

**Borough of Stone Harbor**  
**REGULAR MEETING AGENDA**  
**Tuesday, February 21, 2023**  
**Borough Hall, 9508 Second Avenue, Stone Harbor**

**Call to Order:** Immediately Following Work Session

**Roll Call:** Councilmember Dallahan, Councilman 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**

**Recognition of Staff Sergeant Greg Jackson – Stone Harbor Police Department**

**Dock Hearings:**

**10907 Sunset Drive  
387 83<sup>rd</sup> Street**

**Jim Craft – CFO – Capital Budget Review**

**Communications:**

**Approval of Minutes:** Work Session and Regular Meeting ~February 7, 2023 & Special Meeting February 9, 2023

**Public Comment**

**OLD BUSINESS**

**None**

**NEW BUSINESS**

**Ordinance 1624** – Amending Chapter 174 of the Code of the Borough of Stone Harbor “Brush, Grass, Weeds & Debris”

**Ordinance 1625** – Amending Chapter 156-6 Beach Rules and Regulations

**Ordinance 1626** – Amending Chapter 170 “Boating” Establishing Application Process for Use of Dock Facilities at the 81<sup>st</sup> Street Marina

**Ordinance 1627** – Amending Chapter 365 “Marriage & Civil Union Ceremonies” Establishing Fees and Procedures for Use of Beach & Pavilions

**Resolution 2023-S-62** – Authorizing the Disposal of Surplus Property

**Resolution 2023-S-63**– Authorizing the Mayor to Sign Clean Watersheds Needs Survey

**Resolution 2023-S-64** Authorizing DeBlasio & Associates - Additional Services Tide Valve Installation - 93<sup>rd</sup>, 94<sup>th</sup> & 95<sup>th</sup> Street

**Resolution 2023-S-65**– Establishing Rules & Regulations & Fee – Boat Slip Rentals

**Resolution 2023-S-66**– Establishing Rules and Regulations & Fee – Beach & Pavilion Use

**Resolution 2023-S-67**– Establishing Emergency – Stone Harbor Point Beach Access

**Motion** – Approve Special Event Application: Stone Harbor Chamber of Commerce Shiver Event, March 18, 2023

**Motion** – Approve Clean Ocean Action Beach Sweeps – April 1, 2023 & October 21, 2023

**Discussion:**

**Motion** - Approve the Bill List & Authorize the CFO to Pay the bills when the funds are available, and the vouchers are properly endorsed.

**Resolution 2023-S-68**– Closed Session  
Personnel – Salary Ordinance  
Borough Administrator Vacancy

**Public Comment**

**Adjournment**



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

**ORDINANCE 1624**

**AN ORDINANCE AMENDING CHAPTER 174 OF THE CODE OF THE  
BOROUGH OF STONE HARBOR, "BRUSH, GRASS, WEEDS & DEBRIS"**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to amend Section 174-3 of the Borough Code for clarity;

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that Chapter 174 of the Borough Code, titled Brush, Grass, Weeds & Debris" shall be amended as follows:

**SECTION 1. Amend Language.**

Amend Chapter 174 by deleting Section 3 in its entirety and replacing it with the following:

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

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 from any land 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 which may or does attract wild animals such as skunks, raccoons, possums or vermin and/or may create a risk to the health, safety or welfare of the public. 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.

**SECTION 2. Severability and Effectiveness Clause**

- a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 3. Effective Date**

This Ordinance shall take effect 20 days from the time of its final adoption and publication in accordance with law.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Judith M. Davies-Dunhour

\_\_\_\_\_  
Kim Stevenson, Borough Clerk



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

**ORDINANCE 1625**

**AN ORDINANCE AMENDING CHAPTER 156 OF THE GENERAL  
ORDINANCES OF THE BOROUGH OF STONE HARBOR GOVERNING  
BEACH RULES AND REGULATIONS**

**WHEREAS**, the Borough Council adopted Resolution #2022-S-145 in July of 2022, which amended the rules and regulations governing conduct at paid beaches in response to concerns over increased boat landing(s), mooring(s) and swimming at the Point; and

**WHEREAS**, the provisions of the aforesaid Resolution have proved effective in advancing the Borough's efforts to establish appropriate control and regulation of the beachfront and the waters adjacent thereto for the health, safety and welfare of Borough residents and visitors; and

**WHEREAS**, Borough Council deems it to be in the best interest of the citizens of Stone Harbor to amend the within ordinance to permanently reflect the supplemental rules and regulations previously adopted by Resolution;

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council, the Governing Body of the Borough of Stone Harbor, New Jersey as follows:

**Section 1.** Chapter 156-6(A) is hereby amended and supplemented to include paragraph 23, which shall read as follows:

"Access the beaches of the Borough of Stone Harbor from the ocean, bay, waterway or any other body of water adjacent to or abutting the beaches of the Borough of Stone Harbor by way of boat, whether power driven or otherwise, except as specifically provided for herein. Access to the beach(es) shall be in the manner and location(s) as set forth herein."

**Section 2.** Chapter 156-6(B) is hereby amended to include an additional sentence, which shall read as follows:

"The provisions and prohibitions of Chapter 156-6(A)(23) regarding boat access to the beach(es) shall be in effect year-round and are not subject to limited seasonal enforcement as is the case with the remainder of the beach rules and regulations."

**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, are hereby repealed.

**Section 5.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

\_\_\_\_\_  
Judith Davies Dunhour - Mayor

ATTEST:

\_\_\_\_\_  
Kim Stevenson, Borough Clerk



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

**ORDINANCE 1626**

**AMENDING CHAPTER 170 "BOATING" BY ESTABLISHING AN APPLICATION  
PROCESS FOR THE USE OF DOCK FACILITIES AT THE 81<sup>ST</sup> STREET MUNICIPAL  
MARINA**

**WHEREAS**, The Borough Clerks office is responsible for the application process for the use of dock facilities within the Borough of Stone Harbor; and

**WHEREAS**, the Borough Clerk's office is requesting that guidelines for the use of said dock facilities located at the 81<sup>st</sup> Street Marina be established; and

**WHEREAS**, guidelines for use of the 81<sup>st</sup> Street Marina Dock Facilities be determined to set rules and regulations, which may be established by resolution.

**NOW THEREFORE BE IT RESOLVED** that the following insertions be included within Chapter 170 "Boating" of the General Code of the Borough of Stone Harbor.

**Section 1. Adding the following to Chapter 170-5**

The permitting of seasonal boat slips will be administered through the Borough Clerk.

**Section 2. Adding Chapter 170-7 Application Process – 81<sup>st</sup> Street Marina Boat Slips**

**§170-7 Application Process – 81<sup>ST</sup> Street Marina Boat Slips**

Applications for use of the 81<sup>st</sup> 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 include 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 81<sup>st</sup> Street Marina Boat Slip waiting list, starting with the first person on said list.

**Section 3. Adding Chapter 170-8 Violations**

**§170-8 Violations**

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

**Section 4.** 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 5.** 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 6.** This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

**APPROVED**

**ATTEST**

\_\_\_\_\_  
Judith M. Davies-Dunhour

\_\_\_\_\_  
Kim Stevenson, Borough Clerk



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

**ORDINANCE 1627**

**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 effect twenty (20) days after final passage and publication as provided by law.

**APPROVED**

**ATTEST**

\_\_\_\_\_  
Judith M. Davies-Dunhour

\_\_\_\_\_  
Kim Stevenson, Borough Clerk

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-62

AUTHORIZING THE 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.

WHEREAS, it is estimated by the Borough Purchasing Coordinator that these items will or may exceed \$6,600 in value, requiring disposition by public sale in accordance to N.J.S.A. 40A:11-36 and 40A:14-157;and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act. P.L. 2001,c.30.; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, Cape May County, on this 21st day of February, 2023 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 bc 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 listed below.
- (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.
- 19 Luke II Pay Station Kiosks
  - 320 Macay Parking Meter Heads
  - 315 Duncan Meter Housings

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

Borough Clerk

The above resolution approved this 21<sup>st</sup> day of February, 2023

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-63

AUTHORIZING THE MAYOR TO SIGN  
THE CLEAN WATERSHED NEEDS SURVEY

**WHEREAS**, The Director of Public Works has completed the “Clean Watershed Needs Survey” which is an assessment of capital investment needed for publicly-owned wastewater and treatment facilities to meet the water quality goals of the Clean Water Act; and

**WHEREAS**, the information collected by the survey is used to assist with quantifying wastewater infrastructure needs.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey on this 21st day of February 2023 that the Mayor, Judith M. Davies-Dunhour is hereby authorized to sign the Clean Watersheds Needs Survey, as requested.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21<sup>st</sup> day of February, 2023

.....  
Borough Clerk

The above resolution approved this 21<sup>st</sup> day of February, 2023

.....  
Mayor



**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-64**

**AUTHORIZING DEBLASIO AND ASSOCIATES – ADDITIONAL SERVICES – TIDE VALVE INSTALLATION 93<sup>RD</sup>, 94<sup>TH</sup> AND 95<sup>TH</sup> STREET**

**WHEREAS**, DeBlasio & Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal to provide professional engineering and Construction Phase Services for the 93<sup>rd</sup> Street, 94<sup>th</sup> Street and 95<sup>th</sup> Street Tide Valve Installation (part of 2021 Utility & Road Program) which tasks include:

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

1. Install the tidal “gate” valve at the terminus of 93<sup>rd</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modifying the street end curblin and associated roadway restoration.
2. Install a tidal “butterfly” valve on the existing storm sewer pipe located at the terminus of 94<sup>th</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modifying the street end curblin and associated roadway restoration.
3. Install a tidal “knife” valve on the existing storm drain sewer pipe located at the terminus of 95<sup>th</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modifying the street end curblin and associated roadway restoration.

Estimate of construction cost for additional items listed above is approximately \$200,000.00 and estimated construction duration is four (4) weeks. This proposal does not include modifying or installing new storm sewer pipes and submitting NJDEP or USACOE permits.

**ENGINEERING & CONSTRUCTION PHASE COST: \$18,500.00**

- Design Plans and Specifications
- Construction Observation – 100Hours
- Contract Administration

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

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough Council approves the attached Engineering & Construction Phase Cost Proposal for the Additional Services, Tide Valve Installation – 93<sup>rd</sup>, 94<sup>th</sup> & 95<sup>th</sup> Street as presented on this 21<sup>st</sup> day of February, 2023.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

.....  
Borough Clerk

The above resolution approved this 21st day of February, 2023

.....  
Mayor



## CONSULTING ENGINEERS AND PLANNERS

**PHONE: 609-854-3311 • FAX: 609-854-4323**

**VIA EMAIL**

**Re: Borough of Stone Harbor  
2021 Utility and Road Program  
Additional Services – 93<sup>rd</sup> Street, 94<sup>th</sup> Street and 95<sup>th</sup> Street Tide Valve Installation  
(Part of 2021 Utility & Road Program)  
D&A File #: SH-C-025**

As requested by the Borough, **DeBlasio & Associates, P.C.** is pleased to provide our proposal for professional engineering and construction phase services for the **93<sup>rd</sup> Street, 94<sup>th</sup> Street and 95<sup>th</sup> Street Tide Valve Installation** (Part of 2021 Utility & Road Program).

As a follow up to our recent Flood Mitigation Committee meetings, the Borough has requested our office to prepare plans and specifications to accomplish the following tasks as part of a negotiated change order to the above referenced project with Fred M. Schiavone Construction:

1. Install a tidal “gate” valve at the terminus of 93<sup>rd</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modifying the street end curblin and associated roadway restoration.
2. Install a tidal “butterfly” valve on the existing storm sewer pipe located at the terminus of 94<sup>th</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modifying the street end curblin and associated roadway restoration.
3. Install a tidal “knife” valve on the existing storm sewer pipe located at the terminus of 95<sup>th</sup> Street and the bay. The scope of work shall include a watertight valve chamber, modified street end curblin and associated roadway restoration.

**WWW.DEBLASIOASSOC.COM**



Our estimate of construction cost for the additional items listed above is approximately \$200,000.00 and the estimated construction duration is four (4) weeks. Please note that our proposal does not include modifying or installing new storm sewer pipes and submitting NJDEP or USACOE permits.

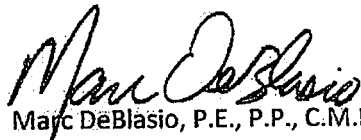
To complete the above referenced scope of work, our professional service fee is listed below:

- |  |                    |
|--|--------------------|
| ➤ <b>Engineering &amp; Construction Phase Cost:</b>  | <b>\$18,500.00</b> |
| <ul style="list-style-type: none"><li>• Design Plans and Specifications</li><li>• Construction Observation – 100 Hours</li><li>• Contract Administration</li></ul> |                    |

<b>Total Project Fee:</b>	<b>\$18,500.00</b>
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Should you have any questions or require additional information, please do not hesitate to contact me at our office.

Very truly yours,  
**DeBlasio & Associates, P.C.**

  
Marc DeBlasio, P.E., P.P., C.M.E.  
President  
T: 609-854-3311  
Marc@deblasioassoc.com

Cc: Councilman Frank Dallahan (via email)  
Councilman Reese Moore ( via email)  
Lisa Marcolongo, Assistant Administrator (via email)  
Jim Craft, CFO (via email)  
Kim Stevenson, Clerk (via email)  
Manny Parada, P.E., Public Works Director (via email)



BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-65

A RESOLUTION PROVIDING RULES AND REGULATIONS PERTAINING TO THE PERMIT GUIDELINES FOR THE 81<sup>ST</sup> STREET MARINA BOAT SLIPS & ESTABLISHING A FEE FOR THE 2023 SEASON

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 81<sup>st</sup> 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 81<sup>st</sup> Street Marina Boat Slip facilities.
- 2. The season boat slips at the 81<sup>st</sup> 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. The Owner of the boat must be the same name as the lessee.
  - 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 of 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; and

WHEREAS, the Municipal Boat Slip Fee established by Resolution 2023-S-37 on January 3, 2023 be amended as follows:

\$2,100 Slips 9-25  
\$1,900 Slips 26-79

- 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.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

.....  
Borough Clerk

The above resolution approved this 21<sup>st</sup> day of February, 2023

.....  
Mayor



BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-66

ESTABLISHING FEES AND PROCEDURES FOR USE OF BEACHES AND PAVILIONS

WHEREAS, the Borough Council of the Borough of Stone Harbor is authorized pursuant to Chapter 365 of the Revised General Ordinances of the Borough of Stone Harbor to establish rules and regulations essential to govern the use and manner for the use of beach and pavilions; and

WHEREAS, A permit fee for the use of beach/pavilion is hereby established at \$150.00; and

WHEREAS, the following rules and regulations pertaining to the application process and use of beach and pavilions are presented as follows:

POLICY:

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

RESTRICTIONS:

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

PARKING:

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

WHEREAS, 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.

WHEREAS, This Resolution shall take effect immediately.

WHEREAS, The proper officials be and hereby are authorized to do all things necessary to carry out this Resolution.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-67

ESTABLISHING EMERGENCY STONE HARBOR POINT BEACH ACCESS

**WHEREAS**, The Stone Harbor Borough Council declares a public safety emergency at the Stone Harbor Point Access Path. This path leads from the parking lot at 123<sup>rd</sup> Street, parallel to the oceanfront, and accessing the natural area known as Stone Harbor Point. This natural area has great importance to both residents and visitors, and state and Federal resource agencies. Due to the continued, repeated erosion of the vehicle access ramp, Stone Harbor Point is not presently accessible to police/fire/rescue equipment. The access has been closed, however people continue to access the Point. This leads to an unsafe condition if someone were to be injured. Additionally, the vertical scarp is greater than 6 feet increasing the risk of collapse or and individual falling.

**WHEREAS**, the initial erosion during the Mother’s Day Storm in May 2022 caused the Borough to request an Emergency Authorization from the NJ Department of Environmental Protection, and expend resources to repair the ramp

**WHEREAS**, the remnants of Hurricane Ian in early October 2022 began to damage the vehicle access ramp, and a series of “king tides” occurred during mid-December of 2022 which completely destroyed the ramp causing the Borough to close the access,

**WHEREAS**, the Borough has requested an additional Emergency Authorization from the NJ Department of Environmental Protection on December 20, 2022 and has produced a set of drawings with the preferred repair alternative. The Borough and NJDEP continue negotiations pertaining to the issuance of an Emergency Authorization.

**WHEREAS**, continued erosion and flanking of the 127<sup>th</sup> Street groin further exacerbates the condition of the access point, and the Borough is planning for the return of visitors and residents in the spring, the likelihood of environmental impact due to the inability of police to monitor the area will increase, and the possibility of injury without adequate means of rescue also increase,

**BE IT THEREFORE RESOLVED**, that a public safety emergency exists at the Stone Harbor Point Access Path.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

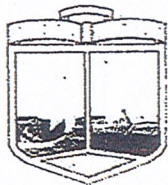
.....  
Borough Clerk

The above resolution approved this 21<sup>st</sup> day of February, 2023

.....  
Mayor



Date of Application 01/10/23



**Borough of Stone Harbor**  
**2022 Special Event Application**

Name of Event: Stone Harbor Shiver Polar Plunge

Date of Event: Saturday, March 18, 2023 Time of Event: 11AM - 3pm

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

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

**APPLICANT INFORMATION**

1) Name of Organization: Stone Harbor Chamber of Commerce

2) Address of Organization: 212 96th Street  
Stone Harbor, New Jersey 08247

3) Contact Person: Marnie B. Lingle Phone: [REDACTED]

4) Email: admin@stoneharborchamber.com

5) Is your organization tax exempt? NO Tax ID # \_\_\_\_\_

6) Is this a non-profit event? NO NJ Registered Charitable Organization # \_\_\_\_\_

FESTIVAL & OTHER SPECIAL EVENTS

- 1) Name of Event: Stone Harbor Shiver Polar Plunge
- 2) Address of Event: 96th Street + beachfront parking lot
- 3) Setup Time: \_\_\_\_\_ am / pm Start Time: \_\_\_\_\_ am / pm End Time: \_\_\_\_\_ am / pm
- 4) Purpose of Event: Fundraiser for SH Chamber + Family Promise of CM County
- 5) Beneficiary: Stone Harbor Chamber of Commerce + Family Promise
- 6) Number of Attendees Expected: 1000+ spectators / 400 participants Entrance Fee Charged: \$ \$40/\$55
- 7) Location(s) of barricades, street closings or signage (identify on site-plan): See attached

- 8) Number of Non-Food Vendor Spaces: 0 Number of Food Vendor Spaces: 0  
*Attach a 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 material. No dumping of any water is permitted in the storm drain. This is a direct violation of the Department of Environmental Protection.

All vendors are required to comply with Stone Harbor Ordinance 1524 and Ordinance 1535 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.

Open Flame – Barbeque – Permit Fees

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](http://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.

Food 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.*  
See attached

- 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)*  
See attached

- 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.*  
See attached



Kim Stevenson

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**From:** Toni Groet (Clean Ocean Action) <TGroet@CleanOceanAction.org>  
**Sent:** Monday, December 12, 2022 1:44 PM  
**To:** Kim Stevenson  
**Subject:** EXTERNAL:2023 Beach Sweeps Dates & Information

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Suzanne Stanford,

SEAsOn's Greetings!

It's that time of year again!

Clean Ocean Action (COA) is diving into 2023 and beginning our preparations for the **38<sup>th</sup> Annual Beach Sweeps**. At its core, the remarkable success of the event is the support and collaboration of the many towns.

*To get things moving for this wonderful collaboration, we are requesting Borough of Stone Harbor's continued true-blue participation and support of Beach Sweeps for both the Spring and Fall events. In 2023, the events are scheduled for the **Spring Beach Sweeps on Saturday, April 1<sup>st</sup>** and the **Fall Beach Sweeps on Saturday, October 21<sup>st</sup>** from 9:00am to 12:30pm. Please note, we are hosting the Spring Beach Sweeps a couple weeks earlier in the month of April.*

**Bucket & Barrel Brigade! Request for 2023 Beach Sweeps:** COA continues to evolve the program itself to help reduce waste. For example, to reduce plastic bags, volunteers are now asked to bring their own bucket from home to collect trash, which has been well received. Similarly, COA is requesting towns join this effort, if possible, by providing trash and recycling receptacles such as barrels or containers for use at cleanup locations.

**Please contact me at [TGroet@CleanOceanAction.org](mailto:TGroet@CleanOceanAction.org) to confirm your town's participation in the Beach Sweeps, and if necessary, to provide further information for coordinating this event in your town.** I'd be happy to fill out any necessary paperwork for hosting this volunteer event. If you happen to know of any conflicting events, such as construction plans on the proposed dates, please let me know if other arrangements are needed.

We look forward to Borough of Stone Harbor being a continued important part of next year's Beach Sweeps on Saturday, April 1<sup>st</sup> and Saturday, October 21<sup>st</sup> from 9:00 am – 12:30 pm. The success of the Beach Sweeps program highlights the public's support for a clean ocean, as well as the power of citizen action. The ultimate goal of the program is to eliminate the need for beach cleanups through pollution reduction. We truly appreciate your town and the volunteers who are eager to give back to the ocean and collect data which is used to educate the public about marine debris and to advocate for pollution prevention laws and initiatives.

On behalf of COA, thank you for your ongoing support for the Beach Sweeps. I look forward to hearing from you soon and continuing our joint work in keeping the Jersey shore clean. If you have any questions or concerns, please do not hesitate to contact me.

Well wishes for the new year,

**Toni Groet**

South Jersey Program Coordinator  
Clean Ocean Action (COA)  
49 Avenel Blvd  
Long Branch, NJ 07740  
(p) 732.872.0111 (f) 732.872.8041  
[www.cleanoceanaction.org](http://www.cleanoceanaction.org)  
[TGroet@CleanOceanAction.org](mailto:TGroet@CleanOceanAction.org)

*Give to support a clean ocean!*

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-68

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC  
IN ACCORDANCE WITH THE PROVISIONS OF  
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,  
N.J.S.A. 10:4-12

**WHEREAS**, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

**WHEREAS**, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

**WHEREAS**, it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- 1. *Personnel:*
  - Salary Ordinance*
  - Borough Administrator Vacancy*

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on February 21, 2023 that an Executive Session closed to the public shall be held on February 21, 2023 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

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

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

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 21st day of February, 2023

.....  
Borough Clerk

The above resolution approved this 21<sup>st</sup> day of February, 2023

.....  
Mayor