

Borough of Stone Harbor
WORK SESSION AGENDA
Tuesday, February 21, 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 Atlantic City Press and the Cape May County Herald on January 4, 2023.

Salute the Flag

Capital Budget Review – Jim Craft, CFO

Reports of Standing Committees:

PUBLIC SAFETY - Councilmember Dallahan

Fire Department Report – Authorizing Fire Department as a Training Facility
Police Department Report –Smoke Free Environment/Breach of Peace
Lifeguard Captain –
Office of Emergency Management -

RECREATION & TOURISM - Councilmember Foschini

Recreation Director: Crafternoon - \$15.00 fee
Special Event Application: Surfside 7's Rugby Tournament;
Event Date July 8, 2023
Interlocal Agreement with Wildwood Catholic

Tourism Director: Special Event Application: Oceanview Avalon Condo
Association; Event date: April 15, 2023

NATURAL RESOURCES – Councilmember Casper

Review of Invasive Species – Draft Ordinance
Municipal Public Access Plan Update – Steve Morey
General Permit 2 Update
Beach Renourishment Update
Oceanfront Feasibility Study

Discussion:

Restricted Areas in Building Where Municipal Operations are Conducted -
Lisa Marcolongo
Disaster Debris Management Plan – Manny Parada
CRS Update – Marc DeBlasio
MS4 Permit – Manny Parada
Review Form of Government – Marcus Karavan
Cape May County American Rescue Plan Act (ARPA) Infrastructure Grant –
Mayor Davies-Dunhour & Marc DeBlasio

Adjournment

Date of Application

1/18/23



Borough of Stone Harbor

2023 Special Event Application

Name of Event: Oceanview at Avalon Condo Assoc. MeetingDate of Event: 4/15/23 Time of Event: 10amType of Event: ☐ Festival ☐ 1K / 5K / Athletic / Bike Race / Marathon ☒ Other Meeting

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Borough 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 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.

Note: Special Event Applications may only be submitted by person(s) or entities acting on behalf of a not-for-profit or other such charitable organization and the reason for which said permit is sought is in fulfillment of said person(s) and/or entity's purpose. (Stone Harbor Municipal Code: Chapter 275-2)

APPLICANT INFORMATION

- 1) Name of Organization: Oceanview at Avalon Condominiums
- 2) Address of Organization: 6203 New Jersey Ave
Wildwood Crest NJ 08260
- 3) Contact Person: Tami Bradley Phone: [REDACTED]
- 4) Email: [REDACTED]
- 5) Is your organization not-for-profit? Yes Tax ID # [REDACTED]
- 6) Is this a non-profit event? Yes NJ Registered Charitable Organization # N/A

Date of Application 01/30/2023

Borough of Stone Harbor 2023 Special Event Application

Name of Event: Surfside 7's Rugby TournamentDate of Event: Saturday, July 8, 2023Time of Event: 6am - 8pmType of Event: ☐ Festival ☒ 1K / 5K / Athletic / Bike Race / Marathon ☐ Other _____

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Borough 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 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.

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APPLICANT INFORMATION

- 1) Name of Organization: Philadelphia - Whitmarsh Rugby Football Club
- 2) Address of Organization: 118 Orlando Ave, Oreland, PA 19075
- 3) Contact Person: Bryan Oteri Phone: [REDACTED]
- 4) Email: [REDACTED]
- 5) Is your organization not-for-profit? Yes Tax ID [REDACTED]
- 6) Is this a non-profit event? Yes NJ Registered Charitable Organization # _____

**BOROUGH OF STONE HARBOR
NEW JERSEY**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR, CHAPTER 174 ENTITLED
"BRUSH, GRASS, WEEDS & DEBRIS" TO INCLUDE PROHIBITION OF INVASIVE SPECIES**

WHEREAS, pursuant to N.J.S.A. 40:48-2.13, the Borough is authorized to enact ordinances requiring the destruction and removal of brush, weeds, stumps, roots and other vegetative growth where necessary to preserve the public health, safety and general welfare; and

WHEREAS, pursuant to N.J.S.A. 40:48-2 the Borough is authorized to enact ordinances for the protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Council of the Borough of Stone Harbor has deemed it in the best interest of the public health, safety and welfare to amend Chapter 174 of the Borough Code to regulate the growth of bamboo and other invasive species.

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

SECTION I. Chapter 174 of the Code of the Borough of Stone Harbor, entitled "Brush, Grass, Weeds & Debris" is hereby amended to add the following Section 174A as follows:

Added Section:

174A. Planting, Growing or Cultivating Bamboo and Other Invasive Plant Species

§ 174A-1. **Purpose.** The article is adopted to control the planting, cultivating, and/or growing of bamboo and other invasive plant species in the Borough of Stone Harbor. It is further intended to require barriers that will prevent the spread of invasive plant species, into other public or private property in the Borough of Stone Harbor.

§ 174A-2. **Definition "Invasive."** All native and non-native vines and vegetation that grow out of place and are competitive, persistent and detrimental; those plants may damage trees, vegetation, sidewalks or structures.

§ 174A-3. **Prohibition.** No landscaper, contractor, owner, tenant or occupant of a property, or a person, corporation or other entity, shall plant, install, or cause or permit the planting or installation of any invasive or nuisance plants or vegetation within any lot and/or parcel of ground anywhere within the Borough.

§ 174A-4. **Duty to Confine.** If there exists any invasive species located upon any property within the Borough of Stone Harbor prior to the effective date of this article, there shall be a duty to confine imposed upon the owner and occupant of the property. The duty to confine shall require owners

and occupants to prevent the encroachment, spread, invasion or intrusion of bamboo and other invasive plant species onto any other private property, public property or public right-of-way.

§ 174A-5. Notification to Confine. In the event it is determined that there is an encroachment or invasion on any adjoining private or public property or public right of way, the Borough shall notify the property owner in writing that the bamboo or other invasive plant species has invaded other private or public property or public right of way. The property owner shall have forty-five (45) days from the date of the notice to confine or remove the invasive plant(s).

§ 174A-6. Violations and penalties.

- a) Any landscaper, contractor, owner, or occupant of a property who violates § 174A-3 above shall be subject to a fine of \$100 for a first offense, \$250 for a second offense, and \$500 for a third or subsequent offense. For purposes of this article, each day on which such a condition exists after the expiration of the notice shall be deemed or constitute a separate offense under this article, and separate complaints may be filed for each such offense.
- b) If the property owner does not comply with the requirements of § 174A-5 above within the forty-five (45) day notification period, the property owner shall be subject to a fine of \$100 for a first offense, \$250 for a second offense, and \$500 for a third or subsequent offense. For purposes of this article, each day on which such a condition exists after the expiration of the notice shall be deemed or constitute a separate offense under this article, and separate complaints may be filed for each such offense.
- c) When a violation as referenced in this Chapter occurs upon public property or a public right-of-way, at its discretion, the Borough of Stone Harbor may remove or contract for the removal of such invasive plant species from the public property right-of-way. The cost of such removal shall be the responsibility of the owner and occupant of the property from which the invasive plant species originated. The cost of said removal of the invasive plant species from the public property and/or a public right-of-way may include the cost of the installation of an appropriate barrier to prevent further encroachment by the invasive plant species.

SECTION II. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION III. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION IV. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

**BOROUGH OF STONE HARBOR
NEW JERSEY**

ORDINANCE NO. _____

**AN ORDINANCE TO ESTABLISH A NEW CHAPTER
IN THE CODE OF THE BOROUGH OF STONE HARBOR, CHAPTER _____, ENTITLED,
“RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED
LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD
PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION”.**

WHEREAS, Borough of Stone Harbor officials and employees have a responsibility to maintain and safeguard public records that consist of confidential information; and

WHEREAS, to adequately comply with the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1, and to comply with the statutorily defined responsibilities, the maintenance and custody of specific records are required; and

WHEREAS, municipal officials assigned this responsibility include, but are not limited to; the Municipal Clerk, the Police Chief, the Fire Official, the Beach Patrol Captain, the Chief Financial Officer, the Tax Collector, the Tax Assessor, the Construction Code Officer, the Public Works Director, the Tourism Director, the Recreation Director, and the Township Administrator; and

WHEREAS, the responsibility for the maintenance and safeguarding of records, reports, documents and information in municipal offices may not be available for immediate public view since they may contain personal information, phone numbers, social security numbers, dates of birth and other confidential information; and

WHEREAS, securing these records maintains the integrity of this information and when an Open Public Records Act request is received, and it is determined that a requestor is entitled to the records, the records can be released individually and redacted as required by law; and

WHEREAS, securing these records prevents outsiders/trespassers from simply walking into an office, grabbing some records, and leaving the building; and

WHEREAS, we cannot expect our municipal employees to physically intervene to protect a record, and creating secure areas with clear signage will help deter persons from collecting records which they are not entitled to receive without following the process required by the Open Public Records Act.

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

SECTION 1

Municipal office areas in the following facilities have been secured and such offices are not open to the public for the purpose of protecting documents, digital data and other written, copied or printed materials that are not subject to the Open Public Records Act, which may include, but are not limited to, personally identifiable information that is protected by the Statutes of the State of New Jersey and the Federal laws of the United States:

- a) Stone Harbor Borough Hall and Police Department, 9508 Second Avenue
- b) Stone Harbor Public Works Facility, 8018 Third Avenue
- c) Stone Harbor Recreation Center, 8100 Second Avenue
- d) Stone Harbor Fire Department, 175 96th Street
- e) Stone Harbor Beach Patrol Building, 95th Street & the Beach

SECTION 2

The Borough of Stone Harbor shall be required to post signs outside of offices which read, "Stop, Restricted Area, Authorized Employees Only".

SECTION 3

Persons that trespass these posted, protected offices may be subject to prosecution under N.J.S.A. 2C-18-3.

SECTION 4

This ordinance shall take effect after publication thereof and final passage as required by law.

LEONARD C. DESIDERIO
DIRECTOR
Administration,
Clerk of the Board, Human
Resources, Public Works,
Emergency Management,
Public Safety, Fire Marshall,
Tourism

E. MARIE HAYES
VICE-DIRECTOR
Medical Examiner,
Prosecutors, Sheriffs,
Corrections, Tax Board,
Surrogates, Rutgers, Animal
Shelter, Consumer Affairs

WILL MOREY
Economic Development,
Planning, Open Space,
Library, Information
Technology, Special Services
School, Technical School



CAPE MAY COUNTY
BOARD OF COUNTY COMMISSIONERS

4 Moore Road
Cape May Court House, NJ 08210-1654
(609)465-1065 Fax (609)465-6189

ANDREW BULAKOWSKI
Fare Free Transportation,
Facilities and Services, Park &
Zoo, Mosquito Control, County
Clerk, Adjusters, Board of
Elections

JEFFREY L. PIERSON
Crest Haven Nursing and
Rehabilitation Center, Human
Services, Veteran's Affairs,
Aging and Disability Services,
Behavioral Health Services,
Health Department, RSVP

Kevin Lare
Clerk/Administrator

Ronald Simone
Assistant Administrator

MEMO

To: All Mayors & Administrators
From: Kevin Lare
Date: 10 February 2023
Re: CAPE MAY COUNTY ARPA INFRASTRUCTURE GRANT

Thank you to the Mayors and municipal representatives that were able to attend Director Desiderio's *Mayors Roundtable* discussion last Friday, February 3rd. Feedback received from the towns have been very positive and the Director looks forward to holding these roundtable discussions on a quarterly basis moving forward.

Amongst the agenda items discussed, attendees were advised of a new Cape May County American Rescue Plan Act (ARPA) Infrastructure Grant opportunity to support a broad range of drinking water, sanitary sewer, and stormwater infrastructure investments in an amount up to \$400,000 per municipality. The County is granting up to \$400,000 to each municipality on a non-competitive basis as a sub-recipient and all project costs must comply with the US Treasury Final Rule for ARPA Fiscal Recovery Fund. Towns may split funds across more than one project.

Please review the attached documents and let us know if we can offer guidance, support or assistance with your application. The Board of County Commissioners is excited about the opportunity to assist all of our municipalities with this unique and worthwhile initiative.



Cape May County

American Rescue Plan Act

Infrastructure Grant Opportunities

RECOVERY FUNDS FOR A BROAD RANGE OF WATER, SEWER AND STORMWATER
INFRASTRUCTURE INVESTMENTS IN THE AMOUNT UP TO \$400,000 PER MUNICIPALITY