

**MINUTES OF THE WORK SESSION OF MAYOR AND COUNCIL OF
THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING**

November 1, 2022

The meeting was called to order by Mayor Davies-Dunhour at 4:30 p.m.

ROLL CALL

PRESENT

Judith M. Davies-Dunhour, Mayor
Kim Stevenson, Borough Clerk
Steve Morris, Solicitor
Robert Smith, Borough Administrator
Lisa Marcolongo, Ass't Administrator
Megan Brown, Deputy Clerk

Councilmembers
Reese Moore
Bunny Parzych
Robin Casper
Jennifer Gensemer
Frank Dallahan
Charles Krafczek

Mayor Davies-Dunhour announced that the meeting was now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press and the Cape May County Herald on January 5, 2022.

FOR THE RECORD, THIS WORK SESSION WAS HELD VIA VIDEO/TELEPHONE
CONFERENCE IN A ZOOM FORMAT AS WELL AS IN PERSON

SALUTE TO THE FLAG

REPORTS OF STANDING COMMITTEES

A&F Report – Councilmember Krafczek

Engineer Report- Marc DeBlasio

Preconstruction meeting for the 114th Street Sanitary Sewer Main Project was held on October 18th and the contractor is scheduled to start that contract next week.

Preconstruction Meeting for the Beach ADA Access Improvements was also held on October 18th and that contract is scheduled to start the week of November 14th.

DeBlasio and Associates successfully submitted grant documents to the NJDEP IBank this past week. Mr. DeBlasio advised council that the NJDEP is scheduling a pre-application meeting and will provide an overview of the application presented and at that time council can decide if they wish to continue with the grant process.

Mr. DeBlasio advised Mayor and Council that the Borough was granted two awards through the Society of Municipal Engineers for the new Lifeguard Building and the 94th Street Sanitary Sewer project. Awards will be presented at the League of Municipalities luncheon on November 16th.

Tax Collector: Deb Candelore

Collection Report for October 2022:

Prior years taxes: \$0; Current Year taxes: \$4,380,449.06; Preliminary Taxes: 94,377.08; Interest: \$4,573.89; NSF Fees: \$20.00; Duplicate Tax Bill: \$2.00; Total: \$4,479,422.03

Utilities: Sewer Collection: \$31,504.85; Water Collection: \$21,780.92; Maintenance Fees \$337.50; Interest \$804.33; Miscellaneous Service Fees: \$9769.18; Private Fire Protection Facilities: \$314.91 - Total \$64,511.69

Tax Assessor Report - Provided By Jim Craft CFO

Activity in the Tax Assessors office for the month of October included the following: 18 deeds – only 12 were actual sales; 27 Active listings in MLS; 21 Pending Sales & 12 certified lists were completed.

Councilmember Krafczek clarified the reporting of reportable deeds. He further explained bargained for/negotiated contracts of sales versus a transfer to family members.

Construction: Ray Poudrier

September reporting far exceeded revenue and permits within the construction office. October was within \$4000 of prior October reporting.

Currently 38 single family homes are under construction or undergoing major renovations within the town, not including commercial structures.

Ray reported that he attended the NJ Association of Floodplain Managers this past week. The main focus of the convention was a review of Hurricane Sandy which was 10 years ago. Ray was able to network with members of Verisk – who oversees the CRS Program. Verisk highly recommends that the borough adopt a Floodplain Ordinance before the next review in 2023. In addition, Ray has scheduled demonstrations for programming that would assist with record keeping, adherence to ordinances and CRS records.

Borough Clerk: Kim Stevenson

Reported transactions for the month of October for the Clerk's office: Total \$550.

The Borough Clerks office is again proposing that guidelines be established for beach/ and pavilion use based on comments presented at the October 7th council meeting. The Clerk's office has prepared a revised application, rules and regulation and a proposed ordinance within Chapter 365 of the Borough Code. The proposed fee for this permit would be \$250, there would be requirement for insurance (dollar amount to be determined) and the pavilion use is suggested to be limited to the day after Labor Day to the Friday before Memorial Day.

Council did discuss the amount of insurance required and suggested contacting the JIF for recommendations. Councilmember Gensemer wants to ensure that the person who applied for the permit is the person who holds the insurance policy. Councilmember Gensemer also feels that the month of June be open for use of pavilions. Mayor Davies-Dunhour has concerns with limiting access to individuals that have disabilities at the pavilions due to a wedding ceremony.

Council discussed concerns with access to pavilions in the summer months and the fee proposed. Council also discussed the use of the pavilion for church services. Council reviewed beach wedding details and also limiting the time period that weddings can take place in the pavilions.

Council reviewed the administrative process involved in the reservations of beaches and pavilions and the need for a user fee to assist with offsetting costs.

The Clerk's office is requesting policy and rules and regulations so that there are guidelines for use of the beaches and pavilions.

Council agrees that a fee be charged, and insurance be provided. The limitation on pavilion use will be removed – the application states that the use of the beach or pavilion is non-exclusive. The Clerk's Office will adjust the requirements as requested and present for council approval.

The recertification for CRS was submitted on October 31st.

CFO: Jim Craft

2022 Best Practices Inventory – been around for approximately 10 years. Questions included in this year's survey include Health benefits, personnel, budget, financial administration, capital project, transparency, cyber security, shared services and tax collections. There were 56 questions divided between three categories. A score of 24 points results in 100% of State Aid payment. The Borough scored a total of 31 ½ points and is in compliance.

Shared Services Agreement – Avalon: Jim explained that a requirement for cyber security is that the borough's server be stored offsite. Jim is proposing that the Borough of Stone Harbor host a server in Avalon and that a shared service agreement be put in place to store the Borough of Avalon's server in Stone Harbor. Jim will utilize the old wireless link which will be secure and off the current network.

The Shared Service agreement will require a resolution which will be presented at the November 14th Council meeting.

Public Works Report – Councilmember Moore

Councilmember Moore congratulated Marc DeBlasio and DeBlasio Associates on the awards mentioned.

Councilmember Moore mentioned that Manny Parada and the public works employees have put in countless hours on repairing the beach after the recent storm ensuring the safety and accessibility of the beachfront. Mayor Davies-Dunhour mentioned the thoroughness of daily reporting provided by Manny on the conditions of the beachfront.

Councilmember Moore explained that Manny will be providing a presentation on a program that implements a Stormwater Utility. This program offers a grant opportunity for a feasibility study to be completed within our town.

Director of Public Works – Manny Parada: Manny provided Mayor and Council with a handout which includes the presentation on Stormwater Utility Act.

There are some critical issues with timing if the Borough agrees to move forward. The concept of a Stormwater Utility has been around for about four decades, starting along the west coast and slowly moving eastward. NJ just enacted the law in 2019 that allows Public Entities to form stormwater utilities. There are two agencies that will monitor this utility – Department of Community Affairs (DCA) and the Department of Environmental Protection (DEP).

Manny explained what stormwater is and what is entailed with a stormwater utility. He further explained concerns presented when runoff from impervious surfaces picks up waste, fertilizers, motor oils, fluids, chemicals, etc. and ends up in the back bay and oceans. Stone Harbor is also unique since high tide levels can back flow into the stormwater pipes and end up puddling/flooding street ends. This scenario results in dry weather flooding.

A storm water utility is equitable: charging a fee for a service. The utility will collect revenue but by implementing this utility it will also become an incentive to homeowners to have more impervious surfaces on their property therefore reducing stormwater runoff which will result in a savings to the cost associated with each property.

The Stormwater Utility will assist with the borough's Community Rating System, provide a project funding source, fairness in cost impacts and address dry weather flooding. Primary benefits of the stormwater utility will provide strategy in debt management, provide stable fees and encourage environmental stewardship through credits – the less stormwater runoff properties produce the less impact the utility will have for homeowners.

Fee Structure: The Department of Environmental Protection (DEP) and Department of Community Affairs (DCA) are looking for a fee that is stable, adequate, flexible and equitable. The amount of impervious cover will determine the amount of runoff each property produces.

Manny explained the different types of fee structures and the way each is calculated. The Equitable Residential Unit (ERU) is the most common fee structure and is associated with the amount of impervious surface for each property. He presented an example of the calculation which determines the utility fee for each property.

Next Steps:

- ✓ Discuss concept being completed today.
- ✓ Preliminary Feasibility Study (6-18 Months – Grant Available)
- ✓ Engage Management
- ✓ Comprehensive Feasibility Study
- ✓ Engage Stakeholders
- ✓ Engage General Public
- ✓ Implement a Stormwater Utility Ordinance

Manny is requesting the submission of a grant application which would allow for the preliminary Feasibility Study to be completed. The grant application deadline is today – by midnight. The Grant will provide a consultant that will complete the feasibility study – NJDEP pays the fee for this service. Manny will be required to assist the consultant with some background information along with the CFO and possibly the Borough Engineer. After the feasibility study is completed, the borough will have the opportunity to move forward or not – no repayment of the grant is required however it is NJDEP's hope that communities will continue in the process and establish a stormwater utility.

Manny requested council approval of the submission of the grant.

Councilmember Moore requested that Mayor and Council review the option of implementing the grant process and requested Administrator Smith to begin the discussion. Administrator Smith reviewed the process to apply for the grant which is simply submitting a letter stating that the borough is interested in the feasibility study. Administrator Smith is requesting full council approval to begin the process. He encouraged conversation with the council to determine if it would be in the borough's best interest to apply for the grant. Both he and the solicitor will look closely at the non-binding requirements of the grant and ensure there is no obligation to the borough to move forward with a stormwater utility if the borough chooses. Councilmember Moore opened up the floor for thoughts:

Councilmember Dallahan: Very good idea and feels it is something the borough should do.

Councilmember Gensemer: Thanked Manny for his presentations and absolutely feels the borough should move forward with completing the feasibility study.

Mayor Davies-Dunhour: Asked for an example of why the borough would find the results of the feasibility study to have a negative impact. Manny explained that in another town (Portland Oregon – very large city) the study became extremely politicized – seen as a rain tax. Received major blowback from the residents and a lot of negative press. Eventually, with new members of government, it was implemented. Mayor clarified the cost and how it can fluctuate depending on the stormwater projects within our town and how the cost would be budgeted. Manny explained that New Jersey will most likely not grandfather any requirements within this program. Mayor Davies-Dunhour does feel that the cost is fair – not based on property value. She does feel that it is worthwhile to review however does have some trepidation with the fact that the DEP will incur the expense of the study with no binding commitment from the borough to proceed.

Councilmember Krafczek: Just wants to ensure there is no beholding on the part of the borough and really likes the idea of the probable funding for stormwater projects. Also, really like the fact that this process compartmentalizes the issue – just not lumped into taxes. Can assist with a homeowner focusing on stormwater runoff and the fees associated.

Councilmember Parzych: Feels there is a ongoing flooding concern in our town and it will be expensive to mitigate. If the utility will assist with funding she is in full support. May assist with glamorizing more green space and she is in favor of that fact.

Councilmember Casper: Agrees with all points mentioned.

Public Works Monthly Report – Manny Parada

Beaches:

Emergency Authorization received from NJ DEP: the department worked diligently on the beaches and crossovers. 111th Street vehicular crossover is closed however it is accessible by pedestrians. The Point access road is still suffering some erosion however will not be able to be fully repaired until the General Permit is issued.

Handicap Mats are being picked up along the beachfront – all have been recovered.

Buildings Department:

Facia on the comfort stations has been repaired
Removal of the wind screens on the clay courts and 97th Street Tennis courts
Two Stage sections were delivered to Avalon
New Wires on 80th Street Promenade
Replaced Shingles at the firehouse – Manny recommends a new roof
Installed phone line for Lifeguard Building elevator
Replace irrigation vacuum breakers at 96th Street Comfort Station
Repairs at the Chamber of Commerce office are being completed

Grounds:

Cleaning of flower beds along Second Avenue
Tree Removed on the 200 block of 96th Street – will be replanted in the spring
Removed trees and shrubs as needed
Hanging baskets were all removed, emptied, and stored for the winter
Flowers removed from the urns
Irrigation systems are being winterized
Bird Sanctuary reviewed weekly

Solid Waste:

62.56 Tons of Solid Waste
39 tons of Single stream recycling
30.2 tons of bulk materials from last Bulk Pick up
.33 tons of e-waste

The convenience center will be closing on November 6th. There will be a more permanent structure installed for next season.

The second truck with installed tipper will be picked up this week.

Automotive:

15 scheduled maintenance, 5 unscheduled. Snowplows are being reviewed. Maintenance of all borough vehicles continues.

Stormwater Flood Mitigation:

Completed MS4 annual report with assistance of DeBlasio and Associates.

Flood Mitigation Plan:

Received pricing for the valve installations at 93rd, 94th and 95th Street.

Councilmember Moore noted appreciation of all the hard work completed by the Public Works Department.

Utility Report – Councilmember Parzych

Water/Sewer Report/Manny Parada: Continue stations reviews; flushing hydrants; static levels on all wells; markouts; install of water services; repairing broken stops.

The department has started tracking lead service water lines in the off season. Per NJDEP if the water utility is not aware of the type of service line, then we are to assume it is lead and replace.

A notification that an asbestos waiver was rejected from the NJDEP – the borough is required to test.

Attended RTRC Training that NJDEP Provided (Revised Total Coliform Rule)

UCMR5 Rule Training also completed through USEPA for PFOS – unregulated contamination.

Work Session, November 1, 2022

Councilmember Parzych noted that the Utilities Committee is considering an ordinance change regarding the removal of the meter during construction. The Utilities Committee agrees that the meter can remain however guidelines will be established to ensure that the meter is not damaged and that no contaminants are able to enter the water system by requiring a back flow preventor be installed. Councilmember Parzych is hopeful that this new process will be implemented in 2023.

Water Diversion Report: October 2022 30% down from October 2021.

New Water/Sewer Rate Ordinance is scheduled to be introduced at the regular session today

Councilmember Krafczek commented on the new process for water meters during the construction process and noted that the current guidelines are inefficient and is glad that the committee is addressing a change.


Discussion: None


Upon Motion by: Councilmember Frank Dallahan
Seconded by: Councilmember Bunny Parzych

That the Work Session Meeting of Mayor and Council be adjourned at 5:56pm.

Vote 6 Councilmembers AYE

APPROVED: ~~November 14, 2022~~

 _____, Mayor

ATTEST  _____, Borough Clerk