

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE
PRELIMINARY AGENDA FOR COUNCILMEMBERS

MEETING

TUESDAY

April 4, 2017

4:30 p.m.

PRESENTATION – Police Building Design – Jerry Blackman, Ray Roberts

ORDINANCE 1493 - Beach Patrol to Public Safety 2nd 3rd and final (1) Parzych

ORDINANCE 1494 – Exceed Municipal Budget Appropriation Limits, Cap Bank 2nd 3rd and final (2) Lane

- a. **Resolution – RiGi Arcade (3) Gallagher**
- b. **Resolution – Shared Services Comcast Avalon, Sea Isle, Stone Harbor (4) Kramar**
- c. **Resolution – Tax Identification Certification (5) Lane**
- d. **Resolution- Mandatory Source Separation (6) Kramar**
- e. **Resolution – Refund Sailcraft Permit -Allen (7) Gallagher**
- f. **Resolution – Temporary Budget increase (8) Lane**
- g. **Resolution – Oppose new UCC amendments for decks, etc (9) Parzych**
- h. **Motion- Approve Beach Tags for Special Events (20) (10) Gallagher**
- i. **Motion – Approve Clean Ocean Action Beach Sweeps April 22, 2017 and October 21, 2017 (11) Rich**
- j. **Motion – New fireman (12) Parzych**

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**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY
ORDINANCE NO. 1493**

**AN ORDINANCE AMENDING CHAPTER 10
OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF STONE HARBOR
ADDING BEACH PATROL AND BEACH TAGGERS TO PUBLIC SAFETY**

10-18 FUNCTIONAL AREAS OF STANDING COMMITTEES

Section 1. Chapter 10-18 A is hereby amended by adding Beach Patrol, Beach Taggers as follows:

- A. Public Safety Committee. Police, Fire Prevention, Municipal Court, Emergency Management, Animal Control, Beach Patrol, Beach Taggers and liaison with Rescue Squad and Fire Department**

Section 2. All Ordinances or parts of Ordinance inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 3. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

Judith M. Davies-Dunhour Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(2)

**BOROUGH OF STONE HARBOR
CAPE MAY COUNTY
ORDINANCE 1494**

**CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 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 0.5% 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 Cape May finds it advisable and necessary to increase its CY 2017 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 hereby determines that a 3.0% increase in the budget for said year, amounting to \$302,357.72 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 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 2017 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 3.5 %, amounting to \$352,750.68, and that the CY 2017 municipal budget for the Borough of Stone Harbor be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

A RESOLUTION APPROVING AN AMUSEMENT GAME LICENSE FOR RIGI'S ARCADE

WHEREAS, the Borough Clerk has issued permits to Rigi's Arcade for its operations in the 200 block of 96th Street; and

WHEREAS, at this time the State of New Jersey Legalized Games of Chance Control Commission requires the passage of a Resolution by Borough Council in connection with the Commission's oversight responsibilities for redemption activities at such operations; and

WHEREAS, Rigi's Arcade has submitted the proper application and paid the appropriate fee, under and subject to the rules and regulations established by the Commission; and

WHEREAS, the Borough of Stone Harbor is a seashore resort community and State law allows such redemption activities within such operations in such towns; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, County of Cape May and State of New Jersey, duly assembled in public session this 4th day of April, 2017, that Rigi's Arcade be and is granted an Amusement License by and from the Borough of Stone Harbor for the period January 1, 2017 through December 31, 2017; that the Borough of Stone Harbor has no objection to the State of New Jersey licensing and/or regulating redemption activities at Rigi's Arcade, and that such licenses shall be kept on file for public review in the Borough Clerk's Office.

BE IT FURTHER RESOLVED that this Resolution shall be effective only upon the affirmative vote of not less than two-thirds of the members of Borough Council.

Offered by Seconded by.....

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 theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

A RESOLUTION AUTHORIZING RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AVALON, CITY OF SEA ISLE CITY AND BOROUGH OF STONE HARBOR FOR UTILITZING OF THE COMCAST LOCAL ACCESS CHANNEL FOR A THREE (3) YEAR TERM COMMENCING APRIL 1, 2017 THROUGH MARCH 31, 2020.

WHEREAS, N.J.S.A 40:8A-3 authorizes municipalities to enter into agreements for the purpose of exchanging, sharing and cooperating with regard to services common to said communities through Shared Services Agreements; and

WHEREAS, the Borough of Avalon, City of Sea Isle City and Borough of Stone Harbor have each adopted Municipal Consent Ordinances consenting to the renewal of a Cable Franchise with Comcast for the provision of cable television services in each of their respective communities; and

WHEREAS, the franchise agreements between each of the municipalities and Comcast provide that the Borough of Avalon, City of Sea Isle City and Borough of Stone Harbor will be provided with a local access channel to be used for the benefit of all three municipalities; and

WHEREAS, the Borough of Stone Harbor entered into a Shared Services Agreement with the Borough of Avalon and the City of Sea Isle City for utilization of the Comcast Local Access Channel since 2009; and

WHEREAS, the Borough of Avalon, the City of Sea Isle City and the Borough of Stone Harbor agree that it would be in their best interest to continue to allocate the time that each municipality shall be permitted to utilize air time on the local access channel for programming specific to its municipality for an additional three (3) year term commencing April 1, 2017 through March 31, 2020.

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

1. The Whereas Clauses of the preamble are incorporated herein by this reference.
2. The Mayor and Borough Clerk be and are hereby authorized on this 4th day of April, 2017, to sign and execute a Shared Services Agreement between the Borough of Avalon, City of Sea Isle City and Borough of Stone Harbor for a three (3) year term commencing April 1, 2017 through March 31, 2020 for the purpose aforementioned.
3. The proper officials by and hereby are authorized to do all things necessary to carry out the intent of this Resolution.
4. This Resolution shall take effect immediately.

Offered by Seconded by.....

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 theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

(5)

BOROUGH OF STONE HARBOR

RESOLUTION
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

TAX IDENTIFICATION STATEMENT

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Stone Harbor that the Borough of Stone Harbor hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2016 in the amount of \$6,601.23. Documentation supporting this submission is available at the Department of Public Works, 8018 Third Avenue, Stone Harbor, NJ 08247 and shall be maintained for no less than five years from this date.

REA Tax certified by: James Craft
Name of official: James Craft
Title of official: Chief Financial Officer
Date: April 4, 2017

Offered by Seconded by.....

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 theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

(6)

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2017 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Members of Council of the Borough of Stone Harbor to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Stone Harbor that the Borough of Stone Harbor hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Grant Russ, Director of Stone Harbor Public Works, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Offered by Seconded by.....

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 theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(7)

RESOLUTION

AUTHORIZING THE REFUND OF SAILCRAFT PERMIT NO. 43

WHEREAS, Daniel Allen was issued Sailcraft Permit No. 43 on March 3, 2017;
and

WHEREAS, on March 29, 2017 Mr. Allen requested a refund (copy attached) of his \$250.00 Sailcraft Permit fee because he is physically unable to sail this summer.

NOW, THEREFORE, BE IT RESOLVED on this 4th day of April, 2017 by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey as follows:

1. That the Borough of Stone Harbor hereby authorizes the refund of \$250.00 Sailcraft Permit #43 fee to Daniel Allen, 209 Coursen Road, Shohola, Pa. 18458.

Offered by Seconded by.....

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 theday of, 2017

.....
Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(8)

RESOLUTION

**A RESOLUTION AMENDING AND SUPPLEMENTING
THE 2017 TEMPORARY BUDGET**

WHEREAS, the Borough of Stone Harbor in the County of Cape May, New Jersey adopted its 2017 Temporary Budget on January 3, 2017 to cover budgetary appropriations through the first three months of the year; and

WHEREAS, the 2017 Budget has been schedule for adoption on April 18; and

WHEREAS, it is necessary to amend and supplement the 2017 Temporary Budget; and

WHEREAS, 26.25% of the total appropriation in the prior year budget, exclusive of any appropriation made for interest, debt redemption charges and capital improvement funds, in the 2016 budget is in the sum of \$2,916,522.95; and the adopted 2017 Temporary budget totaled \$2,455,513.76; and this amendment would bring the total Temporary budget total to \$2,490,513.76; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor in the County of Cape, New Jersey that the following 2017 temporary appropriations are hereby supplemented and amended as follows:

3. PUBLIC WORKS

	Original Temporary Budget	Amended Temporary Budget
Public Works General		
Labor Pool Salaries & Wages	225,900.00	225,900.00
Other Expense	35,125.00	50,125.00
Solid Waste Collection		
Salaries & Wages	146,200.00	146,200.00
Other Expenses	12,750.00	22,750.00
Buildings & Grounds		
Other Expense	25,650.00	35,650.00

Offered by Seconded by.....

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 theday of, 2017

Borough Clerk

The above resolution approved this day of....., 2017

Mayor

(9)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the State of New Jersey Department of Community Affairs is proposing amendments to N.J.A.C. 5:23 (Construction Code) which would alter, among other things, permitting and other requirements relative to roofing, siding, decking and hot water heaters within the Borough of Stone Harbor; and

WHEREAS, in the opinion of the Stone Harbor Council, the Governing Body of the Borough of Stone Harbor, such changes would adversely impact the Borough by, among other things, depriving the Borough of fees necessary for the proper operation of its existing Construction office, precluding the Borough Construction Official from making inspections necessary to insure the quality level of installations of roofing, siding and other affected amenities and interfering with the Borough's ability to maintain the oversight and enforcement necessary to ensure compliance with the standard of construction encouraged within the Borough; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Stone Harbor of the County of Cape May, hereby memorializes its opposition to the Uniform Construction Code Proposed Amendments: N.J.A.C. 5:23-2.2, 2.6, 2.7, 2.14, 2.15, 2.15A, 2.20, 2.23, 2.35, 2.37, 3.2, 3.4, 3.8, 3.14, 3.15, 3.22, 4.26, 5.3 and 12.8; and

BE IT FURTHER RESOLVED, that the Stone Harbor Municipal Clerk shall forward a certified true copy of this resolution to the New Jersey Department of Community Affairs, the Governor of the State of New Jersey, the Lieutenant Governor of the State of New Jersey, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly, the members of the Cape May County Legislative Delegation, all County Boards of Chosen Freeholders, the Office of the Cape May County Counsel and such other agencies, entities or individuals as she deems appropriate.

I, Suzanne Stanford, Borough Clerk of the Borough of Stone Harbor, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a meeting of said Stone Harbor Council, held on April 4 2017 and said Resolution was adopted by not less than a two-thirds vote of the members of the Borough Council.

Offered by Seconded by.....

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 theday of, 2017

.....

Borough Clerk

The above resolution approved this day of....., 2017

.....
Mayor

ASSOC. NO.	COMP. NO.	LINE NO.
FOR STATE OFFICE USE ONLY		

**N.J. STATE FIREMEN'S
ASSOCIATION
MEMBERSHIP APPLICATION**

Form 100 - Rev. 2/13

Date 02/18/17

STONE HARBOR FIRE DEPT
Relief Association

STONE HARBOR
Municipality

CAPE MAY
County

Department _____

Company _____

Name FREDRICK C FYNAN
First Initial Last

294 63RD ST AVALON 08202 For 25 Years
Street Address Town Zip Code

Birth date 12/6/58 Birthplace PHILA PA SS# _____ (REQUIRED)

Have you ever applied to be a member of the New Jersey State Firemen's Assoc.? Yes No

If so, when _____ Where _____

The signature below certifies that I have received and read the attached PRIVACY NOTICE.

Phone No. _____ Signature of Applicant Fredrick Fynan

I hereby authorize the State Association to move my records to the above association.

Signature of Applicant (FILL-IN ONLY IF APPLICABLE)

[Signature]
SIGNATURE OF RELIEF ASSOCIATION SECRETARY

RW
SIGNATURE OF CHIEF OF DEPARTMENT

STATE OF NEW JERSEY COUNTY OF Cape May

Fredrick C Fynan Being duly sworn, doth depose and says that the above statements are true to the best of their knowledge and belief. Sworn to before me this 29th day of March 2017
Applicant's Name

CARRIE BOSACCO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 29, 2021
Seal

03/29/2021
Expiration Date

Carrie Bosacco
SIGNATURE OF NOTARY PUBLIC

MUNICIPAL APPROVAL

We hereby certify that this applicant was admitted to active membership in the department and has been approved by the governing body of _____ on the _____ day of _____ 20____

Signature of Municipal Clerk/ Board of Fire Commissioners

IMPORTANT: APPLICATION MUST BE FILLED OUT AS INDICATED BELOW

- A. APPLICATION SHOULD BE COMPLETED BY APPLICANT, TYPED OR PRINTED. (DO NOT WRITE)
 - B. APPLICANT MUST HAVE PHYSICAL TEST RECORD COMPLETED BY A LICENSED NEW JERSEY PHYSICIAN.
 - C. APPLICATION MUST BE RETURNED TO THE LOCAL RELIEF SECRETARY WHOSE ADDRESS IS LISTED ON THE BACK PAGE OF THIS FORM.
 - D. THE LOCAL RELIEF SECRETARY SHALL COMPLETE THE FORM AND FORWARD IT TO THE MUNICIPAL AUTHORITY FOR APPROVAL, THEN TO THE NEW JERSEY STATE FIREMEN'S ASSOCIATION.
- THE APPLICANT IS NOT A MEMBER OF THE N.J.S.F.A. UNTIL THE COMPLETED ORIGINAL APPLICATION IS RECEIVED AND APPROVED AT THE NEW JERSEY STATE FIREMEN'S ASSOCIATION OFFICE.