

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday April 16, 2024
Borough Hall, 9508 Second Avenue, Stone Harbor

Call to Order: Immediately Following Work Session

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

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 to the Press and the Cape May County Herald on January 4, 2024.

Salute the Flag

Communications:

Public Comment

2024 BUDGET

ORDINANCE FOR SECOND READING AND PUBLIC HEARING

1663 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for the Calendar Year 2024

BUDGET RESOLUTIONS AND PUBLIC HEARING

2024-S-78 Resolution to Read the 2024 Municipal Budget by Title Only

PUBLIC HEARING

RESOLUTIONS

2024-S-79 Resolution to Amend the Budget

2024-S-80 Resolution to Adopt the 2024 Municipal Budget

OLD BUSINESS

ORDINANCES FOR SECOND READING AND CONSIDERATION FOR ADOPTION

1662 An Ordinance to Establish Requirements for Tree Removal and Replacement in the Borough of Stone Harbor

1664 An Ordinance to Amend the Revised General Ordinances of the Borough of Stone Harbor Chapter 542 Entitled "Water and Sewers"

NEW BUSINESS
CONSENT AGENDA

Minutes

- Work Session, Regular, and Closed Session Meeting Minutes dated February 6, 2024
- Work Session, Regular, and Closed Session Meeting Minutes dated February 20, 2024
- Work Session, Regular, and Closed Session Meeting Minutes dated March 5, 2024

Resolutions

- 2024-S-81** Resolution for the Appointment of Part Time Firefighters in the Stone Harbor Fire Department- Seasonal 2024
- 2024-S-82** Resolution to Refund Payment for Fire Prevention Registration and Inspection- 215 89th Street
- 2024-S-83** Resolution Establishing Certain Fees (Residential Rental License) As Authorized by Ordinance
- 2024-S-84** Resolution Establishing Certain Fees (Fire Inspection) as Authorized by Ordinance
- 2024-S-85** Resolution Establishing Recreation Fees for 2024
- 2024-S-86** Resolution Approving “Sea Gear” as the Authorized Distributor for Purchase of Public Works Uniforms Under State Contract
- 2024-S-87** Resolution Awarding a Professional Services Contract for IT Consulting Services

REGULAR AGENDA

Motion- To approve the Bill List & authorize the CFO to pay the bills when the funds are available, and the vouchers are properly endorsed.

- 2024-S-88** 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-**Matters Relating to Litigation**

Discussion:

Public Comment

Adjournment

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

ORDINANCE 1663

**AN ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK FOR THE CALENDAR
YEAR 2024 (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council of the Borough of Stone Harbor hereby determines that a 2.5% increase in the budget for said year, amounting to \$330,042.76 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council of the Borough of Stone Harbor hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Stone Harbor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, amounting to \$132,017.10, and that the CY 2023 municipal budget for the Borough of Stone Harbor be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

I HEREBY CERTIFY THAT the foregoing ordinance was introduced by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on March 19th, 2024, and was further considered for second reading and public hearing at the Regular Meeting held on April 16, 2024.

	<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 Carney							

Introduced: March 19, 2024
 First Publication: March 27, 2024
 2nd Reading & Public Hearing: April 16, 2024
 Final Publication: April 24, 2024
 Effective Date: May 14, 2024

 Emily Dillon, Borough Clerk

 Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 1662

**AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR TREE REMOVAL AND
REPLACEMENT IN THE BOROUGH OF STONE HARBOR**

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in the Borough of Stone Harbor to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare. Reference is made to the New Jersey Urban and Community Forestry Program.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.

B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet (18 inches). For example: a tree with a 6" (0.5 feet) DBH would have a $CRR = 0.5' \times 1.5' = 9'$.

C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Hazard Tree Determination shall be made by the Director of Public Works or his assigned designee. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. .

1. Has an infectious disease or insect infestation;

2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

K. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

L. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

Application review and approval can be conducted along with existing business practices and permit application review such as, but not limited to, site plan approvals, building permit approvals, planning board application approval

A. Optional Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Construction Official. No tree shall be removed until Borough officials have reviewed and approved the removal.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless otherwise detailed under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A.

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Borough;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months in an ongoing manner, that is, if an initial planting does not survive and a replacement tree is planted, that new tree would require a two (2) year monitoring period and a replacement within 12 months if it fails to survive; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Application Fee
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed	\$50
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed	\$100
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed	\$300
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed	\$500

C. Replacement Alternatives:

1. If the Borough determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the Borough.
 - b. Pay an additional fee of \$1000 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough by all persons claiming an exemption. Proper Notification may include photographs or a statement from a Certified Arborist or Licensed Tree Expert.

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030. If the property transfers ownership during the five year period, the requirement remains with the property and the new owner.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;

- D. Any trees removed as part of a Borough or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the Code Enforcement Official of Stone Harbor during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$1,000 and violators will be required to plant additional trees in addition to the fine.

SECTION VIII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Adoption Date: _____

Approved By: _____

Appendix A

Approved list of Replacement tree Species
for **The Borough of Stone Harbor**

<u>Scientific Name</u>	<u>Common Name</u>
Quercus palustris	Pin oak
Quercus alba	White oak
Quercus rubra	Red oak
Tilia americana	American linden
Carya ovata, glabra	Hickories
Platanus americana	American sycamore
Quercus prinus	Chestnut oak
Nyssa sylvatica	Black gum
Liriodendron tulipifera	Tuliptree
Acer saccharum	Sugar maple
Acer rubrum	Red maple

These are the more common street varieties that are acceptable. If other trees are requested to be used, they will need to be shown to not be on the NJ invasive list and approved by the Code Enforcement Official.

I HEREBY CERTIFY THAT the foregoing ordinance was introduced by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on March 19th, 2024, and was further considered for second reading and public hearing at the Regular Meeting held on April 16, 2024.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
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Councilmember Carney							

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 Effective Date: May 14, 2024

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 1664

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR,
CHAPTER 542 ENTITLED "WATER AND SEWERS"**

WHEREAS, the Mayor and Council of the Borough of Stone Harbor have decided to amend the existing water and sewer fee schedule, and to combine that fee schedule into one section within the Borough Code;

BE IT ORDAINED, by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that Chapter 542 "Water and Sewers" of the General Ordinances of the Borough of Stone Harbor, 2005, is hereby amended as follows:

SECTION 3. The Following Section Shall Be Amended:

§ 542-27. Schedule of Water and Sewer Rates.

A. Rate for excess water/sewer. [Amended 3-18-2008 by Ord. No. 1307; 8-5-2008 by Ord. No. 1319]

~~(1) Regular service. The rate for all water/sewer furnished in excess of the quarterly allowance set forth — above shall be as follows:~~

- ~~(a) \$5.50 for each additional 1,000 gallons up to 50,000 gallons, or any part thereof.
(b) \$6.50 per 1,000 gallons over 50,000 to 80,000 gallons, on any part thereof.
(c) \$7.50 per 1,000 gallons over 80,000 gallons~~

(1) Regular service. The rate for all water/sewer furnished in excess of the quarterly allowance set forth above shall be as follows:

- (a) \$6.50 for each additional 1,000 gallons up to 50,000 gallons, or any part thereof.
(b) \$7.50 per 1,000 gallons over 50,000 to 80,000 gallons, on any part thereof.
(c) \$8.50 per 1,000 gallons over 80,000 gallons

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

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

I HEREBY CERTIFY THAT the foregoing ordinance was introduced by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on March 19th, 2024, and was further considered for second reading and public hearing at the Regular Meeting held on April 16, 2024.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Councilmember Foschini							
Councilmember Parzych							
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Councilmember Gensemer							
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Introduced: March 19, 2024

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Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

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

RESOLUTION

2024-S-78

RESOLUTION TO READ THE 2024 MUNICIPAL BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A: 4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least ten (10) days prior to the date of the hearing, a publication by summary of the budget has been advertised and copies have been made available by the Clerk to persons requesting them.

NOW, THEREFORE, BE IT RESOLVED that the conditions of N.J.S.A. 40A:4-8 have been met and the budget shall be read by title only.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

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

RESOLUTION

2024-S-80

RESOLUTION TO ADOPT THE 2024 MUNICIPAL BUDGET

NOW, THEREFORE, BE IT RESOLVED, this 16th day of April, 2024 by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, the governing body thereof, that the Municipal Budget for 2024 be and is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$15,806,000.00 to be raised by taxes for municipal purposes.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

**BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY**

RESOLUTION

2024-S-81

**RESOLUTION FOR THE APPOINTMENT OF PART TIME FIREFIGHTERS
IN THE STONE HARBOR FIRE DEPARTMENT – SEASONAL 2024**

BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor in the County of Cape May, duly assembled in public session this 16th day of April 2024, that the following be appointed as Part-Time Firefighters with the Stone Harbor Fire Department, effective May 1 to September 30, 2024

- Evan Schroer
- Ronald Digiovanni
- Demetrios Haralampoudis

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16th, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

**RESOLUTION
2024-S-82**

**RESOLUTION TO REFUND PAYMENT FOR FIRE PREVENTION
REGISTRATION AND INSPECTION- 215 89th STREET**

WHEREAS, the owner of the property 215 89th Street paid the fee of \$200.00 for the Bureau of Fire Prevention for registration and inspection; and,

WHEREAS, the owner paid the rental fee but has sold the property before the rental season and now requests a refund for the payment; and,

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 a refund check in the amount of \$200.00 be issued to Marjorie Hill at 748 Iverness Drive West Chester, PA 19380.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16, 2024, with the voting record as indicated below.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
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Councilmember Gensemer							
Councilmember Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

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

RESOLUTION

2024-S-83

RESOLUTION ESTABLISHING CERTAIN FEES (RESIDENTIAL RENTAL LICENSE) AS AUTHORIZED BY ORDINANCE

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Public Safety Committee of Borough Council has recommended that certain fees for the registration and licensing of residential rental units be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor duly assembled in public session this 16th day of April 2024 , that the following fees be set at the following levels:

- a. For an individual residential rental unit: \$ 200
- b. For the first of multiple residential units in common ownership and upon the same parcel: \$ 200
- c. For each additional unit in common ownership and upon the same parcel: \$ 50

SINGLE FAMILY: RENTAL LICENSE \$200 INSPECTION FEE \$100 TOTAL \$300

DUPLEX: RENTAL LICENSE \$250 INSPECTION FEE \$150 TOTAL \$400

TRIPLEX: RENTAL LICENSE \$300 INSPECTION FEE \$200 TOTAL \$500

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16th, 2024, with the voting record as indicated below.

	<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							
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Councilmember Casper							
Councilmember Gensemer							
Councilmember Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

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

RESOLUTION

2024-S-84

**RESOLUTION ESTABLISHING CERTAIN FEES (FIRE INSPECTION)
AS AUTHORIZED BY ORDINANCE**

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Public Safety Committee of Borough Council has recommended that certain fees for Fire Inspection be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor duly assembled in public session this 16th day of April 2024, that the following fees be set at the following levels:

A. A - Assembly.

- (1) A-1, Eating establishment under 50: \$ 100
- (2) A-2, Takeout food service (no seating): \$ 100
- (3) A-3, Church or synagogue: \$ 100
- (4) A-4, Recreation centers, multipurpose rooms, etc. (less than 100): \$ 100
- (5) A-5, Court rooms, libraries, fraternal organizations, condominium centers less than 100: \$ 75
- (6) A-6, Senior citizen centers less than 100: \$ 100

B. B - Business/Professional.

- (1) B-1, Professional use one- and two-story, less than 500 square feet per floor: \$ 100
- (2) B-2, Professional use one- and two-story, more than 500 square feet, less than 2,000 square feet per floor: \$ 100
- (3) B-3, Professional use one- and two-story, more than 2,000 square feet, less than 3,000 square feet per floor: \$ 110
- (4) B-4, Professional use one- and two-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 135
- (5) B-5, Professional use one- and two-story, more than 5,000 square feet per floor: \$175
- (6) B-6, Professional use three- to five-story, less than 1,000 square feet per floor: \$ 105
- (7) B-7, Professional use three- to five-story, more than 1,000 square feet, less than 5,000 square feet per floor: \$ 200
- (8) B-8, Professional use three- to five-story, more than 5,000 square feet per floor: \$300

C. M - Mercantile (Retail).

- (1) M-1, one- and two-story, less than 2,000 square feet per floor: \$ 100
- (2) M-2, one- and two-story, more than 2,000 square feet, less than 4,000 square feet per floor: \$ 130
- (3) M-3, one- and two-story, more than 4,000 square feet per floor: \$ 230
- (4) M-4, three- to five-story, less than 2,000 square feet per floor: \$ 275
- (5) M-5, three- to five-story, more than 2,000 square feet, less than 5,000 square feet per floor: \$ 300
- (6) M-6, three- to five-story, over 5,000 square feet per floor: \$ 350
- (7) M with the exception of hardware store 3,000 square feet, retail store over 12,000 square feet are life hazard uses.

D. S - Storage (moderate- and low-hazard, per building).

- (1) S-1, one- and two-story, less than 3,000 square feet per floor: \$ 100
- (2) S-2, one- and two-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 130
- (3) S-3, one- and two-story, more than 5,000 square feet per floor: \$ 175
- (4) S-4, three- to five-story, less than 3,000 square feet per floor: \$ 250
- (5) S-5, three- to five-story, more than 3,000 square feet, less than 5,000 square feet per floor: \$ 300
- (6) S-6, three- to five-story, over 5,000 square feet per floor: \$ 350

E. Residential Rental Units: \$ 100 for the first unit and \$ 50 for each additional unit in common ownership on the same parcel.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16th, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey
RESOLUTION

2024-S-85

RESOLUTION ESTABLISHING RECREATION PROGRAM FEES FOR 2024

WHEREAS, Section 400.3 of the Revised General Ordinances 2005 of the Borough of Stone Harbor provides that Recreation fees and charges shall be established from time to time by Resolution; and

WHEREAS, on the advice of the Chief Financial Officer the Council has adopted a policy to promulgate other recreation fees by Resolution; and

WHEREAS, Borough Council has reviewed the rates for the recreation programs

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey that the new fees are as follows:

Pickleball

Pickleball Member Pass: Includes Access to Open Play (Daily 8am-10am / 10am-12 pm)
& Discounted Court Rental Rates

Member Rates

Member – Summer Pass	\$250.00 \$175.00
Member – Monthly Pass	\$125.00
Member – Weekly Pass	\$ 35.00
Member – Daily Pass	\$ 10.00

Court Rental – 60 min	\$ 5.00
Court Rental – 90 min	\$ 10.00

Non-Member Rates

Open Play Drop-in	\$ 5.00
Court Rental – 60 min	\$ 10.00
Court Rental – 90 min	\$ 15.00

Tennis

Court Membership – Adult (18+)	\$175.00
Court Membership – Youth (13-17)	\$125.00
Court Rental – 60 min	\$ 20.00
Court Rental – 90 min	\$ 30.00

Platform Tennis

Court Rental – 60 min	\$ 20.00
Court Rental – 90 min	\$ 30.00

Sports Clinics

Weekly Pass – Per Clinic	\$ 30.00 \$50.00
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Daily Drop In ~~\$ 20.00~~ \$30.00

Basketball League

Junior League Participant ~~\$ 75.00~~ \$150.00

Intermediate League Participant ~~\$ 100.00~~ \$200.00

Senior League Participant ~~\$ 125.00~~ \$250.00

Arts & Crafts

10 Class Punch Card ~~\$ 90.00~~ \$190.00

Daily Drop In ~~\$ 10.00~~ \$20.00

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16th, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2024-S-86

RESOLUTION APPROVING “SEA GEAR” AS THE AUTHORIZED DISTRIBUTOR FOR THE PURCHASE OF PUBLIC WORKS UNIFORMS UNDER STATE CONTRACT

WHEREAS, Mayor and Council authorized a change within the AFSCME Public Works Contract on February 7, 2023 by approving Resolution 2023-S-56, which allowed for the Borough to provide uniforms in an alternate manner and remove reference to the Uniform Supply Company that has been coordinating the elements of the uniforms described in Article Ten of the CNA; and

WHEREAS, in its place, the Borough would provide each employee covered in the Collective Bargaining Agreement with a One Thousand (\$1000) stipend (allowance) at a local uniform supply retailer; and

WHEREAS, the Borough wishes to coordinate the purchase of uniforms through a State Contract Cooperative; and

WHEREAS, the vendor “Sea Gear” is an approved vendor through NJSTART, Contract number 66528; and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A:11–12 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that Director of Public Works and the Chief Financial Officer be authorized to execute whatever documents necessary to implement the service of the vendor listed within this resolution.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon, Borough Clerk

Judith Davies-Dunhour, Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2024-S-88

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 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) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or state statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- _____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- _____ (5) Matters Relating to the Purchase, Leas or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or

acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

- _____ (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.
- X (7) Matters Relating to Litigation, Negotiations and the Attorney- Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.- **Discussions regarding pending litigations**
- _____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or discipling of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- _____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, assembled in public session on April 16, 2024, that an executive session closed to the public shall be held on this date for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon determination of the Borough Council that the public interest will no longer be served by such confidentiality.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on April 16, 2024, with the voting record as indicated below.

	<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 Carney							

Emily Dillon Clerk

Judith Davies-Dunhour, Mayor