PUBLIC AGENDA

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

WORK SESSION

TUESDAY **September 5, 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**

Suggested Construction Ordinance Changes

1. No demolition during the period July 1 until the Friday immediately following Labor Day.
2. No work on any site prior to 8 am or after 6 pm. No heavy equipment prior to 9 am.
3. No work at all on Sunday & Legal holidays, including the Friday after Thanksgiving, beginning Memorial Day and ending the Friday immediately following Labor Day.
4. Interior work not resulting in a noise level disturbing to people in the vicinity is allowed on Saturday, from 9 am to 5 pm (Memorial Day to Friday after Labor Day).

Discuss Meeting with Contractors
Discuss – Awarding contract to Mott Associates LLC Master Plan

Engineer – Report

CFO

Best Practices Inventory report

Borough Clerk
Tax Collector
Tax Assessor
Construction & Zoning
Planning Board Report

6. **Public Works report**

7. **Utility report**

8. **DISCUSSION**

9. Motion to adjourn

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MOTT ASSOCIATES, LLC
CONSULTING ENGINEERS & PLANNERS

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REPLY TO: ☒ Egg Harbor Township Office
Ocean City Office

James A. Mott, PE, PP, PLS, CME
Robert A. Watkins, PE, PP, CME, CFM
Gregory K. Schneider, PE, PP, PLS, CME, CFM
Paul D. Kates, PE, CME

August 7, 2017

Mayor Davies-Dunhour
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, NJ 08247

Re: Master Plan Reexamination
Project Update
Stone Harbor
Cape May County, NJ

Dear Mayor Davies-Dunhour,

On August 2, 2017 the first official meeting of the Master Plan Reexamination sub-committee was held. The entire committee was present and included Joselyn O. Rich, Charles Krafczek, William Cathcart, Mia Donnell, and Wayne Conrad. At the outset of the meeting a proposed timeline was reviewed and agreed upon. The sub-committee will meet at a minimum of once per month, on the first Wednesday of the month at 3pm, with the exception of September and July where the meeting will be the second Wednesday of the month due to holidays. Attached is the proposed meeting schedule which includes milestones to be reached to ensure the Master Plan Reexamination is completed on time. Mrs. Rich then brought up the necessity for the involvement of the Borough Council as well as community organizations, committees, and the general public. It was agreed that an open format seeking input from the well informed in all areas of the Borough would yield the best result. Once the sub-committee has laid out the framework for the Master Plan we will work to develop questionnaires and foster discussions in several meetings designed to shape the Master Plan with all those who will be vital in implementing it.

The next step was to identify short and long term objectives for the Borough. Short term objectives being a list of issues Stone Harbor is currently dealing with that require immediate attention at the start of this process. We will begin working immediately on these areas by drafting their sections of the Master Plan and also bring recommendations for implementing them as quickly as possible where necessary. The short term objectives were identified as

follows: the existing electric transmission lines, moving future electric transmission along with service lines underground, bulkhead heights, individual lot runoff, outdoor seating, and parking needs.

The long term objectives were discussed within the framework set into the Municipal Land Use Law which requires municipalities to complete and maintain an up to date Master Plan. The Master Plan Elements discussed were: land use plan, housing plan, circulation plan, utility service plan, community facilities plan, recreation plan, conservation plan, economic plan, historic preservation plan, recycling plan, and a green buildings and environmental sustainability plan. Within those areas there was much discussion which resulted in many ideas that will be examined through this process. The long term objectives included but were not limited to: rezoning the light industrial to promote growth, increasing pedestrian and cyclist safety, promoting architectural diversity, water reclamation, additional restrooms, continued green initiatives, promoting recycling and the use of recycled containers within local establishments, flood mitigation, maintenance dredging, and additional community facilities.

The next meeting will be held on September 13th at 3pm where we will be discussing the current Master Plan as well as the short term objectives previously outlined. If there is anything you or any member of the council and community would like us to consider and discuss please feel free to contact myself, Bob Watkins from this office or any member of the Master Plan Sub-Committee.

Very truly yours,

MOTT ASSOCIATES

Paul Kates, PE, CME

Cc: Jill Gougher, Borough Administrator
Diane Frangiose, Planning Board Secretary
Joselyn O. Rich
Charles Krafczek
William Cathcart
Mia Donnell
Wayne Conrad

Proposed Timeline -

August 2, 2017
Develop a list of long and short term objectives.
Discuss short term objectives and means of accomplishing them.

September 13, 2017
October 4, 2017
Review in depth the existing Master Plan and Existing Condition of Stone Harbor.
Identify the current needs, challenges, and opportunities of the town and how they can be addressed.

November 1, 2017
December 6, 2017
January 3, 2018
February 7, 2018
Develop detailed goals and objectives for addressing the areas of the Borough previously identified.

March 7, 2018
April 4, 2018
Strategize ways to implement the goals and objectives identified in the previous meetings.

May 2, 2018
June 6, 2018
Plan preparation and review of sections outlined for change.

July 11, 2018
Final plan prepared. Changes or omissions dealt with at this meeting prior to being submitted for adoption by the planning board.

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
1	Yes	N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC?	
2	Yes	Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? **Only answer "N/A" if your municipality does not have any municipally-owned vehicles.**	
3	Yes	Active monitoring management of a municipality's ratable base is fundamental to helping ensure fiscal stability. There should be communication with the municipal tax assessor to ensure that the municipality has sufficient time to factor potential exposure to tax appeal judgements into their budgetary planning. Does your municipality have an established written policy requiring its tax assessor to notify the chief financial officer and the governing body of all tax appeals upon filing, but no later than June 1st each year? The policy should, at minimum, require the assessor's report to break down by property class the number of pending appeals, the current assessed value, and the reduction in assessed value if all appeals were successful. If there are appeals for which complete information is unavailable as of June 1, those appeals should be reported as information becomes available. **Only answer "N/A" if your municipality is in Gloucester County (county assessor pilot program) or participates in the Monmouth County assessment demonstration program.**	

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
4	No	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
5	Yes	The "Director's Ratio" (the average ratio of assessed to true market value) for each municipality as determined by the Director of the Division of Taxation, in the Table of Equalized Valuations promulgated annually pursuant to N.J.S.A. 54:1-35.1. A Director's Ratio of lower than 85 percent generally denotes lack of uniformity in assessments and indicates a need for revaluation. N.J.A.C. 18:12A-1.14. If the ratio of assessed values to market values in your municipality is presently **less than 85%**, has your municipality at minimum awarded a contract for the updating of tax maps and earmarked funds in its budget for the hiring of relevant firms and/or professionals?	
6	Yes	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. Have all of your local elected officials filed their Financial Disclosure Form in 2017 that covers the 2016 calendar year?	
7	Yes	While outside employment by municipal officials can sometimes be acceptable, it is imperative that no conflicts of interest impinge on municipal governance. Does your municipality have 1) an established documented process requiring department heads to submit notice of outside employment, and 2) upon receiving such notice, does your municipality have a documented process within its human resources function to determine whether or not a conflict of interest exists?	

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	Answer	Question	Comments
8	N/A	Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of an authority is often appropriate, and many authorities successfully fulfill their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. N.J.S.A. 40A:5A-20 allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether their existing authorities 1) continue to serve the public interest, and 2) are more efficient than other potential alternatives in providing services and financing public facilities. Within the past year, 1) has the above-referenced discussion appeared as a listed agenda item on a scheduled governing body meeting, and 2) do the findings and conclusion appear in publicly-available meeting minutes? **Please identify the meeting date under "Comments".**	
9	N/A	Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. Have all audit findings from the 2015 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2016 audit? **If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings in 2015.**	
10	N/A	Payments In Lieu of Taxed (PILOTs) are often used as a tool for economic development. It is imperative that municipalities monitor PILOT agreements to ensure recipients complying with all agreement terms, including but not limited to timely payment and reporting. Does your municipality 1) have an official designated to monitor exemptions granted pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.) and Five-Year Exemptions/ Abatements granted pursuant to N.J.S.A. 40A:21-1 et seq., and 2) have in place a documented process for ensuring compliance with the terms of each PILOT agreement?	

Best Practices Worksheet CY 2017/SFY2018

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	Answer	Question	Comments
11	Yes	N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. Further, N.J.S.A. 40A:5-6 requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division? **You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.**	
12	Yes	Pursuant to N.J.S.A. 40A: 2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?	
13	Yes	While the issuance and renewal of bond anticipation notes can be a reasonable and prudent financing mechanism, failing to take advantage of low interest rates on permanent financing can cause municipalities to incur unnecessary carrying costs and inflated costs of issuance. Has your municipality evaluated its outstanding bond anticipation notes and developed a strategy to move toward permanent financing?	

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	Answer	Question	Comments
14	N/A	Pursuant to N.J.S.A. 40A:11-25, the Director of the Division of Local Government Services must approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Prequalification requirements can be fixed according to experience, financial ability, capital, and equipment. Absent Director approval, bid prequalification regulations are of no force and effect and may not be required as a condition of bid acceptance on any public contract. Local Finance Notice 2016-12 goes into further detail concerning prequalification regulations under the Local Public Contracts Law. Is your municipality following the process set forth in N.J.S.A. 40A:11-25, including seeking Director approval prior to implementing and enforcing all prequalification regulations? **"N/A" is only applicable where the municipality has not adopted any prequalification regulations.**	
15	Yes	N.J.A.C. 5:30-3.8(a) requires that the introduced annual municipal budget incorporate a User-Friendly Budget section. Is your municipality providing the public with its introduced User-Friendly Budget at least one week prior to the date of the public hearing on adopting the annual budget?	
16	Yes	Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2016-20? **This question may only be answered N/A if your municipality is under State Supervision or if the Division instructed the municipality to delay budget adoption.**	

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
17	Yes	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? **Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.**	
18	Yes	Is your municipality collecting at least the amount set forth by the Chapter 78 Grid for health benefit contributions (or 1.5% of base salary, whichever is greater) for all officers and employees?	
19	Yes	Payments for waivers filed before May 21, 2010, and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or $5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments lower than the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. Does your municipality 1) refrain from paying waiver payments in excess of the statutory maximum; 2) deduct employee healthcare contribution obligations from the total premium cost when calculating waiver payments; and 3) refrain from incorporating healthcare waiver payments in any labor agreement? **"N/A" is only applicable where the municipality has a policy of not making payments in lieu of health benefits.**	

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
20	Yes	The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). Exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality refrain from paying overtime to employees classified as exempt under the FLSA?	
21	Yes	For any employees covered by a collective bargaining agreement, has your municipality instituted a policy to not compensate said employees for sick leave accumulated after a certain date? If such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining, your answer can be "N/A". If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.	
22	Yes	Has your municipality instituted a written policy to not compensate non-union employees for sick leave accumulated after a certain date?	
23	Yes	Has your municipality adopted an ordinance, resolution, regulation or written policy eliminating longevity awards, bonuses or payments for non-union employees?	

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
24	Yes	For any employees covered by a collective bargaining agreement, has your municipality eliminated all longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing any longevity awards, bonuses or payments for employees hired before a specified date? The answer to this question can be "N/A" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.	
25	Yes	Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years? **If yes, please provide in the Comments section the date of the meeting at which the personnel manual was adopted or updated.**	8/19/2014

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		*Please see Color Key at bottom of sheet for limits on answers*	
	Answer	Question	Comments
	0	Select	
	20	Yes	
	1	No	
	4	N/A	
	25	**Total Answered:**	
	24	Score (Yes + N/A)	
	96%	Score %	
		Chief Administrative Officer's Certification	
		I hereby certify that the information provided in this Best Practices Inventory is accurate	Certification #(s)
		to the best of my knowledge.	
		Name & Title	**Date**
		Jill Gougher, Borough Administrator	**8/18/2017**
		Chief Financial Officer's Certification	
		I hereby certify that the information provided in this Best Practices Inventory is accurate	Certification #(s)
		to the best of my knowledge.	**N-0426**
		Name	**Date**
		James Craft	**8/18/2017**
		Municipal Clerk's Certification	
		I hereby certify that the Governing Body of the Borough of Stone Harbor in the County of	
		Cape May discussed/will discuss the CY 2017/SFY 2018 Best Practice Inventory as	
		completed herein at a public meeting on September 5, with the Inventory results, and the	
		certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to	Certification #(s)
		be stated in the minutes of said public meeting.	**609**
		Name	**Date**
		Suzanne Stanford	**8/18/2017**

Best Practices Worksheet CY 2017/SFY2018

		Stone Harbor Borough (Cape May)	
0510		***Please see Color Key at bottom of sheet for limits on answers***	
	Answer	**Question**	**Comments**
		Red = "Yes; "No"; "N/A answers permitted	
		Green = Only "Yes" and "No" answers permitted	
	Question	**Table of Weblinks**	
	12	http://www.nj.gov/dca/divisions/dlgs/lfns/13/2013-3.pdf	
	14	http://www.nj.gov/dca/divisions/dlgs/lfns/16/2016-12.pdf	
	16	http://www.nj.gov/dca/divisions/dlgs/lfns/16/2016_20.pdf	
	19	http://www.nj.gov/dca/divisions/dlgs/lfns/10/2010-12.doc	
	19	http://www.nj.gov/dca/divisions/dlgs/lfns/16/2016-10.pdf	
	Score	**Aid Withheld**	
	21-25	No Penalty	
	16-20	25% of final CMPTRA and ETR payment withheld	
	11-15	50% of final CMPTRA and ETR payment withheld	
	6-10	75% of final CMPTRA and ETR payment withheld	
	0-5	100% of final CMPTRA and ETR payment withheld	