

**Borough of Stone Harbor**  
**WORK SESSION AGENDA**

**Tuesday, April 4, 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**

**Commendation: John Gift & Charles "Dan" Place**

**Presentation of the 2023 Municipal Budget** – Jim Craft, Chief Financial Officer

**Reports of Standing Committees:**

**A&F COMMITTEE - Councilmember Gensemer**

CRS Update – Ray Poudrier, Marc DeBlasio, Manny Parada  
CFO – Quarterly Reporting: Tax Collector & Tax Assessor  
Construction Official- Ray Poudrier  
Borough Engineer- Marc DeBlasio  
Legal- Marcus Karavan

HR Discussion:

**Presentation:** Nicole Curio – Human Resource Update / JIF Requirements  
Chapter 67 – Borough Clerk  
Change to the Borough Administrator Duties  
2023 Salary Ordinance  
Adding Regulatory Compliance Clerk

Discussion:

Beach & Pavilion Use: Chapter 365 General Code  
Senate Bill S-1368 – Licensing to Include Insurance Requirements  
Restricted Areas in Building Where Municipal Operations are Conducted.

**PUBLIC WORKS - Councilmember Moore**

Stone Harbor Point Access Road – Update

Change Orders for the Flood Pilot Study - Marc DeBlasio

**UTILITIES COMMITTEE – Councilmember Parzych**

**Discussion:**

**Special Event Application** – Stone Harbor Chamber of Commerce "Spring Into Summer Market" April 29, 2023 – Jenny Olson, Tourism Director

**Recreation Fees for 2023** – Increase Recreation Summer Sport Clinics - Shannon MacPherson, Recreation Director

**Adjournment**

**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 96<sup>th</sup> Street
- e) Stone Harbor Beach Patrol Building, 95<sup>th</sup> 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.

BOROUGH OF STONE HARBOR  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 205 AND CHAPTER 205A OF THE STONE  
HARBOR BOROUGH CODE REGARDING LICENSING TO INCLUDE INSURANCE  
REQUIREMENTS PURSUANT TO SENATE BILL S-1368 (P.L.2022, c.92)

WHEREAS, Chapter 205 of the Stone Harbor Code regulates business licensing requirements for businesses in the Borough of Stone Harbor; and

WHEREAS, Chapter 205A of the Stone Harbor Code regulates Rental Unit Registrations in the Borough of Stone Harbor; and

WHEREAS, on August 5, 2022, Governor Murphy signed into law S-1368 (P.L.2022, c.92) requiring all business owners and owners of rental units to maintain certain levels of liability insurance. This law also requires all business owners and owners of rental units to annually register a certificate of insurance with the municipality where the business or rental unit is located; and

WHEREAS, the Borough Council have reviewed the matter and determined that the licensing requirements in the Borough Code should be amended to include the submission of a certificate of insurance in conformance with S-1368 and to be made in connection with the general licensing and renewal process; and

WHEREAS, the state statute authorized municipalities to charge a reasonable administrative fee for the certificate of insurance and a penalty for owners who fail to register;

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

SECTION 1. Section 205-1.2 of the Borough Code of the Borough of Stone Harbor is hereby amended as follows (new language is underlined):

S 205-1.2 Application.

Pursuant to P.L.2022. c.92 (S-1368). the owner of a business shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500.000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence. All business owners shall annually register the applicable certificate of insurance in connection with their business license application. Pursuant to P.L.2022, c.92 (S1368), the failure to comply with this



registration requirement carries a maximum penalty of \$5,000 against an Owner who fails to comply with the provisions.

The following entities are required to register their certificate of insurance under this Chapter:

- A. Businesses, which shall mean any permitted commercial use
- B. Owners of single rental dwelling units.
- C. Owners of multiple dwelling rental units.
- D. Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

SECTION 2. Section 205A-4 of the Borough Code of the Borough of Stone Harbor is hereby added as follows (new language is underlined):

S 205A – 4 Requirements for all rental properties.

Pursuant to P.L.2022. c.92 (S1368), the owner of a multifamily rental property which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence. The owner of any other rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence. A single property with multiple units may register with one certificate of insurance satisfying the applicable minimum limit set forth herein.

All rental unit owners shall annually register the applicable certificate of insurance in connection with their rental license application. Pursuant to P.L.2022. c.92 (S1368), the failure to comply with this registration requirement carries a maximum penalty of \$5,000 against an Owner who fails to comply with the provisions.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law. Notwithstanding the above, Borough Council hereby directs that enforcement of the amendments made herein shall commence no earlier than the 2023-2024 Business or Rental License Term.





Date of Application 03/23/23  
Circ 3/23

**Borough of Stone Harbor**  
**2023 Special Event Application**

Name of Event: Spring into Summer Market

Date of Event: 4.29.23 Time of Event: 10AM - 4pm

Type 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.

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: Stone Harbor Chamber of Commerce
- 2) Address of Organization: 212 96th Street  
Stone Harbor, NJ 08247
- 3) Contact Person: Marnie B. Lengle Phone: 609-231-1816
- 4) Email: admin@stoneharborchamber.com
- 5) Is your organization not-for-profit? No - 501(c)(6) Tax ID # 22-2025195
- 6) Is this a non-profit event? No NJ Registered Charitable Organization # \_\_\_\_\_