

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE

AGENDA REGULAR MEETING

TUESDAY

February 19, 2019

4:30 p.m.

Ordinance

Ordinance 1541 Set Back Ordinance – INTRO (1) Krafczek

Ordinance 1542 - Date Changes – Dogs on the Beach INTRO (2) Parzych

Resolution – Temporary Detective –Tirelli (3) Parzych

Resolution – Sustainable Jersey Grant Application (4) Rich

Resolution – Farmers Market Fee 2019 (5) Gallagher

Resolution- Police Station Change Order #5 (6) Parzych

Resolution – Refund Fire Inspection (7) Levins

Resolution – Refund Fire Inspection (8) Rich

Resolution – Museum Director Services and Agreement (9) Gallagher

Resolution – Summer Leak (10) Moore

Beach Sweep Dates Saturday, April 13th, Saturday October 26th (11) Rich

Resolution – Closed Session (12) Rich

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

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 560-38.D(1)(a) OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF STONE HARBOR AND
REGULATING SETBACK EXCEPTIONS**

WHEREAS, Section 560-38.D(1)(a) of the Zoning Ordinance (the "Ordinance") of the Borough of Stone Harbor (the "Borough") currently permits stairs to be constructed within setback areas; and

WHEREAS, the Stone Harbor Planning Board (the "Planning Board") has determined that the Ordinance should be revised to alter the ability to construct stairs in setbacks, subject to the provisions set forth below.

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

Section 1. Section 560-38.D(1)(a) of the Revised General Ordinances of the Borough of Stone Harbor is amended as follows (insertions are underlined, deletions are ~~stricken~~):

D. Setback exceptions.

(1) Notwithstanding the setback requirements set forth in Article IV above, the following shall be permitted in yard spaces in all zoning districts:

(a) Landings/stairs.

[1] ~~When elevating a building to be~~ For all residential buildings having an elevation at or above base design flood elevation, as defined in Chapter 300, stairs or steps leading to an a first-floor entrance landing or porch shall be permitted in yard spaces in all zoning districts, provided that such landing shall not exceed five feet in width or five feet in depth, and further provided that (i) no such stairs or steps shall be located less than five (5') feet from a front property line or less than 3 1/2 feet from a side or rear property line, except in the Residential C Zoning District, where no such stairs or steps shall be located less than two feet from a side property line; and (ii) stairs or steps located in a front yard setback shall not exceed twenty-five (25%) percent of the building length as defined in Section 560-10.

[2] ~~For all residential buildings having an elevation below design flood elevation as defined in Chapter 300, Sstairs or steps leading directly to ana first-floor entrance landing or to a porch an entrance landing of a building that does not comply with minimum elevation requirements shall be permitted in yard spaces in all zoning districts, provided that such landing shall not exceed five feet in width or five feet in depth and shall not exceed six feet in height, and further provided that (i) no such stairs or steps shall be located less than five feet from a property line, except in the Residential C Zoning District, where no such stairs or steps shall be located less than two feet from a side property line; and (ii) stairs or steps located in a front yard setback shall not exceed twenty-five (25%) percent of the building length as defined in Section 560-10.~~

[3] This Section 560-38.D(1)(a) shall not permit landings to be located in any front yard setback.

[4] Landings not exceeding five (5') feet in length or five (5') feet in width shall be permitted in side yard and rear yard setbacks; provided that no such landing shall (i) be located less than five (5') feet from a property line, except in the Residential C Zoning District, where no such landing shall be located less than two (2') feet from a side or rear property line; nor (ii) be elevated above design flood elevation.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

(2)

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE 1541

AN ORDINANCE AMENDING CHAPTER 147
OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF STONE HARBOR 2005

(Changes for time to Allow Dogs on the Beach
During the Summer by Resolution)

Section 1. Chapter § 147 is hereby amended as follows:

[Amend § 147-7 H (3) as follows]

3. Dogs and other animals, under leash, shall be permitted upon the public sidewalks, public streets and public parking lots at any time. Additionally, dogs and other animals, under leash, shall be permitted upon public oceanfront beaches, but only between October 1 and May 31, inclusive, except as provided in Subsection H(1) above. However, no dog or other animal, under leash or otherwise, shall be permitted on the public beaches from the Friday before Memorial Day thru and including Labor Day. EXCEPTION: Borough Council, may, in its sole discretion, by Resolution, allow dogs upon the oceanfront beaches between June 1 and September 30, under regulations established by Resolution, which may include a leash length of greater than six feet.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 4. 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

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

**APPOINTING ANTHONY TIRELLI
TO THE POSITION OF TEMPORARY DETECTIVE
AS AUTHORIZED BY STONE HARBOR CODE 10-46.1 (b)**

WHEREAS, the Police Administration of the Borough of Stone Harbor in the County of Cape May, State of New Jersey has determined a need for a Temporary Detective within the Police Department as of January 1, 2019; and

WHEREAS, the Public Safety Committee of the Borough has reviewed the request and recommended to Council that same be approved;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled this 15th day of February, 2019, that the appointment of Officer Anthony Tirelli to the position of Temporary Detective is hereby approved in accordance with Stone Harbor Code 10-46.1 (b) beginning January 1, 2019, under and subject to the Rules and Regulations of the Police Department; all applicable Borough Policies and Collective Bargaining Agreement provisions.

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, 2019

Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Stone Harbor strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Stone Harbor is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Council of the Borough of Stone Harbor has determined that the Borough of Stone Harbor should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

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, 2019

.....

Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

A RESOLUTION AUTHORIZING A FEE FOR THE "STONE HARBOR FARMERS MARKET"

WHEREAS, the Borough of Stone Harbor will hold a weekly "Farmer's Market" on Sundays beginning Memorial Day Week-end through Labor Day Week-end at the Water Tower Parking Lot in Stone Harbor; and

WHEREAS, the Farmers Market is in the interests of the citizens of the Borough of Stone Harbor inasmuch as it will generate some revenue and it will provide convenient access to certain goods that are not readily accessible to Borough residents and visitors; and

WHEREAS, all vendors must complete the Stone Harbor Farmers Market Application, read Farmer's Market Rules & Regulations and return completed form and payment check along with photocopies of appropriate permits, insurance certificates and licenses to the Borough before they will be allowed to participate in the Farmers Market.

WHEREAS, it has been recommended that the fee for the Farmers Market be set at \$500.00 per space for the season.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey, duly assembled in public session this 19th day of February, 2019 that the fee of \$500.00 per space for the Stone Harbor Farmers Market 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, 2019

.....
Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor



BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Borough of Stone Harbor is currently under contract with Aliano Brothers General Construction, Inc. 2560 Industrial Way, Vineland, N.J. 08360 for Stone Harbor Police Station Expansion Project Number 05-10-U-072; and

WHEREAS, it is the recommendation of the Remington & Vernick Engineers, to authorize Change Order No. 5 – Reflect Various Changes to date for an increase of \$21,201.00. (Drill hole through block for dryer vent (\$1,917.00)-Supply and install bar Joist to close stair (\$13,521.00) –Supply and install one Steel Beam (\$2,089.00) – Refeed heaters and lighting under T & M (\$1,276.00) – Relocate conduit and wire, outside shower (\$2,398.00)
TOTAL - \$21,201.00

Original Contract Price	\$ 3,999,600.00
Decrease CO #1	\$ 1,271.36
Amended Price	\$ 3,998,328.64
Increase CO #2	\$ 18,191.52
Amended Price	\$ 4,016,520.16
Increase CO #3	\$ 25,516.00
Amended Price	\$ 4,042,036.16
Increase CO #4	\$ 21,254.00
Amended Price	\$ 4,063,290.16
Increase CO #5	\$ 21,201.00
Amended Price	\$ 4,084,491.16

WHEREAS, Change Order No. 5 increased the adjusted contract price amount of \$4,063,290.16 to \$4,084,491.16.

NOW, THEREFORE, BE IT RESOLVED, this 19th day of February, 2019 by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that

Offered by Seconded by
the aforementioned Change Order No. 5 be and hereby is authorized;

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, 2019
BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 5 to increase the amended price by \$ 21,201.00.

Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(1)

RESOLUTION

WHEREAS, the following submitted fees for Fire Inspection and for Rental Registration License (Fire Inspection Fee - \$50.00, Rental Registration License Fee - \$100.00) for 12010 Third Avenue; and

WHEREAS, the property owner of 12010 Third Avenue has notified the Borough that the house has been sold and will be torn down; and

WHEREAS, property owner has requested and the Fire Official has approved the return of said fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor on this 19th day of February, 2019 that the Fire Inspection and Rental Registration License fees amounting to \$150.00 be refunded to the following:

Anna & Leonard Pfeiffer
8208 River Falls Dr.
Potomac, MD 20854

BE IT FURTHER RESOLVED that the Chief Financial Officer shall take any and all steps necessary to effectuate such refund and shall make the proper adjustments to the financial records of the Borough.

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, 2019

.....
Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

(8)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the following submitted fees for Fire Inspection and for Rental Registration License (Fire Inspection Fee - \$50.00, Rental Registration License Fee - \$100.00); and

WHEREAS, the property owner has notified the Borough that the fee was double paid; and

WHEREAS, property owner has requested and the Fire Official has approved the return of said fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the Fire Inspection and Rental Registration License fees amounting to \$150.00 be refunded to the following:

Adam Webber
127 S. 4th Street
Denver, PA 17517

BE IT FURTHER RESOLVED that the Chief Financial Officer shall take any and all steps necessary to effectuate such refund and shall make the proper adjustments to the financial records of the Borough.

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, 2019

.....

Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

RESOLUTION

**Authorizing the Mayor to Sign
Agreement, Funds and Support for Museum Director Services**

WHEREAS, the Mayor and Council of the Borough of Stone Harbor has proposed an Agreement in which the Borough will provide appropriate funds and support for a Museum Director; and

WHEREAS, the Borough Council of the Borough of Stone Harbor hereby approves the Agreement (sections A-O), a copy of which is attached hereto and in consideration will pay the Stone Harbor Museum Twenty – Five Thousand (\$25,000) quarterly, as outlined in the Agreement; and

WHEREAS, and the Chief Financial Officer has certified that funds are available.

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 the Mayor, Judith M. Davies-Dunhour be and hereby is authorized to sign the attached Museum Agreement on this 19th day of February, 2019.

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, 2019

.....
Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

(10)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

COUNCIL MEETING – February 19, 2019

RESOLUTION FOR SUMMER LEAK - ORDINANCE 542-22C

WHEREAS, it has been determined that F-14 Stone Court experienced a summer leak which was appropriately documented; and

WHEREAS, the said leak did not drain into the sanitary collection system; and

WHEREAS, 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 under the provisions of Ordinance 542-22c the 2018 summer usage will be adjusted to the average of the prior three summers consumption for the purpose of calculating 2019 sewer volume charges.

Account #19650
F-14 Stone Court
(Actual Consumption – 9.5)
Averaged Consumption – 4.8

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, 2019

.....
Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor

Suzanne Stanford

From: Alison McCarthy (Clean Ocean Action) <AMcCarthy@cleanoceanaction.org>
Sent: Wednesday, February 06, 2019 12:45 PM
To: Judith Davies-Dunhour
Cc: Suzanne Stanford; Grant Russ; Lisa Cresse; Rebecca Gibula
Subject: Clean Ocean Action 2019 Beach Sweeps



Dear Mayor Davies-Dunhour,

Happy New Year! While it might feel like winter has just begun, spring will be here before you know it! In addition to sunshine and warmer days, springtime also ushers us into Earth Month and Clean Ocean Action's **34th Annual Beach Sweeps**. COA cordially invites you and your town to participate in the **Spring Beach Sweeps on Saturday, April 13th** and the **Fall Beach Sweeps on Saturday, October 26th** from 9:00am to 12:30pm.



In anticipation of the annual Beach Sweeps, COA looks forward to Stone Harbor's participation, which is an integral component for the success of this program. While many municipalities in the state have enacted ordinances to ban certain single-use plastics and public awareness of the issue has grown significantly in the past year, the "plastic plague" in the ocean continues to threaten marine life. The data collected by our citizen scientists turns a one-day event into a legacy of information to combat litter by identifying and monitoring trends, including the ever-growing tide of plastic. This information, compiled within our Beach Sweeps Report, helps find solutions to keep beaches clean and healthy for citizens and marine life and to help create federal, state, and local programs and laws to reduce litter in the environment. The 2018 Annual Beach Sweeps Report will be available in April.

On behalf of COA, thank you for your support and participation in the Beach Sweeps. The success of the Beach Sweeps program illustrates the public's support for a clean ocean, as well as the power of citizen action. The ultimate goal of the program is to eliminate the need for beach cleanups through pollution reduction. We truly appreciate volunteers who are eager to give back to the ocean and collect data which is used to educate the public about marine debris and to advocate for pollution prevention laws and initiatives.

Please contact me at **(732) 872-0111** or at **AMcCarthy@CleanOceanAction.org** to confirm your participation for **both Beach Sweeps dates**, or with any questions you may have regarding Beach Sweeps.

Sincerely,

Alison McCarthy
Coastal Watershed Protection Coordinator
Clean Ocean Action (COA)
18 Hartshorne Drive, Suite 2
Highlands, NJ 07732
(p) 732.872.0111 (f) 732.872.8041
outreach@cleanoceanaction.org
www.cleanoceanaction.org
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(12)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

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 with public funds.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on February 19, 2019 that an Executive Session closed to the public shall be held on February 19, 2019 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 Secoded 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, 2019

.....

Borough Clerk

The above resolution approved this day of....., 2019

.....
Mayor