

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

REGULAR MEETING

TUESDAY

July 17, 2018

4:30 p.m.

ORDINANCE 1527 - Utility Changes INTRO - (motion to withdraw Ordinance No. 1521) (1) Krafczek

ORDINANCE 1528 – Handicapped Parking Space – Museum INTRO (2) Gallagher

Resolution – Appoint Humane Law Enforcement Officer (MHLEO) (3) Parzych

Resolution – Refund Hobie Cat – Armstrong (4) Rich

Resolution – Refund Benjamin (5) Gallagher

Emery

Gleeson

Jones

Krichman

Kroll

Rivera

Ruggiero

Resolution – Wildwood Catholic Use of Fields – Soccer and Tennis (6) Gallagher

Resolution – Firefighters Legislation (7) Parzych

Motion – Re-bid 82nd Street Tennis Court Building No bids received July 11th (8) Gallagher

Motion to re-bid July 17th

Advertise July 20th

Bid Opening August 1st at 10 am

Possible award August 7th

Motion – Special Event – Sixers Shore Tour (9) Rich
Festival of Lights

Resolution - Closed session – matters related to purchase, lease, sale or acquisition of real property (10) Parzych

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

RESOLUTION OF THE BOROUGH OF STONE HARBOR, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY APPOINTING A MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER

WHEREAS, the New Animal Cruelty Enforcement Law, P.L. 2017 c. 331 (the "New Law") was signed into law on January 16, 2018; and

WHEREAS, the New Law revises the enforcement of animal cruelty laws in the State of New Jersey by transferring the power of humane law enforcement from the New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA) and county societies for the prevention of cruelty to animals to a county prosecutor, animal cruelty task force in each county, and a municipal humane law enforcement officer in each municipality; and

WHEREAS, the New Law requires the governing body of each municipality to appoint at least one municipal humane law enforcement officer, approved by the Chief law enforcement officer in the municipality, who is responsible for the animal welfare within the jurisdiction of the municipality and who is to enforce and abide by the animal cruelty laws of the State; and Ordinances of the municipality; and

WHEREAS, Chief Thomas Schutta, Police Chief of the Borough of Stone Harbor, recommends the appointment of Officer Anthony Tirelli to serve as the Municipal Humane Law Enforcement Officer for the Borough of Stone Harbor.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey on this 17th day of July, 2018 that the following individual is hereby appointed to the position of Municipal Law Enforcement Officer.

Officer Anthony Tirelli

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

AUTHORIZING THE REFUND OF SAILCRAFT PERMIT NO. 37

WHEREAS, Thomas Armstrong was issued Sailcraft Permit No. 37; and

WHEREAS, on July 6, 2018 Mr. Armstrong requested a refund (copy attached) of his \$250.00 Sailcraft Permit fee.

NOW, THEREFORE, BE IT RESOLVED on this 17th day of July, 2018 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 #37 fee to Thomas Armstrong 1591 Stocton Road, Meadowbrook, Pa. 19046.

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, 2018

.....

Borough Clerk

The above resolution approved this day of....., 2018

.....

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

AUTHORIZING REFUNDS OF RECREATION SPORTS CLINICS

WHEREAS, the following are requesting refunds from Stone Harbor Recreation, registering and then realizing the Clinics are free

Debbie Benjamin –	Boys Basketball Clinic	\$ 75.00
Heather Emery –	Boys Basketball Clinic	\$ 75.00
Gerald Gleeson -	Boys Basketball Clinic	\$ 75.00
Michele Jones	Girls Basketball Clinic	\$ 75.00
Susan Kroll	Girls & Boys (2) Basketball Clinic	\$225.00
Alex Rivera	Boys Basketball Clinic	\$ 75.00

WHEREAS, Carolyn Krichman registered her daughter for lacrosse clinic and her schedule changed requested \$75.00 refund

WHEREAS, Rita Ruggiero registered her son and daughter and due to scheduling conflicts requested \$70 refund

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey on this 17th day of July, 2018 that the above refunds be approved.

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, 2018

.....

Borough Clerk

The above resolution approved this day of....., 2018

.....
Mayor

(6)

**A RESOLUTION CREATING AN INTERLOCAL SERVICES AGREEMENT WITH
WILDWOOD CATHOLIC HIGH SCHOOL FOR THE USE OF
THE RECREATION FIELDS AND TENNIS COURTS
OF THE BOROUGH OF STONE HARBOR**

WHEREAS, N.J.S.A. 40:8A-1 *et seq.*, authorizes municipalities and school districts to enter into agreements for the purposes of exchanging, sharing and cooperating with regard to services common to said communities through Interlocal Services Agreements ; and

WHEREAS, the Wildwood Catholic High School is in need of services relating to the use of recreational playing fields of the Borough of Stone Harbor for use by its High School soccer teams and the tennis courts for use by its High School tennis teams; and

WHEREAS, the Borough of Stone Harbor has certain lands, equipment and personnel available to meet the needs of the Wildwood Catholic High School in this area; and

WHEREAS, entering into an Interlocal Services Agreement with the Wildwood Catholic High School for this purpose has been deemed to be in the best interests of citizens of the Borough and the students of the Wildwood Catholic High School; and

WHEREAS, in consideration of this Agreement and in an effort to supplement the costs of maintenance of Borough facilities, Wildwood Catholic agrees to pay the Borough the sum of \$1,500.00 per sport, per season.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the preamble of this Resolution is hereby incorporated by reference;

BE IT FURTHER RESOLVED this 17th day of July, 2018 that the Borough of Stone Harbor and Wildwood Catholic High School hereby agree, under the authority of N.J.S.A. 40:8A-1 *et seq.*, as follows:

1. Wildwood Catholic High School agrees to pay the sum of \$ 750.00 per team, per sport, \$1,500 for soccer (boys/girls) and \$1,500 for tennis (boy/girls) for a total of \$3,000 and shall have full access to and use of the recreational ball fields and the tennis courts of the Borough of Stone Harbor located in the vicinity of 80th Street and Second Avenue, for recreational activities officially sanctioned and conducted by the Wildwood Catholic High School and according to the schedules submitted and attached.
2. Soccer teams for the Fall of 2018, games and practices, Tennis Courts for girls tennis season, Fall of 2018 and Boys Tennis, Sprint of 2018. Practice will be every day as of Wednesday August 15th.
3. Such access and use shall be conditioned upon coordination with and approval by the Recreation Director of the Borough of Stone Harbor with the understanding that the activities of the Borough of Stone Harbor Recreation Department take precedence.
4. The term of this Interlocal Services Agreement shall be from July 17, 2018 to October 31, 2018.

5. The Wildwood Catholic High School shall provide to the Borough of Stone Harbor written proof of liability insurance for the aforementioned use of the property of the Borough of Stone Harbor as required by the Atlantic County Joint Insurance Fund; and shall, additionally, hold harmless and indemnify the Borough of Stone Harbor for any and all loses, damages, and claims of whatever nature that may arise out of or in connection with the use of the property by the Wildwood Catholic High School, its sports/recreation participants, agents, contractors, officers and/or employees.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute this Resolution as the Interlocal Services Agreement between the Borough of Stone Harbor and the Wildwood Catholic High School, pursuant to N.J.S.A. 40:8A-1 *et seq.*

Judith M. Davies-Dunhour, Mayor
Borough of Stone Harbor

Wildwood Catholic High School

Attest: _____
Suzanne Stanford, Borough Clerk

Attest: _____

Dated: _____

Dated: _____

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(1)

RESOLUTION

A Resolution Urging the Legislature to Amend S-716, S-477 and S-1766

Whereas: While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written will prove to be very expensive to municipalities, and

Whereas: While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

Whereas: Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

Whereas: The combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal code.

Now therefore be it resolved by the Mayor and Council of the Borough of Stone Harbor that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evident establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current "preponderance of the evidence", and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the Cape May County district, the Governor, the Senate President and the Speaker of the Assembly.

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, 2018

.....
Borough Clerk

The above resolution approved this day of....., 2018

.....
Mayor

Suzanne Stanford

From: Marc Deblasio <marc@deblasioassoc.com>
Sent: Wednesday, July 11, 2018 3:25 PM
To: Jill Gougher; Suzanne Stanford; Miranda Duca; Grant Russ
Cc: Elaine Benincasa; Matt Abrams
Subject: 82nd Street Tennis Court Building-Readvertised

We are proposing the following bid schedule:

1. Motion to Bid: July 17th Council Meeting
2. Advertise for Public Bidding: July 20th
3. Bid Opening: August 1 at 10:00 AM
4. Possible Council Award: August 7th Council Meeting

Please review and let me know if this schedule works for the Borough.

Thank you,

Marc DeBlasio, PE, PP, CME
President

**DEBLASIO &
ASSOCIATES**
CONSULTING ENGINEERS AND PLANNERS

4701 New Jersey Avenue,
Wildwood, NJ 08260

Phone: 609-854-3311
Fax: 609-854-4323

www.deblasioassoc.com

(9)

Date of Application 6/26/18



Borough of Stone Harbor 2018 Special Events Application

Name of Event: Sixers Shore Tour

Date of Event: Saturday, August 25, 2018 Time of Event: 3PM - 6PM

Type of Event: Festival 1K / 5K / Athletic / Bike Race / Marathon Other _____

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A non-refundable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee charged to each organization operating a special event. A contract will then be executed stating the terms and conditions in which both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials. Special events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special event permit. Such special events shall be governed by applicable Borough polices. Borough Council retain the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

APPLICATION REVIEW FEES

- \$50 if filed prior to 60 Days of event
- \$75 if filed prior to 30 Days of event
- \$125 if filed prior to 15 Days of event

Organization is responsible for the non-refundable application review fee. If organization paid the non-refundable deposit with their *Letter of Commitment*, it will be reflected in the event contract following Borough Council approval. Additional event and public land fees may apply. You will be notified of any applicable fees following the review of your application.

2018 EVENT FEES

5k:	\$150 (0-250 Participants)	10k or Triathlons	\$500
(Designated Route Only)	\$250 (250-500 Participants)		
	\$500 (500 Participants or More)		

Event Fees.....\$250 Per Day (1000 Participants and Under) / \$500 Per Day (1000 Participants and Over)

Seasonal use of facilities by Local Schools\$1500 per season / \$750 per season for each additional sport
(No Application Review Fee is required)

Use of 80th St. Fields\$250 per day (Before Friday of Memorial Day and after Labor Day)

Use of 80th St. Fields\$500 per day (first two days) / \$250 per each additional day (Memorial Weekend-Labor Day Weekend)

Use of Recreation Support Building (82nd & Second Avenue).....\$300

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(10)

RESOLUTION

**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 of Stone Harbor 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 related to purchase, lease, sale or acquisition of real property.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on July 17, 2018 that an Executive Session closed to the public shall be held on July 17, 2018 at or about 4:30 P.M. in the Borough Hall of the Borough of Stone Harbor, 9508 Second Avenue, Stone Harbor, New Jersey, for the discussion of matters relating to the specific items designated above.

Official action may be taken as a result of said executive session.

It is anticipated that, in accordance with law and in a timely manner, the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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, 2018

Borough Clerk

The above resolution approved this day of....., 2018

.....
Mayor