municipal Clerk appointed for a three-year term by the governing body of the municipality; and

WHEREAS, _____ holds a Registered Municipal Clerk certificate issued pursuant to N.J.S.A. 9-133.3, a requirement of the Borough of Stone Harbor, notwithstanding the provisions of N.J.S.A. 40A:9-133 (c).

WHEREAS, pursuant to N.J.S.A. 26:8-11(c.), the governing body of each registration district shall also appoint a Local Registrar; and

WHEREAS, pursuant to N.J.S.A. 26:8-13, if the Local Registrar is the Municipal Clerk, the term of office as Local Registrar shall be concurrent with the term of Office of Municipal Clerk; and

WHEREAS, there exists a need for the appointment of a Municipal Clerk and a Local Registrar for the Borough of Stone Harbor, County of Cape May, State of New Jersey, as mandated by the statutory law described herein, for the purpose of providing the Borough with the duties, tasks and services proscribed at N.J.S.A. 40A:9-133e(1)-(7) and 26:8-25.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that _____ be and is hereby appointed Municipal Clerk and Local Registrar of the Borough of Stone Harbor for three-year concurrent terms commencing on July 1, 2022.

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, 2022

.....
Borough Clerk

The above resolution approved this day of, 2022

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(14)

RESOLUTION

APPOINTING DEPUTY REGISTRAR

WHEREAS, a vacancy exists for the position of Deputy Registrar due to an inter-office transfer; and

WHEREAS, Megan Brown is a Certified Municipal Registrar and is qualified for the position of Deputy Registrar, having received her Certification from the New Jersey Department of Health and Senior Services; and

WHEREAS, the Deputy Registrar shall have the authority provided by statute and shall receive instruction from and be under the supervision of the Registrar, who shall have final authority as outlined in this chapter and N.J.S.A. 26:8-25, entitled "Duties of local 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 is hereby appointed as Deputy Registrar for the Borough of Stone Harbor effective, June 21, 2022.

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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

.....
Mayor

(15)

Saint Mary's Episcopal Church

9425 Third Avenue
Stone Harbor, New Jersey 08247

The Rev. Allison Burns-LaGreca
Rector

Parish Office Phone: 609-368-5922

May 31, 2022

Borough Council
Borough of Stone Harbor
9508 Second Ave.
Stone Harbor, NJ 08247

Attention: Mrs. Suzanne Stanford, Borough Clerk

Dear Suzanne:

I am writing on behalf of the Vestry of St. Mary's Episcopal Church to request permission to use the 101st Street Beach Pavilion for our summer Saturday evening worship services, "Worship at the Beach," beginning Saturday, July 9, and ending Saturday, August 27, 2022. The service begins at 5:30 pm and is approximately 45 minutes. We set up 5 pm and break down by 6:30. I have enclosed our Certificate of Insurance.

We are looking forward to a great summer in Stone Harbor. Please let us know if St. Mary's has the permission of the Borough to use the 101st St. Pavilion for Summer 2022.

Thank you for your attention.

Sincerely,



Julie Taylor
Parish Administrator

Marc - two proposals

Suzanne Stanford

From: Marc DeBlasio <marc@deblasioassoc.com>
Sent: Tuesday, May 31, 2022 5:11 PM
To: Robert Smith; Suzanne Stanford; Francisco Tirado; Charles Jones; Jim Craft
Cc: Reese Moore; Cody Stanford; Elaine Benincasa
Subject: Stone Harbor-Beach ADA Ramp and Pavilion Replacement- Phase 2

We are proposing the following bid schedule for the above referenced project for review and approval by the Borough:

1. Motion to Bid: June 21st Meeting
2. Bid Advertisement: June 24th
3. Bid Opening: July 20 at 10:00 am
4. Possible Award: August 2nd Council Meeting

Please let us know if this schedule works for the Borough and we will finalize the notice to bidders.

Thank you,

Marc DeBlasio, P.E, P.P., C.M.E.
President

DeBlasio & Associates | Consulting Engineers and Planners
4701 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-854-3311 | Fax: 609-854-4323

**DEBLASIO &
ASSOCIATES**

CONSULTING ENGINEERS AND PLANNERS

www.deblasioassoc.com

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(17)



Date of Application 4/25/22
Circ 4/25/22
Work Session - 5/24/22
approval Council 6/21/22

Borough of Stone Harbor 2022 Special Event Application

Name of Event: Wedding of the Sea (Assumption of Mary)

Date of Event: Monday, August 15th Time of Event: 10:30am

Type of Event: ☐ Festival ☐ 1K / 5K / Athletic / Bike Race / Marathon ☒ Other MASS

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A non-refundable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee charged to each organization operating a special event. A contract will then be executed stating the terms and conditions in which both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials. Special events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special event permit. Such special events shall be governed by applicable Borough policies. Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

APPLICANT INFORMATION

- 1) Name of Organization: Saint Brendan the Navigator Parish
- 2) Address of Organization: 5012 Dune Drive
Avalon, NJ 08202
- 3) Contact Person: Maria Leonard Phone: 609-967-3746
- 4) Email: frontdesk@stbrendanavalon.org
- 5) Is your organization tax exempt? Yes Tax ID # 273-174-531/000
- 6) Is this a non-profit event? Yes NJ Registered Charitable Organization # _____

(18)

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. Personnel Matters – Borough Employment, Appointment, Terms and Conditions, Employment Relationship*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on June 21, 2022 that an Executive Session closed to the public shall be held on June 21, 2022 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

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

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

Offered by Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council
duly held on the day of, 2022

Borough Clerk

The above resolution approved this day of....., 2022

Mayor