

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

February 21, 2023

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

ROLL CALL

Judith M. Davies-Dunhour, Mayor
Kim Stevenson, Borough Clerk
Marcus Karavan, Solicitor
Lisa Marcolongo, Ass't Administrator
Megan Brown, Deputy Clerk

PRESENT

Councilmembers
Frank Dallahan
Victor Foschini
Bunny Parzych
Robin Casper
Jennifer Gensemer
Reese Moore

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 4, 2023.

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

Capital Budget Review: Jim Craft CFO

Jim provided a presentation for Mayor and Council review. Jim quickly went through all department capital budget requests.

Some specific notations include the following:

Police Department: Blood Alcohol Test Machine – has been in the budget for the past 4 years awaiting NJ State Police recommendations for the make and model of this machine.
Police Patrol Vehicle – will not add to the existing fleet.
MVR Camera replacement – existing MVR cameras are from 2014
Tazers (4) no longer viable due to age
Copier: Can no longer order parts for existing copier

Fire Department: New ladder truck, will not be delivered until 2026. Current truck will be 15 years old at the time of replacement which meets the existing policy for vehicle replacement.
Trade in value of existing truck: \$250,000

Public Works: \$12,000 to comply with Municipal Public Access Plan requirements (signage), Reconstruction of 122nd Street – partially funded by a DOT Grant; Borough Hall & Fire Department Mold Remediation; Bulkhead replacement cost – part of Flood Mitigation.

Natural Resources: Beach fill costs: \$2.5 million -using summer reserves to assist with funding however an additional \$1.8 million will be needed within the budget to satisfy cost.

Utilities Department – Water Improvements are subject to amendment based on IBank application funding.

Total General Capital Improvements: \$6.182 million; \$1.3 funded in operating budget; \$170,000 funded by grants; will require \$4 million dollar bond ordinance; \$208,000 5% downpayment; \$530,000 funded in prior ordinances. Water Sewer: \$4.3 Million; \$185,000 funded in operating budget; will require \$4.2 million bond ordinance.

Report of Standing Committees:

Public Safety Report – Councilmember Dallahan

Fire Department- Chief Roger Stanford

Report for January 2023: 25 Fire Incidents; 14 EMS – 3medical assists; 3 natural gas leaks, 1 cover assignment; 1 smoke scare; 7 fire alarms and 5 carbon monoxide alarms.

Chief Stanford reviewed a request for a resolution authorizing the Fire House to be a Training Facility for the Division of Fire Safety. Will allow training to be completed in-house.

Review of Request for Fire Truck in 2023: Chief Stanford reviewed the history of replacing fire trucks within Stone Harbor. In 1990 the fire department had 5 fire vehicles which all needed replacement. The department was asked to combine vehicles, reducing the fleet to three (3). He explained the criteria of a reserved status fleet, which is not an option for Stone Harbor. It was determined that vehicles would be replaced every 15 years. The replacement requested in 2023 is for the “Quint” or ladder truck. Lead time for the completion and purchase of a new fire truck could be as long as 48 months. Chief Stanford explained the payment options available. In addition, Chief Stanford reviewed the changes within the town and the importance of having a ladder truck.

Police Department – Chief Tom Schutta

Report for January 2023- 80 Motor vehicle stops; 1 motor vehicle accidents; 5 motorist assisted; 5 suspicious vehicles; 2 OPRA request were fulfilled; 26 open doors or windows were found; 2 adults arrested.

Personnel Update: Currently short Two full time officers; 1 of those positions is currently being covered by a Class II Officer and the selection process to fill those positions is currently pending. Summer personnel: Currently have 5 Class I’s and 5 Class II’s in place with two more applicants scheduled to be interviewed in the next couple weeks.

Stone Harbor Municipal Court: No Issues to report.

Smoke Free Environment: Chief Schutta explained that he has been working with Solicitor Morris on implementing an ordinance to create a smoke free environment within Stone Harbor. This restriction would include sidewalks, beaches, business district and parking lots. Mr. Morris explained that more clarification and/or modifications are needed. Mr. Morris is hoping that an Ordinance could be ready to be introduced within the next week.

In addition, Chief Schutta and Mr. Morris are working on updating certain ordinances within our code to include “Breach of peace” guidelines which could assist police officers with enforcement when faced with situations that exceed compliance. Littering, loitering, dogs on the beach, etc. are situations that have been known to escalate. The timeline to have these changes in place by Memorial Day weekend would require introduction by the end of March.

Beach Patrol- Captain Sandy Bosacco

Captain Bosacco is preparing for the upcoming summer. He is assisting the lifeguards with paperwork and documentation needed to begin work for the 2023 season. Captain Bosacco noted changes to the required standards needed to be certified as an ocean lifeguard. Captain Bosacco is reviewing the requirements within the beach patrol to ensure compliance.

The Beach Patrol Building still has a few small punch list items in which Mr. DeBlasio is reviewing.

Office of Emergency Management – Frank Vault

Mr. Vault advised council that there was a change in the weather updates. The borough went back to the Weather Works system which provides the needed information to best prepare for weather emergencies.

County Wide EMMIT (Emergency Management Mapping & Information Tracking) Drill was completed between February 6th & 10th. This Drill is a test system which simulates a weather emergency and provides an opportunity to determine what types of equipment may be needed so that the borough can best prepare. This drill is completed on a quarterly basis.

Mr. Vault indicated that so far it has been a mild winter with no weather issues to report.

Work Session, February 21, 2023

Councilmember Gensemer requested an update on GeoFencing. Mr. Vault indicated that he will be providing an update for review at the next Public Safety Committee Meeting.

Recreations and Tourism – Councilmember Victor Foschini

Recreation – Shannon MacPherson, Rec Director

Special Event Application - Surfside 7's Rugby Tournament: Scheduled for July 8, 2023.

The event application has all required signatures and will be presented to council for approval at the March 7, 2023 Council meeting.

Crafternoon: Afterschool Arts and Craft Program for elementary school students at the Rec Center. Mondays, Mid March 3:30pm to 5:00pm. Pre-registration is required, \$15 fee is being considered for approval.

Wildwood Catholic Interlocal: In the past the Wildwood Catholic Tennis Team has utilized the tennis courts at the rec center. If there is a need this spring Shannon advised council that an interlocal agreement would be presented to council for approval. The fee for the use of the Borough's tennis court is \$1500.00.

Crafty Chef: Pop up super bowl cooking class was hosted at the rec center the Saturday before Super Bowl and was sold out. Another Crafty Chef class will be presented this coming Saturday, February 25th and in addition there will be a charcuterie competition the same day from 2pm to 4pm.

Harbor Hop registration is underway. Early registration is \$25.

Tourism – Jenny Olson, Tourism Director

2023 Special Event Application: Oceanview Avalon Condo Association, use of Recreation Building, April 15th, 2023 was presented for council review. Required Insurance and security deposit has been received.

Stone Harbor Chamber of Commerce Polar Plunge: A motion to approve is scheduled for this evening; insurance certificate and approval from the NJ State Police authorizing a marine event has been received.

Jenny has prepared an information sheet on the requirements of the new trash can size requirements which is available at the front desk.

Natural Resource Committee – Councilmember Robin Casper

Invasive Species Ordinance Update: Councilmember Casper presented the definition of an invasive species. She explained that the adoption of this ordinance will prevent planting of invasive species and provide guidelines and procedures for the removal and control of these species. Any resident found in violation of the requirements would be notified and given 45 days to comply. Any invasive planting that exist currently is acceptable as long as it is contained. Registered Landscapers will be provided with a copy of the proposed ordinance for consideration and review.

Municipal Public Access Plan Update: Manny Parada

Final submission to the NJDEP was submitted on November 17, 2022 – 96 days ago. To date there has been no response to whether or not the submitted plan is acceptable. The General Permit can not be authorized until the MPAP is approved. Manny suggested that the Mayor reach out to political connections for assistance with this matter. Manny explained that without the GP2 Permit the borough will be unable to place concession stands and lifeguards stands on the beachfront. In addition, improvements to the beach crossover and the installation of dune fencing as part of the renourishment project would not be acceptable without the required permit.

Beach Nourishment Update: Initial surveys are being completed now and are due back in a week. Once all surveys are complete the Army Corp would then determine placement of sand along our beachfront. The waterside mobilization is underway. The dredge is expected here by April 1st. If options for Avalon are accepted, then they would not be in Stone Harbor until April 18th. If no options are accepted by Stone Harbor they would be complete by May 18th. If options are authorized work would not be completed until June 9th and another 10 days to demobilize.

Emergency Authorization: The Point access road is still impassable and has been since December 12, 2022. Mott MacDonalds has submitted drawings to the NJDEP for review. As of today, there is no authorization to build the roadway which would allow access to Stone Harbor Point. Once the Emergency Authorization is awarded the borough will have 30 days to get the work started and 60 days to complete. There is an Emergency Declaration on the agenda for this evening. Once that resolution is approved the Public Works Department can begin planning for construction.

Oceanfront Feasibility Study: Mott MacDonald has completed their numerical model which was tested against a real life condition and proved to be very accurate. Mott MacDonald feels very confident that the model design reflected true circumstances along the beachfront. The plans to extend the 127th terminal groin were not well received by the NJDEP. The Oceanfront Feasibility study is required in order to obtain an Individual Permit.

Councilmember Casper further noted that the invasive species ordinance will include a list of "Do Not Plant" species for reference.

Discussion:

Restricted Areas In Building Where Municipal Operations are Conducted: Lisa Marcolongo

Ms. Marcolongo explained that the proposed ordinance will designate the public areas from the non-public areas within Borough Hall. The language in the Ordinance has been provided by the JIF and is currently under final review. Councilmember Gensemer indicated that she is surprised that this item was on the agenda noting that it has not finished being reviewed in committee. Councilmember Gensemer asked what is the problem that is looking to be solved with this ordinance and noted that the Borough Hall is a place where taxpayers come to find out information on taxes, permits, etc.. Ms. Marcolongo explained that this ordinance would protect information that is not accessible to the public. Solicitor Karavan confirmed that there is a need for this type of protection. Council reviewed an incident in Lower Township where a First Amendment Auditor exhibited his first amendment rights by entering the municipal building and accessing unrestricted areas. Councilmember Gensemer acknowledged that by having the current conversation opens the Borough up for this type of interaction. Councilmember Gensemer would like this topic to be returned to committee for further review.

Disaster Debris Management Plan – Manny Parada

Manny explained that this plan is almost complete however the following items still need to be addressed: insurance issue, health and safety plan, and temporary disposal sites. The previous plan would satisfy debris of a Category 3 hurricane however a Category 4 or 5 hurricane requires additional requirements and recommendations. It is estimated 400,000 cubic yards of debris would need to be removed and placed in a category 4/5 hurricane just for Stone Harbor alone. The Cape May County MUA site would not be able to handle the amount of debris collected by all towns within the county. This plan will qualify for 40 CRS points.

MS4 Permit – Manny Parada

New stormwater permit in effect as of January 2023 and expires December 2027 (5 year permit). There are 58 conditions on the stormwater permit; 23 conditions are unchanged; 16 conditions have been modified; and 19 new conditions have been added. A Stormwater Pollution Prevention Plan must be created and posted on our webpage. In addition, there must be a dedicated webpage just for stormwater issues.

There are several ordinance changes that must be codified along with several requirements that must be adjusted: wood trimmings; cold patch roadway repairs, excess salt on roadways, watershed documentation, etc.. The documentation required is quite large and will take more time to complete.

Governor Murphy issued a notice of \$19 million dollars available in grant funding to assist with the requirements within the plan. However, our community is a Tier "A" Community and can only receive \$25,000 in grant funding. The Executive Information Session regarding the requirements within this permit is being held on March 10th for Mayor's only. An additional session, which Manny plans on attending, is being held on March 15th. Manny noted additional staff will be needed in order to complete. He noted that this requirement is forcing municipalities to create a Stormwater Utility.

Councilmember Parzych asked about the grant for consulting to determine if the Borough would benefit from implementing a Stormwater Utility. The State DEP has an overwhelming response (over 30 applicants) and are unsure how to distribute the funding available since it would not be enough for all communities that applied.

CRS Update – Marc DeBlasio

Mr. DeBlasio advised council that over the past two weeks his firm has completed a comprehensive analysis of Activity #430 – Higher Regulatory Standards and identified an action plan that will secure an additional 1300 points. There will be several ordinance changes required and Marc is confident that his firm can obtain a Class 4 certification for the borough. Councilmember Gensemer noted that the members of the A&F Committee are impressed with the matrix presented and are grateful for the consultants work.

Cape May County American Rescue Plan Act (ARPA) Infrastructure Grant – Marc DeBlasio & Mayor Davies-Dunhour

Grant funding available to communities in the amount of \$400,000. Submissions are due March 10th. Pay requests for reimbursement must be submitted to the County by July 2026. Mayor Davies-Dunhour suggests that Public Works and Utilities coordinate projects and determine which projects would be eligible. Councilmember Parzych: suggests funding be used for the 114th Street Lift Station. Mr. DeBlasio indicated there are multiple projects that would qualify and is requesting clear direction. A broad range of water, sewer and stormwater infrastructure would qualify.

Review Form of Government – Marcus Karavan

The borough form of government starts in 1875, at that point there were only 17 boroughs in the state of New Jersey. In the Act of 1878, a township could self-execute with referendum. With that change numerous boroughs were formed. In 1897 the Borough Act of 1897 was formed which required state approval prior to changing to a Borough form of government. In or about 1914 the Borough of Stone Harbor was created. Today there are 218 municipalities that have the borough form of government. In 1987 the State adopted N.J.S.A. 40A:60-1 currently the legislation that governs our form of government. The current statute has eight sections. Mr. Karavan has provided Mayor and Council with a copy of the details which will be on file with the Borough Clerk for anyone who wishes to review.

Stone Harbor has adopted an ordinance allowing for an Administrator position and an Assistant Administrator position which Mr. Karavan attached to the documentation presented. Councilmember Gensemer asked if the position of Administrator and Assistant Administrator positions have to be filled. She clarified the appointment of the Administrator and the requirement to replace within 30 days. Mr. Karavan noted that changes within the ordinance would require a change to the code. Councilmember Gensemer asked for clarification that Stone Harbor is not a Faulkner Act form of government. Mr. Karavan verified that documentation founded supports Stone Harbor as a Borough form of government and that the Mayor has veto power which does not support a weak mayor.

No Further Discussion

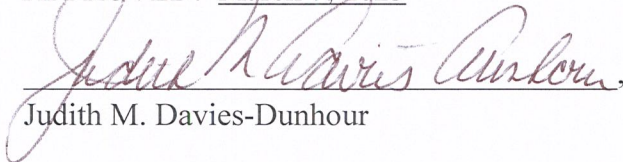
Work Session, February 21, 2023

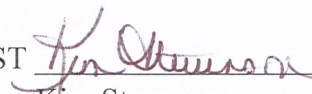
Upon Motion by: Councilmember Frank Dallahan
Seconded by: Councilmember Robin Casper

That the Work Session Meeting of Mayor and Council be adjourned at 6:18p.m.

Vote **6 Councilmembers AYE**

APPROVED: March 7, 2023

 _____, Mayor
Judith M. Davies-Dunhour

ATTEST  _____, Borough Clerk
Kim Stevenson