Borough of Stone Harbor WORK SESSION AGENDA

Tuesday, February 7, 2023

Borough Hall, 9508 Second Avenue, Stone Harbor

Call to Order: 4:30pm

Roll Call: Councilmember Dallahan, Councilmember Foschini, Councilmember Parzych, Councilmember Casper, Councilmember Gensemer, Councilmember Moore

Statement of Public Notice: 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 of the Press and the Cape May County Herald on January 4, 2023.

Salute the Flag

Presentation/Discussion:

96th Street & Third Avenue – Intersection Improvements – Robert Church, County Engineer

Reports of Standing Committees:

A&F COMMITTEE - Councilmember Gensemer

CRS Update – Ray Poudrier, Borough Engineer, Councilmember Gensemer CFO

Borough Engineer – 80th to 96th Street / Third Avenue Improvements

Tax Collector – Transfer of 2022 Tax Payments to 2023/ Cancel Balance \$10

Construction – Changes to Chapter 174-3

Borough Clerk - 81st Street Marina Boat Slips

Beach & Pavilion Use

PUBLIC WORKS - Councilmember Moore

Presentation: Tide Valve Installation - 93rd, 94th & 95th Street - Manny Parada

Stone Harbor Clean Watersheds Needs Survey - Manny Parada

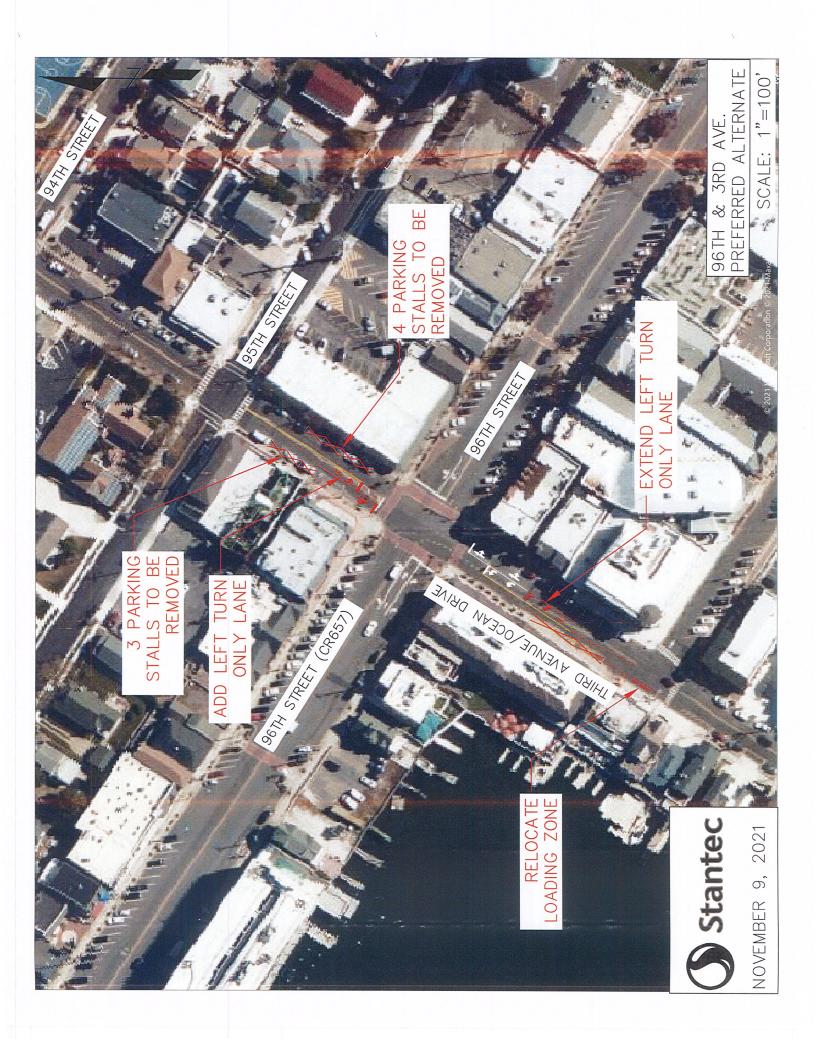
<u>UTILITIES COMMITTEE - Councilmember Parzych</u>

Discussion:

Special Event Application: Stone Harbor Chamber of Commerce Shiver – March 18th, 2023 – Jenny Olson/Tourism

Beach Re-Nourishment Update - Doug Gaffney

Adjournment



174-3**Duty of owners and tenants.**

[Amended 6-6-2006 by Ord. No. 1259]

It shall be unlawful for any owner or tenant, jointly and/or severally, of any land lying within the Borough, after receipt of the notice provided for in § 174-5 hereof, to permit and/or allow to exist, neglect or refuse to remove and destroy any obnoxious growths such as brush, weeds of various types like ragweed, lawn grass in excess of 12 inches, dead or dying trees, stumps, roots, obnoxious growths of every description, filth, garbage, trash, rubbish and debris from any land which can, will or does attract wild animals such as skunks, raccoons, possums, mice or rats which can be a public safety issue. It shall also be unlawful for any owner or tenant, jointly and/or severally, of any lands lying within the Borough, after receipt of the notice provided for in § 174-5 hereof, to permit and allow to exist, neglect or refuse to trim or remove any trees, the branches of which encroach into the public rights-of-way, or which interfere with the full use of such public rights-of-way.



Borough of Stone Harbor 9508 Second Avenue Stone Harbor NJ 08247

APPLICATION FOR DOCKING SPACE AT THE STONE HARBOR MUNICIPAL MARINA

Rental Period: April 15th 2023 to N	November 15th, 20	023	
Name of Applicant:			
Mailing Address:			
Local Address:			
Telephone Contact Information:			
E-Mail Address:			
DESCRIPTION OF BOAT			
Make:			
Model:			
Registration #	Color:	Beam:	Length:
Make & Horsepower of Motor:		Type of Motor: Inbo	oardOutboard
By signing below you acknowledge that you will adhere to all Rules & F 81st Street Marina Boat Slip to which	Regulations establ	ished by the Borough of Sto	
Signature of Applicant		Date	
For Office Use Only:			
Received by:		Date:	
Check #	Amount Paid:	Boat Slip #	<i>‡</i> :
Insurance Received Date I	Policy Expires:		

Borough of Stone Harbor Municipal Marina Boat Slip - Rules and Regulations

Mur	nicipal Marina Boat Slip - Rules and Regulations
	Established and Approved by Resolution #
The maximum boat length	h permitted is 21 feet.
	5 \$2,500 per season 79 \$2,300 per season
	ohibited. Periodic inspections of the 81 st Street marina will be completed, and of the policy and procedures will automatically forfeit the boat slip space
the previous season. Renereturned by the date speci	ittees shall be granted the first right of refusal to renew the slip occupied during ewal applications will be sent to all previous boat slip applicants and must be fied along with the application, appropriate fee and proof of insurance. Renewal by the specified date will be considered a forfeiture of the boat slip.
Certificate of Insurance in Property Damage). The Cinsured. The Boat slip ap	is required to be submitted along with application and payment: In the amount of \$500,000 Liability Coverage (Single Limit Bodily Injury and Certificate of Insurance must name "The Borough of Stone Harbor" as additional applicant is responsible for providing the Borough Clerk with updated Insurance amply will result in forfeiture.
No Refunds will be issued	d after 30 days from the date of issuance of season boat slip permits.
person to whom the permi	shall be issued to the applicant for each season and shall state the name of the it is granted, boat make and model, registration number, date of issuance and 15 th in which the permit was issued.
	emission of renewal applications, all unassigned season dock slips will be offered blished 81 st Street Marina Boat Slip waiting list, starting with the first person on
completed, shall be placed a boat slip when it become position will move to the required to submit a fee of insurance must be receive	on boat slip may be obtained at any time by any individual and, when received d on the waiting list in the order in which it was received. If an applicant refuses es available, they may choose to remain on the waiting list, however their bottom of the waiting list. Applicant(s) placed on the waiting list are not or proof of insurance at the time of application however, full payment and ed within 10 business days of notification of an available slip. Failure to provide less days of notification will result in forfeiture of applicant's position on the
All permitted vessels mus	st be emblazoned with up to date registration numbers/decals
Any changes and/or updat the Borough Clerk within	tes to the information provided on the seasonal application must be provided to 10 days of the change.
	ts shall not be permitted to assign or transfer their boat slip intrest by any means
or for any purpose whatso	oever.
	knowledge receipt and understanding of the Rules and Regulations aree to adhere to all guidelines.
Applicant	Date

For Office Use Only:

Boat Slip Number _____

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

A RESOLUTION PROVIDING RULES AND REGULATION PERTAINING TO THE PERMIT GUIDELINES FOR THE 81ST STREET MARINA BOAT SLIPS

WHEREAS, the Borough Council of the Borough of Stone Harbor is authorized pursuant to Chapter 170-2 of the Revised General Ordinances of the Borough of Stone Harbor to establish rules and regulation essential to govern the use and manner of use of the facilities located at the 81st Street marina; and

WHEREAS, the following rules and regulations pertaining to the application process and use of marina boat slips are presented as follows:

- 1. The Borough Administrator, subject to the approval of Mayor and Council, is designated as the person in charge of and control of the operation and management of such facilities and is hereby empowered to assign any regularly employed person or persons of the Borough government to assist in the performance of any special duty or function relating to the 81st Street Marina Boat Slip facilities.
- 2. The season boat slips at the 81st Street Marina shall be issued to power vessels only. No canoes, sailcraft, kayaks or personal watercraft (a recreational watercraft that the rider rides or stands on, rather than inside of)shall be permitted to apply for or occupy any seasonal boat slip.
- 3. A season permit fee shall be established by resolution and may, from time to time be revised.
- 4. The permitting of marina boat slips will be administered through the Borough Clerk and be subject to the following rules and procedures:
 - a. All seasonal boat slip permittees shall be granted the first right of refusal to renew the slip occupied during the previous season. Proof of Ownership of the boat is a requirement. Drivers License or picture ID required.
 - b. Renewal applications, appropriate fee and required insurance certificate not received by the indicated date are subject to forfeiture.
 - c. The Certificate of Insurance in the amount of \$500,000 Liability coverage naming the Borough of Stone Harbor as an additional insured is required.
 - d. No refunds will be issued after 30 days from the issuance of seasonal boat slip permit.
 - e. The Borough Clerk shall maintain a waitlist for any persons interested in receiving a permit for a boat slip and any slips forfeited or not-renewed shall be offered to the waitlist, starting with the first person on the waiting list. Individuals who forfeit or fail to renew shall be required to re-apply to get onto the waiting list.
 - f. An updated application is required if any information on the original application should change.
 - g. Seasonal boat slip applicants and/or permittees shall not be permitted to assign or transfer their boat slip interest by any means or for any purpose whatsoever.
 - h. All permitted vessels must be emblazoned with up to date registration numbers/decals
- 5. This Resolution amends, rescinds and/or supersedes all previous Resolutions which are in conflict or are inconsistent herewith to the extent of such conflict or inconsistency.
- 6. This Resolution shall take effect immediately.
- 7. The proper officials be and hereby are authorized to do all things necessary to carry out this Resolution.

Borough of Stone Harbor, NJ / Part II: General Legislation / Boating Article IUse of Dock and Ramp Facilities

[Adopted as Sec. 12-1 of the 1982 Revised General Ordinances]

§ 170-1 Designation of land to be used as ramps and related uses.

The Borough Council is hereby authorized to designate by resolution such places, areas, lots, land, property and facilities owned by the Borough to be used as ramps, docks, piers, slips, wharves, basins, harbors, harbor structures, docking facilities and other related uses.

§ 170-2Adoption of rules and regulations.

The Borough Council is hereby authorized to adopt and promulgate, by resolution, such rules and regulations as may be considered necessary and essential to govern the use and manner of use of the facilities and property by those to whom permits may be granted from time to time.

§ 170-3Control and management of facilities.

The Borough Council may also designate one or more of its members, or any standing or special committee of its members, to be in charge of and control the operation or management of such facilities in accordance with the provisions of law, and rules and regulations adopted pursuant hereto. Any employee or employees of the Borough assigned to any work or duties in connection therewith shall be subject to the control and direction of the Borough Council.

§ 170-4Fees. [1]

Reasonable and uniform fees may be and are hereby authorized to be charged for any and all permits issued to use any such facilities. The fees shall be established by resolution adopted by the Borough Council in the manner required by law. All fees collected for permits issued or for other lawful charges made shall be paid over forthwith by the collecting officer to the Borough Chief Financial Officer and shall be the property of and for the use of the Borough.

[1]

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

§ 170-5Terms of permit; suspension or revocation.

Any permit granted for use of any such facility shall be subject to the terms, conditions, rules and regulations relating to such use and permission. The holder of any permit shall be governed by the terms, conditions, rules and regulations; and any holder shall not acquire any right or title, but shall hold a mere license or permission which is subject to revocation without notice in the event of a violation of any of the terms, conditions, rules or regulations.

The member of the Borough Council, officer, employee, or other person in charge of and in authority and supervision over such facilities shall be and is hereby empowered to suspend the use of any such permit, and the Borough Council is empowered to revoke any such permit. No fee, charge or other sum paid for any such permit or permission shall be returnable in the event of revocation. The permitting of seasonal boat slips will be administered through the Borough Clerk.

§ 170-6**General regulations.**

- <u>A.</u> The payment of the fee or charge, together with the acceptance of the permit, shall thereby charge the holder with the knowledge and responsibility that the permit is issued and held subject to this article and all rules and regulations promulgated and adopted pursuant hereto.
- **B.** No person, except the holder of a permit and those who are invitees of any holder, shall trespass upon any property of the Borough or the property of any person which is lawfully situated at any facility or location. Suitable signs may be posted on any such property as notice hereof.
- <u>C.</u> The Borough shall not be responsible for any cause or matter whatsoever relating to the use of any such facilities by any person. All persons who use such facilities shall do so at their sole risk, both as to person and property.

§170-7 Application Process – 81ST Street Marina Boat Slips Applications for use of the 81st Street marina boat slips will be processed through the Borough Clerk's Office. All season boat slip permittees shall be granted the first right of refusal to renew the slip occupied during the previous season. Renewal applications must be complete with payment in full and an updated copy of a Certificate of Insurance in the amount of \$500,000 Liability Coverage which shall name the Borough of Stone Harbor as additional insured, proof of ownership and current registration. Failure to comply with Insurance requirements will result in forfeiture of the boat slip subject to the aforesaid renewal rights. Applications must be received by the date indicated on the renewal notice and if not received by the specified date it will be considered a forfeiture of the boat slip and the slip will be offered to individuals on the established 81st Street Marina Boat Slip waiting list, starting with the first person on said list.

§170-8 Violations

Any applicant found in violation of the rules and regulations associated with the permitting of the boat slips at the 81st Street Marina shall be subject to forfeiture of their boat slip. There shall be no exceptions.



Updated February 2023

BOROUGH OF STONE HARBOR USE OF BEACH/PAVILION PERMIT APPLICATION

Name(s):			
Mailing Address:			
City:	State:	Zip:	
Phone Number:			
Date of Ceremony:	Time	of Ceremony:	
Requested Location:		# of Peopl	e Attending
THIS PERMIT GRAN LOCATION	TS <u>NON-EXCLUS</u> ON ON THE BEAC		
By signing below, you acknowled Beaches/Pavilions – Rules & Responsibility of non-compliance **Insurance Certificate*	egulations" within the F e.	Borough of Stone Har	bor and assume all
Signature of Applicant			
Print Name			
Date			
Please return this application alo	ong with your payment	& proof of insurance	to:
	Borough of Stone I Attn: Borough Clerk 9508 Second Av Stone Harbor, NJ	's Office enue	
Beach Wedding Fee: \$150. Ch	ecks made payable to t	he Borough of Stone	Harbor.
Office Use Only:			
Check # Cash	Amount Paid	Date:	
Approved by:			



Borough of Stone Harbor 9508 Second Avenue Stone Harbor NJ 08247 (609)368-5102

USE OF BEACHES/PAVILIONS – RULES & REGULATIONS

PURPOSE: To provide guidelines and expectations to individuals that request use of the beach and pavilions located within the Borough of Stone Harbor specific to wedding ceremonies and renewal of vows. A Permit is required by the Borough of Stone Harbor for the use of public beaches or pavilions. You must complete the required application and submit it to the Borough Clerk Office for approval along with the appropriate fee and proof of insurance. The application can be found on our website at www.shnj.org.

POLICY: Borough Beaches are to always be kept clean. The recipient of a beach/pavilion permit is responsible for ensuring that no arches, arbors, chairs, decorations, debris, or any other equipment remains on the beach or pavilion after the ceremony and that all rules, regulations, and guidelines are adhered to.

GUIDELINES:

- Use of the beach/pavilion is for no more than a 2-hour timeframe. This timeframe includes all deliveries, set up, ceremony and breakdown.
- Amplified sound is allowed provided it complies with the Boroughs noise ordinance.
- Decorations cannot attach to Borough's property.

RESTRICTIONS:

- No open flames, glass, alcohol, smoking, or fireworks are permitted.
- No lit lanterns or balloons are allowed to be used or released.
- No rice, birdseed, confetti, fake flower petals, or streamers are permitted due to environmental concerns.
- No Generators or motor vehicles are permitted on the beach.
- No portion of the public beach access, pathway or sidewalk shall be obstructed or utilized for the ceremony.
- No Receptions on the public beach/pavilion, permit is for the ceremony only.

PARKING:

- Parking is metered from May 1st- October 1st 10am- 9pm. Parking spots are public and cannot be reserved or restricted.
- Public or private driveways shall not be blocked at any time.

INDEMNITY CLAUSE

(Hold Harmless Agreement)

To the fullest extent permitted by law,	agrees to			
defend, pay on behalf of, indemnify and hold harmless the Borough of Stone Harbor, its elected				
and appointed officials, its agents, employees and volunteers and other working on behalf of				
the Borough of Stone Harbor against any and all claims, demands, suits, or	r loss, including all			
costs connected therewith, and for any damages which may be asserted ,	claimed or recovered			
against or from the Borough of Stone Harbor, its elected and appointed officials, its agents,				
employees, volunteers and other working on behalf of the Borough of Stone Harbor, by reason				
of personal injury, including bodily injury or death and/or property damage, including loss of				
use thereof, which arises out of or is in any way connected or associated with the use of or is in				
any way connected or associated with the use of the Borough of Stone Harbor public lands				
during the event.				
95 th Street Beach – Wedding Ceremony				
SIGNATURE OF APPLICANT:Date:				
Insurance provided must be from the same person who is making	the application.			
For Office Use:				
Proof of Insurance Received: Verified Insurance Liability: \$1,000,000 :				
Verified Expiration of Policy: Date:				
Approved by: Date:				

BOROUGH OF STONE HARBOR CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO.

AMENDING CHAPTER 365 "MARRIAGE AND CIVIL UNION CEREMONIES" BY ESTABLISHING FEES AND PROCEDURES FOR USE OF BEACHES AND PAVILIONS

WHEREAS, The Borough Clerks office is responsible for scheduling the use of beaches and pavilions within the Borough of Stone Harbor; and

WHEREAS, the Borough Clerk's office is requesting that a fee be established for the use of beaches and pavilions; and

WHEREAS, guidelines for use of beaches and pavilions be determined to set rules and regulations, which may be established by resolution.

NOW THEREFORE BE IT RESOLVED that the following insertion be included within Chapter 365 "Marriage and Civil Union Ceremonies" of the General Code of the Borough of Stone Harbor.

Section 1. Adding Chapter 365-4 Use of Beaches and Pavilions for Wedding Ceremonies

§ 365.4 Use of Beaches and Pavilions

Anyone whose wedding takes place on Borough property, limited to Beaches or Pavilions, shall be required to complete a permit application with the Borough Clerk and adhere to all Rules and Regulations regarding Use of Beaches and Pavilions, established by the Borough Clerk's office.

A.Purpose: To provide guidelines and expectations to individuals that obtain the required permit for use of Beach or Pavilions within the Borough of Stone Harbor.

- B. Permit Application & Payment: Application must be completed and submitted to the Borough Clerk along with the appropriate fee. Approval is considered once the availability of location is determined.
- C. Insurance Requirement(s): All applicants are required to sign a Hold Harmless Agreement and provide the Borough of Stone Harbor with a certificate of Insurance indicating the continuation of insurance coverage and designating the Borough of Stone Harbor as an "Additional Insured". The policy must be current and not expire before or on the date of the event. The policy must provide insurance for no less than \$1,000,000. The Insurance Certificate provided must be in the name of the person applying for the beach/pavilion use.
- D. Fees collected: All fees collected by the Borough for the use of the Beach or Pavilion shall be remitted to the Borough of Stone Harbor. The fee for the permit shall be established from time to time by resolution of the governing body of the Borough of Stone Harbor.
- E. Cancellation: In the event of cancellation, for any reason, a non-refundable administrative fee of \$50 is required.
- F. Postponement: If any person needs to reschedule a ceremony, such postponement shall be permitted without additional cost. All postponements are subject to the availability of the requested location. Any changes to the original application must be received in writing by the applicant.
- **Section 2**. 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 3**. 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 4.	This Ordinance shall take effective	et twenty (20)	days after	final p	assage a	and
	n as provided by law.			•		

	APPROVED
ATTEST	Judith M. Davies-Dunhour
Kim Stevenson, Borough Clerk	





Borough of Stone Harbor 2022 Special Event Application

Name o	of Event: Stone-Farbor Shiver Polar Plunge
	f Event: Saturday, March 18 2023 Time of Event: 1/AM - 3pm
Туре о	Festival 1K/5K/Athletic/Bike Race/Marathon Other Polar Plunge
an official the Boro non-refu charged in which Special event po	ough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file all application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by ough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A andable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee to each organization operating a special event. A contract will then be executed stating the terms and conditions a both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials, events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special ermit. Such special events shall be governed by applicable Borough polices. Borough Council retains the on to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.
	Name of Organization: Toue Harror Chamber of Commerce
2)	Address of Organization: 212 96th Street U Strue Harbor, New Tersey 0+247
3)	Contact Person: Marie B. Longle Phone:
4)	Email: admin @ Stone Narbor chamber.com
5) 6)	Is your organization tax exempt? Tax ID # Is this a non-profit event? NJ Registered Charitable Organization #
-,	

FE	STIVAL & OTHER SPECIAL EVENTS
1)	Name of Event: Store Harry Shiver Polar Plunce
2)	Address of Event: 94th Street + Deach front pulling 10th
3)	Setup Time:am/pm Start Time:am/pm End Time:am/pm
4)	Purpose of Event: Fund raiser for St Chamber + Family Promise of Mora
5)	Beneficiary: Store Harbor (Wandle, of Commerce + Tanyly (Fromise)
6)	Number of Attendees Expected: 1000+Spc da for 1 400 puricipant of 40/455
7)	Location(s) of barricades, street closings or signage (identify on site-plan): Self Attached
8)	Number of Non-Food Vendor Spaces: Attach e list of Vendors and Contact Numbers – fully updated list must be turned in two weeks prior to event. All Vendors must cover storm drains with felt or other approved meterial. No dumping of any water is permitted in the storm drain. This is a direct violation of the Department of Environmental Protection.
	All vandors are required to comply with Stone Harbor Ordinance 1524 and Ordinance 1536 which pertain to environmentally acceptable packaging and product. Single-use plastic is not permitted and violators of this ordinance are subject to the applicable fines.
Op	The Uniform Fire Code States: Permits shall be required and obtained from the local enforcing agency for activities pursuant to N.J.A.C. 5:70-2.7(a). Permits are \$54.00. Applications for a permit are on file in the Borough Clerk's Office or online at www.SHNJ.org Permit #: Application for a permit required by this code shall be made to the fire official in such form and detail as the fire official shall prescribe. Applications for permits shall be accompanied by plans or drawings as required by the fire official for evaluation of the application.
Fo	od Festival Events – Cape May County Department of Health All food vendors are subject to regulation in Chapter XII N.J.A.C. 8:24-8 and 9 in order to operate. The filing fee for a Food Festival Event is \$25.00 and must be filed with the County Health Department at least fourteen (14) days before the event involving five (5) or fewer booths and thirty (30) days prior to an event involving more than five (5) booths. Applications are on file in the Borough Clerk's Office.
9)	Location(s) and size/type of tent(s) (eg) first aid, registration, etc - identify on site-plan): Special Note: Client must provide/rent required tents, tables, chairs, PA system, ice or generators needed to execute the event. All 501c 3 organizations requesting use of Borough amenities requesting any items listed above, must do so in writing on this application.
10	Type of Entertainment /Location of Stages or Performance Areas (identify on site plan) (Attach copy of program schedule (may submit draft version); final version must be turned in two weeks prior to event)
11) Location(s) of Borough electrical services (identify on site-plan): Special Note: If existing Borough electrical outlets are not sufficient for your event, client must provide their own source of power. Use of generators or compressors must be approved by the Fire Official.
	OfficialSee attached