

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

TUESDAY April 3, 2012 4:30 p.m.

OLD BUSINESS:

PUBLIC HEARING ON THE 2012 BUDGET

- a. **ORDINANCE 1400** (Exceed Municipal Budget Appropriations- Establish Cap Bank) 2nd 3rd and final

NEW BUSINESS:

- a. Resolution – Adopt 2012 Budget
- b. Resolution – Authorize Mayor to sign Agreement, Transfer of World Trade Center artifact
- c. Resolution - Dispose of Borough Surplus Property
- d. Resolution – Award Contract – Purchase Refuse Truck
- e. Resolution – 50th Anniversary National Landmark Program – Bird Sanctuary
- f. Resolution – Change Order #2 – Recreation Support Building
- g. Resolution – Opposing Suspension of NJT Bus Service
- h. Motion – Appoint Special Events/Tourism Director - Elizabeth Hargett
- i. Motion – Out to Bid, Beach Concession receive bids April 26th 10 am
- j. Motion Special Event – Sister Blister 5 K Run July 1, 2012
- k. Motion Special Event – Garden Club Yard Sale May 19, 2012
- l. Motion – Change Date for previously approved Meagher Triathlon from July 7th to July 21st

DISCUSSION:

Ordinance from Planning Board – Amend Waterfront Outdoor Dining Ordinance from Planning Board - Amend Residential C Zoning District
Natural Resources Monitoring Program

FYI

Annual Report 2011 – Planning Board
Notice – Planning Board Work Session Re-scheduled

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY**

ORDINANCE 1400

CALENDAR YEAR 2012

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 340,055.14 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Stone Harbor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 340,055.14, and that the CY 2012 municipal budget for the Borough of Stone Harbor be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

ADOPT THE BUDGET - 2012

BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of

\$9,554,967.00

raised by taxation for Municipal Purposes.

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, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT
WITH PORT AUTHORITY FOR TRANSFER OF WORLD TRADE CENTER
ARTIFACT

WHEREAS the Borough of Stone Harbor in the County of Cape May and State of New Jersey is in the process of applying to the Port Authority of NY and NJ for a transfer of a certain piece of steel of the former World Trade Center identified as I-0005L in the Artifact Inventory Report of January 31, 2007; and

WHEREAS, the Borough of Stone Harbor has requested that the Steel be made available to them, in its present condition; and

WHEREAS the Agreement has been prepared which requires the signature of the Mayor;

NOW, THEREFORE, BE IT RESOLVED that the Mayor be and is hereby authorized and directed to sign the aforementioned Agreement on behalf of 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 theday of, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

Tuesday, March 27, 2012

The Port Authority of New York and New Jersey
225 Park Avenue South
New York, New York 10003

The purpose of this letter is to confirm and memorialize the full and complete legal transfer by The Port Authority of New York and New Jersey (the "Port Authority") to Borough of Stone Harbor of that certain piece of steel of the former World Trade Center, identified as I-0005L in the Port Authority's World Trade Center Archive: Artifact Inventory Report of January 31, 2007 (the "Steel"). Borough of Stone Harbor has requested that the Steel be made available to them, in its present condition.

1. A property interest in the above-described Steel is hereby conveyed, and full and complete legal ownership of the Steel is given.
2. The Port Authority makes no representation or warranty whatsoever as to the condition or fitness of the Steel, either express or implied, and no Commissioner, officer, agent, or employee of the Port Authority is authorized to make any representation or warranty as to the Steel. Borough of Stone Harbor shall have no claim against the Port Authority for any defect or other condition of the Steel and agrees to accept the Steel "as is." There are no warranties, express or implied.
3. Borough of Stone Harbor agrees to defend, indemnify and hold the Port Authority, its Commissioners, officers, representatives and employees harmless from and against all losses, liabilities, damages, injuries, claims, demands, costs, attorney fees, and other expenses incurred by the Port Authority and/or its Commissioners, officers, representatives and employees in any manner resulting from or arising with respect to Borough of Stone Harbor's possession, use or operation of the Steel or the possession, use or operation of the Steel by any person under the control and authority of Borough of Stone Harbor.
4. Borough of Stone Harbor will be responsible for all costs of the removal and transportation of the Steel to its facility.
5. This agreement may not be assigned by either party without the approval of the other party.
6. This Agreement is subject to all the terms and conditions of either or both of a Court Order dated December 4, 2009 or July 22, 2010, of the United States District Court for the Southern District of New York, both annexed hereto.

7. Any written notice given by either party to the other under the provisions of, or with respect to, this letter agreement, shall be delivered in person, or by certified or registered mail to the following addresses:

Port Authority: The Port Authority of NY & NJ
225 Park Avenue South
New York, NY 10003
Attn.: Executive Director

The Port Authority of NY & NJ
225 Park Avenue South
New York, NY 10003
Attn.: General Counsel

Borough of Stone Harbor: Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

or to such other address(es) as each party hereto may notify the other.

8. This agreement shall be governed by and construed in accordance with the laws of the State of New York.
9. The entire agreement of the parties is contained herein and no changes or modifications shall be valid or enforceable unless in writing and signed by the party to be charged therewith.
10. Neither the Commissioners of the Port Authority, nor any director, officer or employee thereof shall be held personally liable under or in connection with this letter agreement.
11. If any provision of this letter agreement is determined to be unlawful, contrary to public policy, void or unenforceable, all remaining provisions shall continue in full force and effect.

To confirm the agreement of the Port Authority with the foregoing, kindly sign a counterpart of this letter in the space provided below, and return such signed counterpart to the attention of the undersigned.

Very truly yours,

Suzanne Walters
Mayor

Borough of Stone Harbor

The Port Authority of New York and New Jersey

By: _____
Title: Executive Director

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Authorizing Disposal of Surplus Property

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

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, Cape May County, as follows:

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

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

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

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

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

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

List Attached: April 3, 2012

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, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

GOV DEALS AUCTION

Request to sell items on auction web site

1. ONAN:
30 KW 3 Phase Generator.
2. WISCONSIN:
15 KW Generator.
3. ONAN:
1.8 KW Portable Generators.
4. 31 Bicycles.
5. . 2 Truck Storage Boxes.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

AWARDING A CONTRACT
FOR THE FURNISHING OF A REFUSE TRUCK

WHEREAS, two (2) bids were received by the Stone Harbor Municipal Clerk on March 15, 2012, on the Borough’s request for proposals for the aforementioned project in accordance with the specifications prepared by Remington, Vernick & Walberg, the Borough Engineer, bearing project number 05-10-T-116, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, Hoover Truck Centers, 1504 Mainline Drive, Cinnaminson, N.J. 08077, submitted the lowest responsible and conforming bid in the amount of 174,668.00; and

WHEREAS, the Borough Engineer has recommended that the contract be awarded to Hoover Truck Centers, and the bid has been found to be responsible and in conformity by the Borough Solicitor; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer’s Certification attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 3rd day of April, 2012, as follows;

- 1. That the preamble of this Resolution is hereby incorporated herein by reference;
- 2. That the contract for the aforementioned bearing Remington and Vernick project number 05-10-T-116 be and the same is hereby awarded to Hoover Truck Centers, in the amount of \$174,668.00;
- 3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above.
- 4. That the Borough Engineer is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as called for within the contract.
- 5. That the Borough Clerk is authorized to return the bonds of the unsuccessful bidders.

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, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

REMINGTON & VERNICK ENGINEERS AND AFFILIATES

EDWARD VERNICK, PE, CME, President
CRAIG F. REMINGTON, PLS, PP, Vice President

EXECUTIVE VICE PRESIDENTS

Michael D. Vena, PE, PP, CME (*deceased 2006*)
Edward J. Walberg, PE, PP, CME
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

DIRECTOR OF OPERATIONS
CORPORATE SECRETARY
Bradley A. Blubaugh, BA, MPA

SENIOR ASSOCIATES

John J. Cantwell, PE, PP, CME
Alan Dittenhofer, PE, PP, CME
Frank J. Seney, Jr., PE, PP, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME, LEED
Charles E. Adamson, PLS, AET
Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME
Leonard A. Faiola, PE, CME
Christopher J. Fazio, PE, CME
Kenneth C. Ressler, PE, CME
Gregory J. Sullivan, PE, PP, CME
Richard B. Czekański, PE, CME, BCEE

Remington & Vernick Engineers

232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595
(856) 795-1682 (fax)

Remington, Vernick & Vena Engineers

9 Allen Street
Toms River, NJ 08753
(732) 286-9220
(732) 505-8416 (fax)

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
(732) 955-8000
(732) 591-2815 (fax)

Remington, Vernick & Walberg Engineers

845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110
(609) 645-7076 (fax)

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150
(609) 522-5313 (fax)

Remington, Vernick & Beach Engineers

922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050
(610) 940-1161 (fax)

5010 East Trindle Road, Suite 203
Mechanicsburg, PA 17050
(717) 766-1775
(717) 766-0232 (fax)

U.S. Steel Tower
600 Grant Street, Suite 1251
Pittsburgh, PA 15219
(412) 263-2200
(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

Remington, Vernick & Arango Engineers

The Presidential Center
Lincoln Building, Suite 600
101 Route 130
Cinnaminson, NJ 08077
(856) 303-1245
(856) 303-1249 (fax)

300 Penhorn Avenue, 3rd Floor
Secaucus, NJ 07098
(201) 624-2137
(201) 624-2136 (fax)

March 20, 2012

Ms. Suzanne Stanford, Borough Clerk
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

**Re: Borough of Stone Harbor
Furnishing a Refuse Truck
Our File #: 05-10-T-116**

Dear Ms. Stanford:

We have tabulated the two (2) bids received on March 15, 2012 with reference to the above captioned project and find the low bidder to be Hoover Truck Centers, 1504 Mainline Drive, Cinnaminson, NJ 08077 in the amount of \$174,668.00 based on the award of the base bid and snow blade option. A copy of the bid tabulation is enclosed for your review.

Therefore, in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq., the contract should be awarded to the lowest responsible bidder, which appears to be Hoover Truck Centers. The award should be contingent upon approval of your solicitor, Public Works Department and monies being available.

Should you have any questions or comments, please do not hesitate to call me at our Wildwood office.

Very truly yours,
REMINGTON, VERNICK & WALBERG ENGINEERS


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

MD:eb

Enclosure

cc: Jill Gougher, Administrator (via email w/encl.)
Michael Donohue, Solicitor, (via email w/encl.)
Greg Sheeran, Director of Public Works, (via email w/encl.)
Grant Russ, Public Works Department (via email w/encl.)

S:\Stone Harbor\05-10-T-116 Furnishing a Refuse Truck\Correspondence\0510T116 12March20 Notice of Award letter.doc

Earning Our Reputation Every Day Since 1901
www.rve.com



REMINGTON, VERNICK & WALBERG ENGINEERS
BID TABULATION

PROJECT NAME:
FURNISHING A REFUSE TRUCK
PROJECT NUMBER:
05-10-T-116
CLIENT:
BOROUGH OF STONE HARBOR
BID OPENING DATE:
Thursday, March 15, 2012

Hoover Truck Centers
1504 Mainline Drive
Cinnaminson, NJ 08077

Mid Atlantic Waste Systems
P.O. Box 476
Pedricktown, NJ 08067

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	SUPPLY AND DELIVERY OF ONE (1) 2012 WESTERN STAR 4900 SA OR APPROVED EQUAL CHASSIS WITH REFUSE BODY AND APPURTENANCES	1	UNIT	\$185,118.00	\$185,118.00	\$189,610.00	\$189,610.00
2	PROVIDE DEDUCT FOR THE TRANSFER OF A 1999 INTERNATIONAL TANDEM AXLE, 25 CUBIC YARD TRASH TRUCK WITH A SNOW PLOW.	1	UNIT	\$10,800.00	\$10,800.00	\$10,000.00	\$10,000.00
Total Amount Bid Based on Estimated Quantities for Items #1 to #2, Inclusive				\$174,318.00		\$179,610.00	
Options to be Priced Separately				\$350.00		\$350.00	
1. Meyer Road Pro Poly Snow Blade in Lieu of Steel Blade							
Total Amount Bid Based on Estimated Quantities plus Options				\$174,668.00		\$179,960.00	

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

FOR THE COORDINATION AND SUPPORT FOR THE 50th ANNIVERSARY OF THE ESTABLISHMENT OF THE UNITED STATES NATIONAL NATURAL LANDMARK PROGRAM AND IT’S RECOGNITION OF THE STONE HARBOR BIRD SANCTUARY.

WHEREAS, the Borough of Stone Harbor, New Jersey, in 1947, duly set aside and established an area of the Borough designated as The Stone Harbor Bird Sanctuary; and

WHEREAS, the United States of America, Department of Interior created the National Natural Landmark program in 1962 to recognize unique and representative land features and areas for preservation and citizen appreciation; and

WHEREAS, the National Natural Landmark program designated the Stone Harbor Bird Sanctuary as the first so honored site in the State of New Jersey; and

WHEREAS, the Stone Harbor Bird Sanctuary is the result of Federal, State, County, Borough and private cooperation, coordination and the exhibition of model partnership; and

WHEREAS, public awareness and interest to visit the Stone Harbor National Natural Landmark would be enhanced by the addition of a wayside sign on an existing Coastal Heritage Trail sign standard showing the exit to The Wetlands Institute by the side of the northbound lanes of the Garden State Parkway just south of the Stone Harbor Boulevard intersection; and

WHEREAS, sufficient time exists to erect such a wayside sign prior to the Fiftieth Anniversary of the Landmark program and for any attendant recognition of the Program and the site by National, State, County and Borough governments.

NOW, THEREFORE, BE IT RESOLVED this 3rd day of April 2012, that the Borough Council of Stone Harbor, New Jersey directs the Natural Resources Committee of the Council to identify and meet with the appropriate partners, agencies and departments for the coordination of the placement of the wayside sign and to plan and coordinate the public recognition of those partnerships as part of the Fiftieth year of the National Natural Landmark Program.

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, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Straga Brothers, Inc. for the construction of the Recreation Support Building; and

WHEREAS, it is the recommendation of the Borough's Engineer, Olivieri, Shousky & Kiss, to authorize Change Order No. 2 – change a total of (28) type “A1” lighting fixtures from recessed fixtures to surface-mounted fixtures at pavilion 100 and change the size of a total of (44) Bahamas shutters from 73 ½ inches to 75 ½ inches at pavilion 100 for a total cost increase in the amount of \$4,103.00. The Borough has accepted the Contractor's proposal for Work Change Order Request Nos. C and D; and

WHEREAS, the \$12,000.00 contingency allowance provided for in the Contract was reduced by Change Order No. 1 in the amount of \$8,454.00; thereby leaving a balance of \$3,546.00 in the contingency allowance. The contingency allowance would be reduced to \$0.00 for a total contract increase in the amount of \$557.00 as per Change Order No. 2 (attached hereto and made a part hereof).

WHEREAS, approval of Change Order No. 2 will not result in a contract amount in excess of 20% of the initial contract amount and the Chief Financial Officer has certified that funds are available for Change Order No. 2.

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of April, 2012 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 2 be and hereby is authorized; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 2 in the amount of \$557.00 for total amended contract of \$1,574,117.00.

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, 2012

.....
Borough Clerk

The above resolution approved this day of....., 2012

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION OPPOSING SUSPENSTION OF NEW JERSEY TRANSIT BUS ROUTE SERVICE TO THE COMMUNITIES OF STONE HARBOR, AVALON, AND SEA ISLE CITY

WHEREAS, the County of Cape May has been informed that the NJ Transit plans to indefinitely suspend bus service to Stone Harbor, Avalon and Sea Isle City on its Routes 315 and 319 on or about April 7, 2012; and

WHEREAS, the suspension and/or termination of service to these communities would impact area residents and visitors that utilizes NJ Transit for both leisure and work-related trips; and

WHEREAS, New Jersey Transit has cited difficulties with route detours and low ridership as the primary factors involved in their decision; and

WHEREAS, the route detour caused by construction on Townsend's Inlet Bridge is temporary; and

WHEREAS, the population of the County increases from approximately 97,000 in the winter months to over 700,000 in the summer months, resulting in the need for transportation alternatives; and

WHEREAS, the New Jersey Transit bus routes 315 and 319 provide the only fixed route service available to the general public to these three communities; and

WHEREAS, the County of Cape May, its 16 municipalities, and a wide variety of public and private agencies have repeatedly gone on the record with regard to the lack of adequate NJ Transit bus service to, from, and within the County of Cape May; and

WHEREAS, the cessation of service to three of our sixteen municipalities would create severe hardships to the residents, visitors and businesses of these communities.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor that the Borough Council does hereby oppose the decision of the NJ Transit to suspend service to the Borough of Stone Harbor, the Borough of Avalon and the City of Sea Isle City;

BE IT FURTHER RESOLVED that the Council requests that the NJ Transit be required to provide ample notice to municipalities, counties and the general public prior to the development of plans to suspend service to any municipality in its entirety so that the local units of government are given opportunity to provide input into the decision making process and to prepare for alterations in levels of service.

BE IT FURTHER RESOLVED that NJ Transit is requested to formally meet with the County of Cape May and representatives of the impacted municipalities to discuss the matter and until such time as an amenable solution is found, to continue the current level of service on bus routes 315 and 319.

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, 2012

The above resolution approved this day of....., 2012

.....
Borough Clerk

.....
Mayor

NOTICE TO BIDDERS
BOROUGH OF STONE HARBOR CAPE MAY COUNTY NEW JERSEY

Sealed bids for the leasing of specific beach land owned by the Borough of Stone Harbor, New Jersey to be used for the sale of refreshments for the season 2012 will be received by the Borough Clerk at 10:00 AM on Thursday, April 26, 2012 at which time they will be opened and read aloud.

Minimum amount of the bid shall be \$35,000 covering rent for the 2012 season. Each bidder shall supply with his, her or its bid a certified check, cashier's check and/or cash in the amount of 10% of the bid, which will be applied to the rental for the first year. However, in the event the successful bidder fails to execute the lease and deliver a copy of the required liability policy within fifteen (15) days of the confirmation of the award by resolution of Borough Council, the deposit shall be forfeited to the Borough as liquidated damages and not as penalty.

The terms and conditions under which the said premises shall be leased, and the manner and methods under which the proposed business is and shall be conducted and operated are set forth in the specifications prepared by the Borough which are on file in the Office of the Borough Clerk, Borough Hall, 9508 Second Avenue, Stone Harbor, New Jersey. Copies are available to prospective bidders without cost upon application by mail or in person at said office during normal business hours.

A contract will be awarded to the responsible bidder bidding the highest rental for the year 2012. The successful bidder will be required to comply strictly with the terms and conditions set forth therein. At the time of the submission of the bid, each bidder shall supply a list of names and addresses of all persons having a 10% or more interest in the bidding company, pursuant to the requirements of Chapter 33 of the Laws of 1977.

Bidders are required to comply with the Anti-Discrimination Laws of the State of New Jersey, in particular with the requirements of Chapter 127 of the Laws of 1975. The statutory language required by N.J.S.A. 10:2-1 and 10:5-33 are hereby incorporated in the specifications and the contract with the successful bidder by reference.

The Mayor and Council reserve the right to accept or reject any and/or all bids and reserve the right to waive any informality in a bid.

Bids must be enclosed in a sealed envelope bearing the name and address of the bidder marked "Bid for the Leasing of Beach Land for Use as a Concession" and addressed to the Mayor and Council of the Borough of Stone Harbor, New Jersey.

By Order of the Mayor and Council
Suzanne C. Stanford, Borough Clerk

Dated: April 3, 2012

BID SPECIFICATIONS

BEACH CONCESSION BOROUGH OF STONE HARBOR - 2012

Refreshments shall be offered on the beaches of Stone Harbor from 80th Street to 123rd street commencing on the Saturday prior to Memorial Day on the weekends up to June 15th. Commencing June 15th, refreshments must be available seven (7) days a week through Labor Day from 10:00 a.m. until 5:00 p.m. as long as the beaches remain open and the lifeguards are in attendance.

The refreshments on the beach shall be used as a convenience for the users of the beach, and the concessionaire shall provide and sell light refreshments consisting of soft drinks, ice cream products, snack crackers and similar items, to be approved in advance by the Beach and Recreation Committee. The approvals required herein shall not unreasonably be withheld. The sale of other refreshments, including but not limited to sandwiches, hot dogs, hamburgers, pizza, etc. are prohibited. The sale of beach equipment, beach supplies, toys and other items are also prohibited. Soft drinks shall be sold in cans only and paper cups are not to be used. All food products must be approved by the Beach and Recreation Committee in advance.

From time to time each business day, in order to prevent the overflow of the trash receptacles, the beach concessionaire shall empty all such trash receptacles, suitably securing the openings of the plastic liners, and carry all filled plastic liners to the area at the street end between the bulkhead and the yellow line marking the "no parking" area between it and the bulkhead. The beach concessionaire shall be permitted to park in said "no parking" area only for as long as reasonably necessary to load and unload supplies necessary for the sale of refreshments. In no case shall any vehicle remain parked therein for a period in excess of thirty (30) minutes.

The minimum amount of said bid shall be \$ 35,000 for the season of 2012. A certified check, bank draft or cash in the amount of at least ten percent (10%) of the minimum bid shall accompany the bid. The balance of the amount of the accepted bid shall be paid as follows: 20% of the bid price within thirty (30) days of the bid opening, 30% within sixty (60) days of the bid opening and the balance shall be paid prior to the opening of the beaches. A written contract between the Borough and the concessionaire shall be executed by both parties within thirty (30) days of the award of the bid by Borough Council.

The term of the contract shall be for a period of one (1) year, 2012.

The concessionaire shall be required to carry public liability insurance in the minimum amount of \$300,000.00, single combined limit, which policy shall insure the concessionaire and the Borough. The insurance shall be placed with an insurance company having a rating of at least "A", and which is authorized to transact business in New Jersey. The policy shall be in force and a copy of the policy together with a receipt showing the payment of the premium for the particular year, shall be filed with the Borough Clerk prior the opening of the beach and remain in effect until the end of the season.

The beach concessionaire and any of his, her or its employees, shall be required to wear a short sleeved shirt, with the concessionaire's logo located thereon, at all times, when the concessionaire and his, her or its employees are doing business on the beach.

The business, in all its aspects, shall be operated and conducted subject to the approval of the Beach and Recreation Committee, which approval shall not be unreasonably withheld. These aspects include the manner and method in which all products are to be sold, including the charges to be made therefore. The beach concessionaire shall submit a listing of all items to be sold, and the prices to be charged for the same, to the Beach Committee for approval thirty (30) days prior to the start of the summer season.

The beach concessionaire shall be responsible for the full performance of all the terms and conditions of the contract, and for the proper conduct and management of the operations at all sites, including the removal of debris and cleanliness of the prescribed area; and for the conduct and behavior of all employees while in the performance of duties in connection with this contract.

The Borough reserves the right to terminate the contract, or its renewal forthwith, upon the breach of any of the provisions of the lease upon five (5) days written notice to the beach concessionaire, reciting the alleged charge or charges. Said notice may be made by certified mail to the address furnished by the beach concessionaire with his bid, or may be personally served upon any of the beach concessionaire's agents, employees or subcontractors at any of the beach stands. The concessionaire may request an informal hearing before the Borough Beach and Recreation Committee, in connection with said termination, by submitting to the Borough Clerk a written request therefore within three (3) days of receipt of said notice. In the event that such a request is submitted, the concessionaire shall be bound by the terms of the contract until the hearing is concluded. A hearing shall be held within seven (7) days of receipt of said request at which the concessionaire and the Borough may present testimony as appropriate and relevant. The Beach and Recreation Committee shall deliberate in executive session following the testimony then present, through the Committee Chair, its decision on whether to uphold the termination of the contract or reinstate the contract. The Committee need not render any finding of facts in connection with its decision.

The concessionaire shall be bound by the Anti-Discrimination Laws of the State of New Jersey as follows:

- a. The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this non-discrimination clause;
- b. The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex;
- c. The contractor or subcontractor where applicable, will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

cc Cape May
High School

BOROUGH OF STONE HARBOR

SPECIAL EVENTS ON PUBLIC LANDS

(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 Council pursuant to Chapter 275 of the Borough of Stone Harbor Municipal Code.)

LICENSE APPLICATION (Chapter 275)

\$60.00 For the Permit Application Fee.

All Permit Fees Shall Be Paid To Borough Clerk When Application Is Filed.
Application Should Be Filed At Least 60 Days Before The Date Set For The Special Event.
Attach Certificate of Insurance Naming the Borough of Stone Harbor as Certificate Holder
and/or Additional Insured.

DATE OF APPLICATION: 3/26/12 FEE PAID: \$ 60.00
Should be filed 60 Days Before the Date of Event

TYPE OF EVENT: 5k run / 2 mile walk - The Sister Blister
Please Describe

DATE(S)/TIME(S) OF EVENT: July 1, 2012 registration 6:30-7:50 AM / run
Please Describe 8:00 - 9:00 AM

LOCATION OF EVENT: Stone Harbor 800 1st Ave ADMISSION FEE (If Any): \$ _____

REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$ 1.50

Applications must be complete, including contact information, in order to be considered filed.

SPONSOR'S NAME: Save Wildwood Catholic, Inc. PHONE#: 609-741-8082
Please Print Name of Person, Association, Corporation, Firm, etc,

SPONSOR'S ADDRESS: 250 34th St Avalon NJ 08202
Street Address PO Box No. City State Zip Code

CONTACT PERSON: Michael Seythes / Linda McGovern

CONTACT PERSON'S PHONE #: 609-741-0253

ESTIMATE OF DAILY CROWD EXPECTED: 100-600

SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:

Monitor turns on course / street closure for start/finish

	Fees.
- Application Filing Fee	\$60.00 per event
- Seasonal Use by Local Schools	\$1,500.00 per season
- Charity Organizations	\$750.00 per season for second sport
- Use of Fields	\$60.00 Application Fee (No other fees to be assessed)
- Use of Fields	\$500.00 per day (first two days) \$250.00 per day each additional day
- Chamber of Commerce	\$250.00 per day if before Memorial Day and after Labor Day and if the event is hosted by an Organization headquartered in Cape May County with at least five members from Stone Harbor.
	\$60.00 application fee for all Events

Section 275-4. Exceptions.

A. Special Events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for a special event permit. Such special events shall be governed by applicable Borough policies. Additionally, Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

BOROUGH OF STONE HARBOR

SPECIAL EVENTS ON PUBLIC LANDS

(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 Council pursuant to Chapter 275 of the Borough of Stone Harbor Municipal Code.)

LICENSE APPLICATION (Chapter 275)

\$60.00 For the Permit Application Fee.

All Permit Fees Shall Be Paid To Borough Clerk When Application Is Filed.
Application Should Be Filed At Least 60 Days Before The Date Set For The Special Event.
Attach Certificate of Insurance Naming the Borough of Stone Harbor as Certificate Holder
and/or Additional Insured.

DATE OF APPLICATION: March 19, 2012 FEE PAID: \$ _____
Should be filed 60 Days Before the Date of Event
TYPE OF EVENT: Garden Club of Stone Harbor Community Yard Sale
Please Describe
DATE(S)/TIME(S) OF EVENT: May 19, 2012 Rain Date May 20, 2012
Please Describe
LOCATION OF EVENT: Borough Pkg lots adjacent to ADMISSION FEE (If Any): \$ _____
Women's Civic Club 95,901st First Ave
REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$ _____

Applications must be complete, including contact information, in order to be considered filed.

SPONSOR'S NAME: Garden Club of Stone Harbor Inc PHONE#: _____
Please Print Name of Person, Association, Corporation, Firm, etc.
SPONSOR'S ADDRESS: c/o Peg Sutton 42 SH NJ
Street Address PO Box No. City State Zip Code
CONTACT PERSON: Marilyn Hahle
CONTACT PERSON'S PHONE #: Marilyn Hahle 368-0683 (C 609-722-5101)
ESTIMATE OF DAILY CROWD EXPECTED: 300
SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:

	Fees.
- Application Filing Fee	\$60.00 per event
- Seasonal Use by Local Schools	\$1,500.00 per season
- Charity Organizations	\$750.00 per season for second sport
- Use of Fields	\$60.00 Application Fee (No other fees to be assessed)
- Use of Fields	\$500.00 per day (first two days) \$250.00 per day each additional day
- Chamber of Commerce	\$250.00 per day if before Memorial Day and after Labor Day and if the event is hosted by an Organization headquartered in Cape May County with at least five members from Stone Harbor.
	\$60.00 application fee for all Events

Section 275-4. Exceptions.

A. Special Events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for a special event permit. Such special events shall be governed by applicable Borough policies. Additionally, Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

George E. Meagher
914 Talamore Drive
Ambler, PA 19002
215-646-6270

March 26, 2012

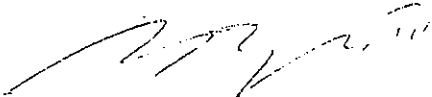
Ms. Lisa Stefankiewicz
Deputy Borough Clerk
Borough of Stone Harbor
Stone Harbor, NJ 08247

Dear Lisa:

Per our telephone conversation today, I am requesting approval to move my family and friends triathlon from July 7, 2012 to July 21, 2012.

Except for the date change everything will remain the same as originally approved by the Council.

Thank you,

A handwritten signature in dark ink, appearing to read 'George E. Meagher III', with a stylized flourish at the end.

George E. Meagher III



BOROUGH OF STONE HARBOR
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247
TELEPHONE (609) 368-6808 FAX (609) 368-3705
PLANNING BOARD

March 27, 2012

Mayor and Council
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

Re: Zoning Ordinance: Amend RGO Chapter 560 Waterfront Outdoor Dining

Dear Mayor and Council:

Please be advised that the Planning Board adopted Resolution 2012-002, recommending the Borough Council adopt an ordinance amending RGO Chapter 560 to allow retractable awnings for waterfront outdoor dining in the Waterfront Business District and the general Business District. This was approved at the Planning Board meeting held March 26, 2012. I am enclosing a copy of the Board's Resolution's and a copy of the proposed Zoning Ordinance for your review.

Sincerely,

Patricia H. Wagner, Board Secretary

cc Joanne Mascia, Zoning Officer
Suzanne Stanford, Borough Clerk
Andrew Catanese, Planning Board Solicitor
Michael Donohue, Borough Council Solicitor
Jill Gougher, Borough Administrator

"The Seashore at its Best"



SHOULD YOU REQUIRE A SPECIAL ACCOMODATION PLEASE CALL (609) 368-5102
WWW.STONE-HARBOR.NJ.US

**PLANNING BOARD
BOROUGH OF STONE HARBOR**

RESOLUTION NO. 2012-002

WHEREAS, the Stone Harbor Planning Board carefully evaluated the draft ordinance attached hereto (the Proposed Ordinance") at a public meeting held on March 26, 2012; and

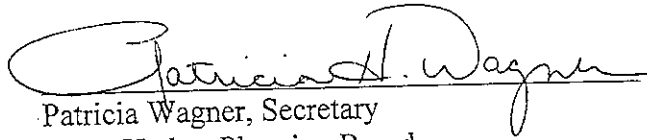
WHEREAS, the Planning Board has determined that the Proposed Ordinance regulating outdoor waterfront dining promotes the intent and purposes of the Municipal Land Use Law and is consistent with the Borough's Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Stone Harbor, New Jersey on this 26th day of March, 2012 that the Ordinance attached hereto is consistent with the intent and purposes of the Municipal Land Use Law and is consistent with the Borough's Master Plan. Accordingly, the Planning Board recommends adoption of the Proposed Ordinance by the Borough Council.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Clerk of the Borough of Stone Harbor and maintained by the Secretary of the Planning Board.

I hereby certify the foregoing to be an original resolution of the Borough of Stone Harbor Planning Board adopted and approved at a meeting held on 26th day of March, 2012.

Dated: March 26, 2012


Patricia Wagner, Secretary
Stone Harbor Planning Board

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 560 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF STONE HARBOR AND
REGULATING WATERFRONT OUTDOOR DINING**

WHEREAS, the Borough of Stone Harbor (the "Borough") currently permits outdoor dining as a conditional use in the Borough's Business District and Waterfront Business District pursuant to Chapter 560 of the Borough's zoning ordinance (the "Zoning Ordinance"); and

WHEREAS, the Business District and Waterfront Business District include areas adjacent to the Shelter Haven Basin; and

WHEREAS, the Stone Harbor Master Plan adopted June 22, 2009 (the "Master Plan") provides "[t]he Shelter Haven Basin is an underutilized scenic and recreational resource that can provide a unique environment for shopping, dining, and both passive and active recreation"; and

WHEREAS, the Stone Harbor Planning Board (the "Board") has determined that the Zoning Ordinance should be revised in order to promote the Shelter Haven Basin as a dining destination; and

WHEREAS, the Board has recommended revisions to the Zoning Ordinance as set forth below and has determined the implementation of those revisions is consistent with the Borough Master Plan and will promote the general welfare of the Borough and its residents; and

WHEREAS, the Borough Council desires to adopt and implement the recommendations of the Board, as set forth below.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, Cape May County, New Jersey, as follows:

Section 1. Section 560-18(C)(1) is amended as follows (insertions are underlined, deletions are ~~stricken~~):

- (i) Bulkhead setback. With regard to bulkhead setbacks in general, refer to Section 560-38B. With regard to properties on back bay waters and

lagoons, tables, ~~and chairs and umbrellas~~ used in connection with outdoor dining may be located up to the actual, physical bulkhead.

(j) Umbrellas and retractable awnings. Umbrellas and retractable awnings may be utilized in conjunction with outdoor dining areas adjacent to back bay waters and lagoons without the need for site plan review; provided that (i) umbrellas and retractable awnings shall be located within approved outdoor dining areas only; (ii) retractable awnings shall be made of fabric over a rigid frame; (iii) retractable awnings (including their supporting poles, stanchions and other means of support) shall be fully retracted during all times the outdoor dining area is not in use; (iv) no signage shall be permitted on umbrellas or retractable awnings; (v) retractable awnings shall not be enclosed with screens, curtains or other materials; (vi) retractable awnings shall maintain a minimum height (ground clearance) of seven (7') feet.

Section 2. Section 560-19(E)(1) is amended as follows (insertions are underlined, deletions are ~~stricken~~):

(i) Bulkhead setback. With regard to bulkhead setbacks in general, refer to Section 560-38B. With regard to properties on back bay waters and lagoons, tables, ~~and chairs and umbrellas~~ used in connection with outdoor dining may be located up to the actual, physical bulkhead.

(j) Umbrellas and retractable awnings. Umbrellas and retractable awnings may be utilized in conjunction with outdoor dining areas adjacent to back bay waters and lagoons without the need for site plan review; provided that (i) umbrellas and retractable awnings shall be located within approved outdoor dining areas only; (ii) retractable awnings shall be made of fabric over a rigid frame; (iii) retractable awnings (including their supporting poles, stanchions and other means of support) shall be fully retracted during all times the outdoor dining area is not in use; (iv) no signage shall be permitted on umbrellas or retractable awnings; (v) retractable awnings shall not be enclosed with screens, curtains or other materials; (vi) retractable awnings shall maintain a minimum height (ground clearance) of seven (7') feet.

Section 3. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk



BOROUGH OF STONE HARBOR
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247
TELEPHONE (609) 368-6808 FAX (609) 368-3705
PLANNING BOARD

March 27, 2012

Mayor and Council
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

Re: Zoning Ordinance: Amend RGO Chapter 560-16 Residential C Zoning District

Dear Mayor and Council:

Please be advised that the Planning Board adopted Resolution 2012-003, recommending the Borough Council adopt an ordinance amending RGO Chapter 560-16, Residential C Zoning District. Following a review by the Zoning Officer, the amendment will allow construction on a lawfully existing undersized lot without variance relief, provided the lot has 2,200 square feet OR minimum frontage of 40 feet without the applicant incurring the associated costs of appearing before the Zoning Board of Adjustment. This was approved at the Planning Board meeting held March 26, 2012. I am enclosing a copy of the Board's Resolution's and a copy of the proposed Zoning Ordinance for your review.

Sincerely,

Patricia H. Wagner, Board Secretary

cc Joanne Mascia, Zoning Officer
Suzanne Stanford, Borough Clerk
Andrew Catanese, Planning Board Solicitor
Michael Donohue, Borough Council Solicitor
Jill Gougher, Borough Administrator

"The Seashore at its Best"



SHOULD YOU REQUIRE A SPECIAL ACCOMODATION PLEASE CALL (609) 368-5102
WWW.STONE-HARBOR.NJ.US

**PLANNING BOARD
BOROUGH OF STONE HARBOR**

RESOLUTION NO. 2012-003

WHEREAS, the Stone Harbor Planning Board carefully evaluated the draft ordinance attached hereto (the Proposed Ordinance”) at a public meeting held on March 26, 2012; and

WHEREAS, the Planning Board has determined that the Proposed Ordinance amending the zoning requirements in the Residential C Zoning District promotes the intent and purposes of the Municipal Land Use Law and is consistent with the Borough’s Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Stone Harbor, New Jersey on this 26th day of March, 2012 that the Ordinance attached hereto is consistent with the intent and purposes of the Municipal Land Use Law and is consistent with the Borough’s Master Plan. Accordingly, the Planning Board recommends adoption of the Proposed Ordinance by the Borough Council.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Clerk of the Borough of Stone Harbor and maintained by the Secretary of the Planning Board.

I hereby certify the foregoing to be an original resolution of the Borough of Stone Harbor Planning Board adopted and approved at a meeting held on 26th day of March, 2012.

Dated: March 26, 2012


Patricia Wagner, Secretary
Stone Harbor Planning Board

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 560-16 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF STONE HARBOR
REGULATING THE RESIDENTIAL C ZONING DISTRICT**

WHEREAS, Chapter 560-16 of the Borough's zoning ordinance (the "Zoning Ordinance") regulates development in the Residential C Zoning District (the "C-Zone") of the Borough of Stone Harbor (the "Borough"); and

WHEREAS, the C-Zone currently requires minimum lot area of 5,500 square feet and minimum lot frontage of 50 feet for a single family residence; and

WHEREAS, many lawfully existing lots located in the C-Zone do not meet the minimum lot area and frontage requirements for the zone, which lots may not be developed without variance relief from the Stone Harbor Zoning Board of Adjustment (the "Zoning Board"); and

WHEREAS, lawfully existing undersized lots often necessitate the granting of hardship variance relief from lot area and lot frontage requirements by the Zoning Board, such that the grant of those variances in the C-Zone have become routine; and

WHEREAS, the Stone Harbor Planning Board (the "Board") has recommended revisions to the Zoning Ordinance as set forth below and has determined the implementation of those revisions is consistent with the Borough Master Plan and will promote the general welfare of the Borough and its residents; and

WHEREAS, the Borough Council desires to adopt and implement the recommendations of the Board, as set forth below.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, Cape May County, New Jersey, as follows:

Section 1. A new Section 560-16(D)(3) is hereby adopted as follows:

(3) A single family dwelling may be constructed upon a lawfully existing isolated undersized lot without variance relief from the minimum lot area and lot frontage requirements in Section 560-16(B)(1); provided the lot shall have minimum lot area of two-thousand two hundred square feet (2,200 ft²) OR minimum lot frontage of forty feet (40').

Section 3. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

APPROVED:

Suzanne M. Walters, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

Discussion :

Natural Resource Monitoring Program.

Master Plan pages 28, 29,35, & 36

Function of N.R. Ord.No. 1346

Process?

How to start?

Fact finding Committee?

Past dredging projects, who has
experience?

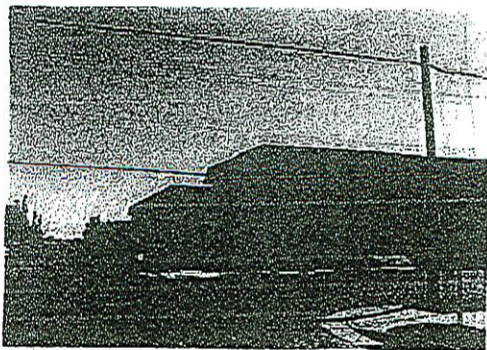
Just want to take the first step.....

or a second home. People who invest significant money in a vacation home expect high levels of service and community resources. A community center would satisfy the interests and needs of the entire community – the Borough's year-round residents, the second home-owners and the seasonal visitors.

The above three facilities are not mutually exclusive and could be accommodated in one future building. Although the pending new library has been designed with a large meeting room, it does not provide for recreation and physical activities. This Plan recommends that all three of the above services be provided. Suitable locations include the oceanfront property, the Marina District and the Borough's lots on Second Avenue between 93rd and 94th Streets. The latter has currently been recommended by the Planning Board as a site to accommodate temporary parking for the downtown district, but a long-term strategy may require parking to be permanently provided elsewhere, leaving the site available for community facilities.

Public Works Facility

The Borough's public works facility located in the proposed marina district interferes with the ambience and development opportunities appropriate for this bay front property. The large barn-like structure both on this site and across the street on Third Avenue are



The large scale of the Borough's public works buildings are not compatible with the visual context of the neighborhoods and should be relocated or creatively screened and buffered.

inconsistent with the surrounding landscape in terms of scale, materials and character. The Borough should consider ways to minimize the visual impact of the buildings on the marina district and surrounding neighborhoods, while at the same time explore additional sites for possible future relocation.

District School

Stone Harbor takes great pride in its elementary school on Third Avenue, which serves grades K-8. The school is an important source of pride for the community; it offers an excellent educational facility, is important for attracting and retaining families, and the facility is frequently made available to the public. For these reasons, the Borough should support and defend the school's continued existence in the community against growing statewide efforts to regionalize and consolidate small school districts.

D MASTER PLANS AND SPECIALTY PLANS

Historic Preservation Element

The Borough's historic residences and commercial buildings add to the charm of its neighborhoods and are an important temporal feature of its community character. A historic preservation plan element should be prepared and adopted to document the location, history and significance of these structures.

Natural Resource Monitoring Program

Stone Harbor's social and economic welfare relies heavily upon the effective management of its natural resources. The beaches, wetlands, tidal waters, habitats and bay waters all require specialized management to ensure their long term protection and cost-effective maintenance. The management of these resources is currently conducted by separate governmental agencies and consultants. Project data is relatively fragmented and there is no central source of information. It is recommended that the Borough develop a monitoring program that would oversee all of these environmental projects. The benefit of

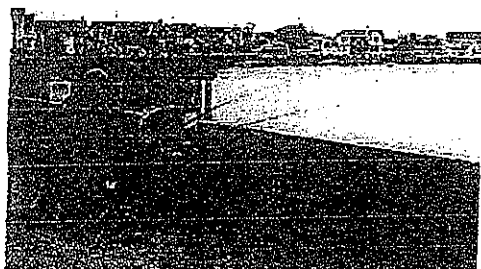
such a program is: 1) an established clearinghouse of information that includes the issues and status of all ongoing projects; and, 2) a framework for making informed, short-term and long-term fiscal decisions.

A natural resource monitoring program need not be laborious or costly, because the majority of the work is merely assembling data on ongoing projects. A centralized resource and database will assure that management plans are conducted on a timely basis, are performed by qualified experts, and the decision to spend local monies is well-informed.

The monitoring program should include the management programs of The Point and the Bird Sanctuary and short-term and long-term strategies for beach replenishment, back-bay dredging and other prized resources.

Marina District Master Plan

The proposed Marina District has the potential to become a local and regional destination place in a scenic, waterfront location. The full potential of the District can best be realized through the preparation of a conceptual design plan that includes a site analysis and community needs study. Such a plan would seize upon the assets of this unique location for the benefit of the community, guide the (re)development of the District and potentially



The public marina is surrounded by an asphalt parking lot and over-sized public works buildings, which undermines the potential character and utilization of

include a waterfront restaurant, cultural arts amphitheatre and community center.

E PUBLIC-PRIVATE INITIATIVES

The Borough's downtown business district is very large considering its population dwindles down to 1,000 people eight months of the year. In addition, the seasonal months have witnessed a decrease in downtown pedestrian traffic over the past decade, as further described in the preceding section. While the core, one-block area of the downtown district continues to thrive, store vacancies and undeveloped lots exist outside of the core reduce the expectations and experience of the entire district. Pedestrian traffic must be increased in the business districts. There are many ways to achieve this goal, although they vary significantly in cost and commitment. The master plan recommends, at minimum, the following land use policies for downtown revitalization and increasing pedestrian traffic:

Strengthen the Shoulder Season

A comprehensive marketing and policy plan should be developed to increase population during the shoulder seasons. The approach should include a variety of complementary components, such as:

- encourage upscale shops and restaurants for the affluent seasonal homeowners and tourists
- encourage a diversity of shops and family dining for all residents and tourists
- increase the number of programs and events during the shoulder seasons
- enhance and protect the character of the downtown area through streetscape improvements and development guidelines

Streetscape Improvements

While the 200 block of 96th Street will always be the core of the downtown area, other streets in the Business Districts should exhibit the same quality of improvements. Streetscape amenities including benches, bicycle racks, street trees, and planters, should be consistent throughout the entire Business District. The side streets should be visibly attractive

STONE HARBOR ACTION PLAN

TASK	RESPONSIBILITY	CORRESPONDING OBJECTIVE (SEE PG 25)
ORDINANCES		
Amend all zoning and land development ordinances for consistency with this master plan	Planning Board/ Borough Council	All
Monitor the impervious coverage in residential districts	Planning Board/ Borough Council	C1
Prepare and adopt a tree protection ordinance	Planning Board/ Borough Council	C3
Create a Marina District	Borough Council	C5
Remove the Light Industrial District and replace a portion with a Multi-Family (MF) District	Borough Council	C2
Amend the sign ordinance for projecting signs and amended awning signs	Planning Board/ Borough Council	C4
Create a new Neighborhood Commercial District	Borough Council	C2
MASTER PLANS AND SPECIALTY PLANS		
Prepare a Natural Resource Monitoring Program	Planning Board/ Borough Council	C1
Prepare and adopt a Marina District Plan	Planning Board/ Borough Council	C5
Prepare and adopt a Historic Preservation Plan	Planning Board or others	C2
Prepare and adopt a green buildings and sustainability plan element	Planning Board/ Borough Council	C1
PUBLIC INITIATIVES		
Provide signage for public parking	Borough Council	C4
Provide wayfinding signs	Borough Council	C4
Create a pocket park in the Waterfront Business District	Borough Council	C4
Create a temporary parking lot on Second Avenue	Borough Council	C4
Expand the library in a suitable location	Borough Council	C5
Design/build community center	Borough Council	C5
Expand the SH Historic Museum in a suitable location	Borough Council	C2
Enhance the appearance of the public works buildings or conduct a study for their possible relocation.	Borough Council	C2
Create a Shade Tree Commission/Committee	Borough Council	C2
Maintain communications with Board of Education on the future of the school /school site	Borough Council	C5
Create an Environmental Commission/Committee	Borough Council	C1
Provide streetscape furniture in business districts	Borough Council	C2/C4

PUBLIC AND PRIVATE INITIATIVES		
Create a comprehensive plan for strengthening the shoulder seasons	Borough Council and Business Advisory Council w/Chamber of Commerce	C4
Promote a historic preservation campaign (after Historic Preservation Plan)	Planning Board or others	C2
Promote development of Waterfront Business District	All	C4
Promote upscale dining in the business districts	All	C4
Promote upscale lodging in the Waterfront Business District	All	C4
Promote a diversity of goods, services and restaurants in the business districts	All	C 4

Borough of Stone Harbor, NJ
Thursday, December 8, 2011

§ 10-18. Functional areas of standing committees.

Each of the standing committee's responsibilities shall be directed to the following specific functional areas:

- A. Public Safety Committee. Police, fire prevention, Municipal Court, emergency management and liaison with Rescue Squad and Fire Department.
- B. Administration and Finance Committee. Legal services, personnel policy and practices, insurance, tax assessment (to the extent permitted by law), tax collection, financial planning and control, construction and inspection, coordination of capital project priorities and public relations.
- C. Public Works Committee. Buildings, grounds, streets, bulkheads, beach structures, solid waste, recycling, the Board of Health, street sweeping.

[Amended 3-7-2006 by Ord. No. 1251]

- D. Beach, Recreation and Tourism Committee. The public beach, the marina, parks and playgrounds (including, but not limited to, tennis courts, basketball courts, baseball fields, football fields, soccer fields and the like) and tourism events and activities.

[Amended 10-6-2009 by Ord. No. 1346]

- E. Natural Resources. Beach replenishment, dredging and dredging-related issues, including sites for placement of dredge material; Bird Sanctuary, Borough waters and bay islands, Conservation Management District, open space; the Shade Tree Advisory Committee; animal control; pest control and flood control.
- F. Utilities Committee. Water, sewer, cable television, telephone service, gas service, electric service and other similar utilities.



BOROUGH OF STONE HARBOR
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247
TELEPHONE (609) 368-6808 FAX (609) 368-3705
PLANNING BOARD

TO: Mayor Suzanne M. Walters
Borough Council Members

FROM: Stone Harbor Planning Board

RE: Annual Report

2011 Site Plans:

1. SPR 2011-001 – Applicants: 9809 Third Ave., LLC: Deli/Luncheonette
9809 Third Avenue, Block 96.04, Lots: 123
Approved February 28, 2011 and Memorialized March 28, 2011 – Change in Use
2. SPR 2011-002 - Applicants: County of Cape May. “Courtesy Review” Library @ 95th & Beach
Block 94.01, Lots 9, 11, 13, 15, 17, 19, 20, 21, and 22,
Approved March 28, 2011 and Memorialized April 25, 2011
3. SPR 2011-003 – Applicant: Andrew Dorley: Gelato Shop/Italian Ice Shop
9712 Third Avenue, Block 97.03, Lots 108.03, 110.02, 115 & 116
Approved April 25, 2011 & Memorialized June 27, 2011 – Change in Use
4. SPR 2011-004 – Applicant: Pastimes of Stone Harbor, LLC: Café/Children’s Arts/Crafts Classes
336 96th Street, Unit 107, Block 95.04, Lots 227-233, 144.02, 146.02, 148.02 & 148.03
Approved April 25, 2011 & Memorialized June 27, 2011

2011 Sub Divisions: NONE

2011 Decisions and Recommendations:

2011-001: Appointed Andrew Catanese as Planning Board Solicitor
2011-002: Recommended to Borough Council: Support Ordinance 1372 (Amending RGO 560) -
Allowing & Setting Conditions for Home Occupations
2011-003: Recommended to Borough Council: Amend RGO 345-47 – Site Plan Review Requirements
2011-004: Recommended to Borough Council the adoption of the updated & revised Zoning Ordinance

“The Seashore at its Best”



SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102
WWW.STONE-HARBOR.NJ.US

PLEASE TAKE NOTICE

THE PLANNING BOARD MEETING
WORK SESSION FOR SCHEDULED FOR
APRIL 9, 2012 AT 4:30PM HAS BEEN
RE-SCHEDULED FOR APRIL 16, 2012
AT 4:30PM.

THE PURPOSE OF THE MEETING IS
FOR THE REVIEW OF A PROPOSAL
FOR PROFESSIONAL PLANNING
SERVICES.

Patricia H. Wagner, Board Secretary