

## AGENDA

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

## WORK SESSION

**TUESDAY**

**May 2, 2017**

**3:00 p.m.**

1. Meeting called to order
2. Roll Call
3. Announcement of Open Public Meeting Law
4. Salute to the Flag

5. **A& F report**  
**Engineer**  
**CFO**  
**Tax Collector**  
**Tax Assessor**  
**Construction & Zoning**

6. **Public Works report**

7. **Utility report**  
**Go Green Report**

8. **DISCUSSION**

**Work Session – Agenda process**

**Road Opening Moratorium – Karavan**

**Change in Fees – Planning & Zoning applications**

**Water Leak -313 – 111<sup>th</sup> Street**

**Resolutions – Anti-Idling**

**Companion Animal Management Pledge**

**Sustainable Land Use Pledge**

**Adopt Green Grounds & Maintenance Policy**

9. **Motion to adjourn**

# Memo

**To:** Mayor, Council Members, and Business Administrator  
**From:** Jim Craft  
**Subject:** Bond Anticipation Notes Sale  
**Date:** April 25, 2017

We took bids on April 25 for \$5,325,000 in Bond Anticipation Notes that will mature on November 3, 2017. The proceeds from the sale of the notes will be used to fund the following ordinances:

- Ordinance 1455(G), Various Improvements, Back Bay Dredging, \$1,200,000.00
- Ordinance 1465, Supplemental App of \$5,000,000.00 for Back Bay Dredging, \$2,700,000.00
- Ordinance 1486, Beach fill, \$1,425,000.00

There were three bidders, the winning bidder was Jefferies LLC with a net interest rate of 1.215%.

BLANEY  KARAVAN

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♦ Of Counsel

\*Also Member of the Pennsylvania Bar

\*\*\* Also a member of the New York Bar

April 21, 2017

Jill Gougher, Administrator  
Borough of Stone Harbor  
9508 Second Avenue  
Stone Harbor, New Jersey 08247

**RE: Road Opening Moratoriums**

In furtherance of our previous discussion, I have yet to find an express prohibition which precludes a moratorium extension over a period of five years; however, I have also been unable to find a single municipality which extends the prohibition beyond five years.

In talking to many businesses administrators and engineers, the general view is that an extension to that period of time would be deleterious to the ratable base as it would deter individuals from seeking to invest money in the community and discourage the pursuit of projects, upgrades and renovations.

The general consensus is that the five-year period is the ideal time frame and that we should "beef up" the restrictions on restoration by, among other things, requiring patches to be curb to curb and incorporating increase fees and cost.

Please call me if you have any questions.

Very truly yours,  
**Blaney & Karavan, P.C.**

  
Marcus H. Karavan, Esquire  
Solicitor for the Borough of Stone Harbor

Cc: Judy Davies, Mayor (via email only)  
Suzanne Stanford, Clerk (via email only)  
Marc DeBlasio (via email only)

3311 New Jersey Avenue  
PO Box 1310  
Wildwood, NJ 08260

Ph. 609-729-1700  
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BlaneyKaravan.com

Borough of Stone Harbor, NJ  
Monday, March 6, 2017

## Chapter 475. Streets and Sidewalks

### Article II. Street Openings and Excavations

#### § 475-7. Newly paved streets.

No permit shall be issued for any street opening which would disturb the pavement of any road having been constructed, reconstructed or overlaid until a period of five years after the completion of said construction, reconstruction or overlay, except in the event of an emergency or hardship as described below. The five-year period as articulated herein shall be calculated from December 31 of the year in which said road was constructed, reconstructed or overlaid and run five years thereafter.

- A. Emergency opening. In the event that an entity shall be required to open a street and/or roadway as a result of an emergency, said emergency opening shall be reviewed by the Borough Engineer, and if the said Borough Engineer, shall determine that no such emergency existed, then the entity so opening the street and/or roadway shall have a fine imposed upon such entity in the amount of \$1,000 for the first nonemergency opening, a fine of \$5,000 for a second nonemergency opening, and a fine of \$10,000 for a third nonemergency opening.
- B. Hardship condition. In the event in which a property owner has a hardship condition which requires a street opening permit to be issued contrary to above, the Borough of Stone Harbor may grant relief if all of the following conditions are met:
- (1) A letter addressed to the Borough, c/o Borough Clerk, is received detailing the hardship and necessity of opening the street in lieu of waiting the prescribed period of time.
  - (2) Upon receipt of the letter, a public meeting date will be set for the Borough Council to take formal action.
  - (3) The property owner making the request shall serve a notice to all property owners within 200 feet, by certified mail, return receipt requested, or by personal hand delivery, a minimum of 10 days prior to the public meeting.
  - (4) The property owner shall file a copy of the notice served to adjoining property owners with an affidavit of proof of delivery of notice with the Borough Clerk at least three days prior to the public meeting. The notice must:
    - (a) Identify the property by street address and block and lot.
    - (b) State the reason for the hardship.
    - (c) State the type and size of the utility opening.
    - (d) Advise the adjoining property owners that if they have any objections, they must advise the Borough Clerk, in writing, as to their objections to the proposed street opening at least three days in advance of the public meeting.

- (e) State date and time of public meeting.
  - (f) Be approved by the Borough Clerk prior to mailing.
- (5) The Borough Council shall consider the request at a public meeting and review all objections received in writing. Approval or denial of the request shall be through formal adoption of a resolution.
- (6) A request based solely on economic savings shall not be considered and will be automatically denied.
- C. Roadway restoration.
- (1) In the event that an emergency or hardship requires the opening of a roadway that has been resurfaced by the Borough during the previous **five years, a full width restoration will be required**. The restoration will consist of six-inch dense graded aggregate base course and a six-inch hot mix asphalt base course, Mix I-2, brought to existing grade, within the excavated area. A full width, curb-to-curb milling two inches in depth to extend 20 feet beyond the limit of excavations will be performed after proper settlement in the trench area. The allowable time for the settlement shall be 45 days unless otherwise directed by the Borough Engineer. The final surface course shall be a two-inch hot mix asphalt surface course, Mix I-5. See detail at end of chapter.<sup>[1]</sup>
- [1] *Editor's Note: Appendix I is on file in the Borough offices.*
- (2) Trench restoration may be permitted under special circumstances and at the option of the Borough of Stone Harbor and Borough Engineer for openings having a minimum impact on the longevity and serviceability of the street in question. See detail at end of chapter.<sup>[2]</sup>
- [2] *Editor's Note: Appendix I is on file in the Borough offices.*



BOROUGH OF STONE HARBOR  
CONSTRUCTION • ZONING  
9508 SECOND AVENUE  
STONE HARBOR, NEW JERSEY 08247

TELEPHONE (609) 368-6813  
(609) 368-6814  
FAX (609) 368-0628

March 14, 2017

TO: Jill Gougher  
Borough Administrator

FROM: Joanne Mascia *JM*

RE: Application Fees for Planning and Zoning Boards

Jill in going over the fees paid to the secretaries of the Boards and myself for attendance at the meetings my suggestion is to raise the Application Fee to \$550 right across the board.

The Zoning Board Secretary gets \$350.00 and the Zoning Officer \$200.00  
The Planning Board Secretary gets \$300.00 and the Zoning Officer \$200.00

The escrow fees are fine.

Thank you.

cc: Suzanne Stanford, Borough Clerk ✓

*"The Seashore at its Best"*



SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102

the minutes for use as evidence in any legal proceeding concerning the subject matter of such minutes. Such interested party may be charged a fee for reproduction of the minutes for his use as provided for in the rules of the Board.

**§ 345-24. Fees.**

A. Fees for applications or for the rendering of any service by the Planning Board or Zoning Board of Adjustment or any of the professionals so designated by the Boards or any of the professionals hired by the Borough for the purpose of covering technical, investigative and administrative expenses involved in processing the application shall be as follows: [Amended 7-5-2005 by Ord. No. 1237; 2-19-2008 by Ord. No. 1302; 2-17-2009 by Ord. No. 1330; 6-2-2009 by Ord. No. 1339; 6-4-2013 by Ord. No. 1424]

Category	Application Fee	Escrow Fee
Subdivision, minor	550 <del>\$250</del>	\$1,000 per lot
Subdivision, major	550 <del>\$400</del>	\$1,000 per lot
Site plan, major (preliminary)	550 <del>\$350</del>	\$2,000
Site plan, major (final)	550 <del>\$350</del>	\$2,000
Informal review	550 <del>\$100</del>	\$1,000
Variances	550 <del>\$300</del> per variance applied for	\$500 if no site plan required; \$2,000 if site plan required
Request for extension of time	\$100	\$100
Subdivision or site plan amendments	50% of the original fees	
Zoning permit	.0035% of project cost (but not less than \$100)	
Certified list of property owners	\$10	
Tax Map changes resulting from subdivisions and other applications creating new lots	\$300	
Copy of minutes, proceedings and notice of decision	Refer to Chapter 92, Article I, of the Borough of Stone Harbor Code	

B. Any charitable, philanthropic, fraternal and religious nonprofit organization holding a tax-exempt status under the Federal Internal Revenue Code of 1954 shall be exempt from the payment of any application fees as noted above but shall pay all escrow fees and copying costs. A Board of Education shall be exempt from the payment of any fees noted above.

C. The escrow fees noted above are minimums, which must accompany the application.

# **BOROUGH OF STONE HARBOR**

**CAPE MAY COUNTY, NEW JERSEY**

## **RESOLUTION**

WHEREAS, emissions from gasoline and diesel powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates, and a multitude of potentially harmful pollutants that can trigger an asthma attack and other ailments; and

WHEREAS, asthma is a significant public health concern in NJ, especially among children (up to 25% of NJ's school age children are asthmatic) and the elderly; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO<sub>2</sub>), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, the U.S. Argonne National Laboratory estimates that about 20 million barrels of diesel fuel are consumed each year by idling long-haul trucks (estimated truck emissions total about 10 million tons of CO<sub>2</sub>, 50,000 tons of nitrogen oxides, and 2,000 tons of particulates); and

WHEREAS, we can avoid producing unnecessary greenhouse gas emissions and exposure to air toxics by reducing or eliminating wasteful vehicle idling; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicle's engine because it wears engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning a warm engine off and on again; and

WHEREAS, idling for 10 minutes uses as much fuel as it takes to travel 5 miles; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, drive-through windows, business centers, etc.) where New Jerseyans can be exposed to air pollutant emissions; and

WHEREAS, moving beyond New Jersey's existing no-idling code\* of 3 minutes would significantly improve public health, air quality, reduce costs and greenhouse gas emissions; and

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

THEREFORE BE IT RESOLVED that this NJ municipality, Borough of Stone Harbor: Supports the adoption of "Idle Free Zones" by government agencies, schools, businesses, and other organizations by:

- \* Encouraging any gasoline or diesel powered motor vehicle\* to turn off their engines after 10 seconds if they plan to remain at that location for more than 30 seconds.
- \* Ensuring idling does not occur at idle-frequent locations such as school drop-off and pick up, drive through windows, gas stations, parking lots, business centers, etc.
- \* Maintaining municipal vehicles to eliminate any visible exhaust.
- \* Enforcing existing violations and penalties under NJ's existing no-idling code\*.
- \* Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.

\*

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 the .....day of ....., 2017

.....

Borough Clerk

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

.....

Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s);

WHEREAS there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators;

WHEREAS New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities;

WHEREAS approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3000 every month;

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals;

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

WHEREAS all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. (Current vaccination against rabies is a pre-requisite to licensure);

WHEREAS all municipalities are required to canvass their residents to locate unlicensed dogs;

NOW THEREFORE, we the municipality of the Borough of Stone Harbor, resolve to take the following steps with regard to our municipal responsibilities with the intent of making Stone Harbor a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR programs.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.

Agenda and date voted :

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Borough Council on

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 the .....day of ....., 2017

.....

Borough Clerk

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

.....  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

WHEREAS, land use is an essential component of overall sustainability for a municipality;  
and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, unplanned decisions can lead to decreased mobility, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of Stone Harbor, County of Cape May, New Jersey, a truly sustainable community, it is our intent to recommend inclusion of these principals in the next Master Plan Revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances as follows:

**Regional Cooperation** - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

**Transportation Choices** - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

**Natural Resource Protection** - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

**Mix of Land Uses** - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

**Housing Options** - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### Resolution Adopting a Green Grounds and Maintenance Policy in the Borough of Stone Harbor

WHEREAS, as an initiative towards managing all municipally maintained landscape areas, a Green Grounds and Maintenance Policy has been developed by the Borough with assistance from the Public Works Grounds Crew & Supervisors, Public Works Committee and Go Green Committee; and

WHEREAS, the Green Grounds and Maintenance Policy addresses the areas of efficient landscape design, minimizing water consumption, recycled material and composting and integrated pest management, with the purpose of ensuring that the optimal practices for grounds maintenance are being carried out; and

WHEREAS, the Borough of Stone Harbor has developed the Green Grounds and Maintenance Policy to be an accurate representation of the varied and integrated environmentally responsible initiative implemented by the Borough for many years.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey that a Green Grounds and Maintenance Policy in the Borough of Stone Harbor be and hereby is adopted to be an accurate template of environmental practices and programs currently in effect in the Borough of Stone Harbor; and

BE IT FURTHER RESOLVED that the proper officials be and hereby are authorized to do all things necessary to carry out the intent of this Resolution.

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 the .....day of ....., 2017

.....

Borough Clerk

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

.....

Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

**Green Design** - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

**Municipal Facilities** - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

Agenda and Date Voted:

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Borough Council on

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 the .....day of ....., 2017

.....

Borough Clerk

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

.....

Mayor



## BOROUGH OF STONE HARBOR

Department of Public Works  
8018 Third Avenue  
Stone Harbor NJ 08247  
(609)368-7311

### Green Grounds and Maintenance Policy

In a continued effort towards environmental sustainability and green practices, the Borough of Stone Harbor wishes to incorporate a Green Grounds and Maintenance Policy into the current grounds maintenance operations and sustainable initiatives set forth by the Borough of Stone Harbor Go Green Community Committee.

As responsible stewards of municipal land, park systems, beaches, bayfronts and various tracts of open space, it is the Borough's goal, by the adoption of this policy, to ensure best practices for grounds maintenance in the areas of efficient landscape design, minimized water consumption, recycled materials and pest management. In doing so, the Borough of Stone Harbor shall continue to promote healthy, environmentally sound public lands, in turn promoting a truly sustainable community for all Stone Harbor property owners and visitors.

#### Efficient Landscape Design:

- Use Native, low maintenance plants
- Manage the Stone Harbor Dune system by following the Stone harbor Dune Vegetation management Plan while using the approved list of native dune vegetation.
- Continue when possible "Zero Irrigation" by using low water-use plants where applicable
- Encourage regular maintenance and review of Borough landscape design
- Promote healthy soil by thatching and aerating all Borough properties each spring. The Ball Field is aerated twice a year because of the heavy use of the field for more than one athletic play.
- Employ smart landscape designs that encourage energy efficient maintenance, where promoting aesthetically pleasing public spaces
- Design and maintenance of public parks and open spaces using science based principles
- Continue best management practices by planting of dune grass that requires zero irrigation

### **Minimize Water Consumption:**

- Install, where possible, landscaping that requires minimal or zero irrigation
- Promote the use of indigenous and low water plants
- Install automatic flush toilets and sink sensors in Borough buildings when possible
- Water landscapes when needed while being sensitive to weather
- Continue our public information campaign regarding Stone Harbor Borough Ordinance regarding mandatory Irrigation watering schedule approved by Council 7/6/2013
- Search for and fix leaks promptly
- Notify Homeowners when their water usage increases more than 25,000 gallon over the prior year consumption and asking for their help in conserving water.

### **Recycled Materials and Composting:**

- Continue to recycle material collected from our brush and leaf collection program
- Continue to “cut it and leave it” practices on Borough grounds and playing fields
- Continue to exceed standards set by the State of new Jersey regarding the collection of recycled materials, including paper, cardboard, electronics, metal objects and rigid plastics

### **Integrated Pest Management (IPM):**

- Where practical, use only environmentally friendly (low phosphate) fertilizers consistent with new NJDEP fertilizer laws
- Minimize use of pesticides, i.e. use only when necessary and in a manner consistent with label directions
- Apply pesticides in a safe manner, avoiding overspray and drift
- Continue practices of trimming trees and shrubbery on Borough property, especially along Borough streets and public open spaces
- Ensure roofs are repaired with surface treatments in a timely manner to prevent infestations of wood boring insects
- Discourage pests by keeping Borough grounds and facilities free from trash and litter
- Evaluate and adjust IPM practices regularly
- Operate a waste collection program for public areas and residents that precludes the use of waste by pest birds and mammals