

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday, July 5, 2022
Borough Hall, 9508 Second Avenue, Stone Harbor

Call to Order: Immediately Following Work Session

Roll Call: Councilmember Moore, Councilmember Parzych, Councilmember Casper, Councilmember Gensemer, Councilmember Dallahan, Councilmember Krafczek

Pledge of Allegiance

Statement of Public Notice: Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same of the Press and the Cape May County Herald on January 5, 2022.

Communications:

Approval of Minutes: Work Session and Regular Meeting ~ June 21, 2022

Public Comment

DOCK HEARING: 8311 Sunset Drive – Andrew Stitzinger

OLD BUSINESS

Bond Ordinance #1610 – 2nd, 3rd & Final

Ordinance #1611 – Amending Chapter 156 - 2nd, 3rd & Final
(Beach Vehicle Permitting)

NEW BUSINESS

Resolution – Authorizing Disposal of Surplus Property

Resolution – Authorizing a Private Handicap Parking Space (Sparks)

Resolution – Emergency Appropriation –Beach Patrol After Hours Program

Resolution – Authorizing Food Truck Festival & Fees

Resolution – Appoint Deputy Clerk

Resolution – Appoint Assistant Borough Administrator

Motion – Approve Seashore Ace Outdoor Furniture Tent Sale – September 3rd and 4th, 2022

Motion - Approve the Bill List & Authorize the CFO to Pay the bills when the funds are available, and the vouchers are properly endorsed.

Discussion: None

Public Comment

Adjournment

Suzanne Stanford

From: a.stitzinger@verizon.net
Sent: Tuesday, June 14, 2022 6:30 AM
To: Suzanne Stanford
Cc: Sue Brown
Subject: 8311 Sunset Drive Dock Modification
Attachments: 8311 Sunset Drive Dock Council Meeting Submission - 2022-06-14.pdf

Suzanne

We will need to schedule to attend a council meeting for that attached dock modification (see attached information). Please let me know if you need anything else before we can be put on the schedule.

Thank you for your help

Andy

-----Original Message-----

From: Suzanne Stanford <StanfordS@shnj.org>
Sent: Wednesday, April 27, 2022 2:23 PM
To: a.stitzinger@verizon.net
Cc: Sue Brown <BrownS@shnj.org>
Subject: FW: Send data from MFP07826438 04/27/2022 08:35

Attached is the information for coming before Council with a dock hearing.
Let me now if you have any questions.

-----Original Message-----

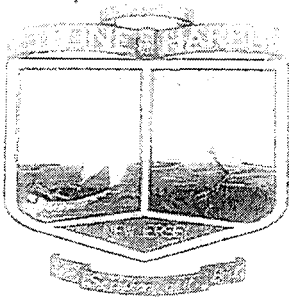
From: Borough of Stone Harbor [mailto:borosh2015@gmail.com]
Sent: Wednesday, April 27, 2022 8:36 AM
To: Suzanne Stanford <StanfordS@shnj.org>
Subject: Send data from MFP07826438 04/27/2022 08:35

Scanned from MFP07826438

Date:04/27/2022 08:35

Pages:1

Resolution:300x300 DPI



BOROUGH OF STONE HARBOR
CONSTRUCTION ZONING
9508 SECOND AVE
STONE HARBOR, NEW JERSEY 08240

DOCKS AND FIXED PIER

Permit # CS10-10-0008.1 LUP210001

Date: 4/2/22

Block: 83.05 Lot: 142

Address: 8311 Sunset Drive

OWNER NAME AND HOME ADDRESS:

Andrew Stitzinger

1252 Adenial Dr

Hatfield, PA 19440

CONTRACTOR'S NAME AND ADDRESS:

(same)

LICENSE# NIA

SIGNATURE Robert G. Kelly

DESCRIPTION OF WORK: Reduce Fixed Dock from 16 ft x 16 ft to 8 ft x 16 ft

Cost of work: $\begin{array}{r} \$ 50 \\ 2,500 \\ \hline \$ 2,550 \end{array}$ - Misc Materials.
- Piling work

OFFICE USE:

PERMIT FEE: _____

CERTIFICATE OF APPROVAL: _____

ZONING FEE: _____

TOTAL FEE: _____

---MAYOR AND COUNCIL APPROVAL DATE:

CONSTRUCTION OFFICIAL

ZONING OFFICIAL



December 15, 2021

Faith Midgarden, Environmental Specialist
fmidgarden@thehylandgroupnj.com
609.398.4477

Borough of Stone Harbor, Construction Official
Borough of Stone Harbor, Construction Official
9508 Second Avenue
Stone Harbor, NJ 08247

RE: Waterfront Development
8311 Sunset Drive
Block 83.05 / Lot 142
Borough of Stone Harbor, Cape May Co., NJ
Project No. SHS-2635.01

To Whom It May Concern:

This letter is to provide you with legal notification that a Waterfront Development Individual Permit application will be submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for development as shown on the enclosed plan. A brief description of the proposed development follows:

The activity for which this application is being submitted involves the authorization of the existing vinyl bulkhead and the proposed dock structures.

The complete permit application package can be reviewed either at the municipal clerk's office or by appointment at the Department's Trenton office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of the date this letter to:

New Jersey Department of Environmental Protection
Division of Land Use Regulation
PO Box 420, Code 501-02A
Trenton, New Jersey 08625
Attn: Borough of Stone Harbor Bureau Chief

Thank you for your attention to this matter.

Sincerely,

Faith Midgarden, Environmental Specialist
The Hyland Group

cc: Borough of Stone Harbor Environmental Commission, Borough of Stone Harbor Planning Board,
Cape May County Planning Department, Cape Atlantic Soil Conservation District, 200ft list.

Reply To:
The Hyland Group
701 West Avenue, Suite 301
Ocean City, NJ 08226
609.398.4477
www.TheHylandGroupNJ.com



BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY, NEW JERSEY

ORDINANCE # 1610

BOND ORDINANCE PROVIDING FOR BEACH IMPROVEMENTS IN AND BY THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$410,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$389,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Borough of Stone Harbor, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$410,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$20,500 as the down payment for said improvement or purpose required by law and now available therefor by virtue of a provision in a previously adopted budget or budgets of the Borough for down payment or capital improvement purposes and being exclusive of certain amounts appropriated therefor by prior ordinances of the Borough.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$410,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$389,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes

of the Borough in a principal amount not exceeding \$389,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of municipally-owned beach property in and by the Borough, including by the replacement of two (2) ADA ramps at 114th Street and 119th Street, together with all engineering, designs, site work, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Borough Clerk and heretofore and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$389,500.

(c) The estimated cost of said purpose is \$410,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$20,500 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$389,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the

governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

APPROVED:

Judith Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

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

ORDINANCE 1611

**AN ORDINANCE AMENDING CHAPTER 156 OF THE GENERAL ORDINANCES OF
THE BOROUGH OF STONE HARBOR**

WHEREAS, the Borough, having acknowledged the importance of maintaining a framework for the effective conservation of the Borough's beaches, specifically Stone Harbor Point, adopted a Conservation Plan in or around 2008; and

WHEREAS, said Conservation Plan was adopted subsequent to litigation involving the Borough as it related to the use of the Borough's beaches and acts as a guideline for Borough regarding its legal obligations, conservation efforts and environmental stewardship; and

WHEREAS, an Ordinance was previously adopted regarding the process by which an individual submits a Beach Vehicle Permit Application that was inconsistent with the Conservation Plan; and

WHEREAS, the Borough Council has also determined that the restrictions regarding the use of vehicles on the beach should be updated to reflect prohibitions on new varieties of motorized vehicles, skateboard, scooters, etc.; and

WHEREAS, Borough Council deems it to be in the best interest of the Citizens of Stone Harbor to amend the within ordinance;

Section 1. Chapter 156-9 is hereby amended to read as follows:

Except as hereinafter provided, it shall be unlawful to place or to operate an automobile, truck, motorcycle, minibike, as well as any motorized bicycle, scooter, skateboard, hoverboard or any other motorized and/or motor vehicle on the beach within the Borough.

Section 2. Chapter 156-12 is hereby amended to read as follows:

The fee for a permit shall be established by the Borough Council by resolution for the season or any portion thereof, for which the application is made. Applications shall be accepted by the Borough Clerk between September 1 and September 30 ~~March 15 of the following year~~. Payment in full shall accompany the applications.

Section 3. 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 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

Judith Davies Dunhour - Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Stone Harbor is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, Cape May County, on this 5th day of July, 2022 as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Public Works Department of the Borough.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is attached.

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Stone Harbor reserves the right to accept or reject any bid submitted.

List Attached: July 5, 2022 – Public Works

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, 2022

.....

Borough Clerk

The above resolution approved this day of....., 2022

.....
Mayor

Kim Stevenson

From: Robert Brewer
Sent: Friday, July 01, 2022 12:06 PM
To: Kim Stevenson
Subject: Re: Resolution for Surplus Property - 7/5/22

Borough Clerk, Stone Harbor,
Please have authorized 1 lot of approximately 40 confiscated/recovered bicycles deemed ok for disposal by Stone Harbor Police Dept. they will be offered for sale as 1 lot on Govdeals.
Respectfully,

Robert Brewer
Supervisor
Stone Harbor DPW
Get [Outlook for Android](#)

From: Kim Stevenson <stevensonk@shnj.org>
Sent: Friday, July 1, 2022 9:50:06 AM
To: Robert Brewer <BrewerR@shnj.org>
Subject: Resolution for Surplus Property - 7/5/22

Good Morning!

Could you please provide me with the back up documentation needed to submit the Resolution Authorizing the Distribution of Surplus property.

I need that information by noon to day. Sorry for the short notice but I have been unable to reach you by telephone this week.

Appreciate your attention to this request.

Sincerely,



Kim Stevenson | Deputy Borough Clerk | Borough of Stone Harbor
9508 Second Avenue, Stone Harbor, NJ 08247
deputyclerk@shnj.org | ph: 609.368.6800 x 2
SHNJ.ORG



BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A Resolution Authorizing a Private, Handicapped Parking Space

WHEREAS, under RGO 520-29, as authorized by New Jersey state statute 39:4-197.6, the Borough of Stone Harbor is empowered to designate private, handicapped parking spaces for drivers who have obtained the proper documentation allowing for access to such parking spaces; and

WHEREAS, William Sparks , with a property located at 8307 Sunset Drive has applied for such a parking spot; and

WHEREAS, William Sparks holds a valid handicapped placard; and

WHEREAS, New Jersey statute 39:4-204.7, calls for New Jersey municipalities allowing private, handicapped parking spaces to grant reciprocity to valid out-of-state placards;

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 5th day of July, 2022, that a private, handicapped parking space be and hereby is approved for installation and designated for the use of Mr. William Sparks at 8307 Sunset Drive, in Stone Harbor.

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, 2022

Borough Clerk

The above resolution approved this day of....., 2022

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

EMERGENCY APPROPRIATON

WHEREAS, an emergency has arisen with respect to the payment of Lifeguard Salaries and Wages due to the need for a Beach Patrol After Hours Program which offers rapid response in a water emergency. The 2022 budget does not contain an adequate appropriation to pay the Lifeguard Salaries for this program. NJS40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$25,000.00 and three (3) percent of the total operating appropriations in the budget for 2022 is \$427,666.66 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2022,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

- 1. An emergency appropriation is here by made for the Lifeguard Salaries and Wages in the amount of \$25,000.00
- 2. That said emergency appropriation shall be provided for in full in the 2023 budget
- 3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

.....

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

A RESOLUTION AUTHORIZING THE ANNUAL STONE HARBOR FOOD TRUCK FESTIVAL AND FEES

WHEREAS, the Borough of Stone Harbor will hold a Food Truck Festival on Saturday, July 30, 2022 from 7:00pm to 10:00pm at the 81st Street Marina Lot in Stone Harbor; and

WHEREAS, the Food Truck Festival will provide safe and convenient access for Borough residents and visitors to view the Stone Harbor Yacht Club Festival of Lights Boat Parade; and

WHEREAS, all vendors must complete the an application to participate, abide by the rules & regulations established 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 Food Truck Festival event.

WHEREAS, it has been recommended that the fee for the Food Truck Festival be set at \$100.00 per truck or 10’ X 10’ tent and \$50.00 for vendors that also participate in the Stone Harbor Farmers Market.

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 5th day of July, 2022 that this Resolution is hereby 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, 2022

.....

The above resolution approved this day of....., 2022

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

DESIGNATING THE APPOINTMENT OF DEPUTY MUNICIPAL CLERK AND
CONFIRMING SAID APPOINTMENT

WHEREAS, pursuant to N.J.S.A. 40A:9-135, the governing body of any municipality may provide for the appointment of a Deputy Municipal Clerk; and

WHEREAS, there exists a need for the appointment of a Deputy Municipal Clerk for the Borough of Stone Harbor, County of Cape May, State of New Jersey, for the purpose of providing the Borough with the duties, tasks and services for the residents.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that Megan Brown be and is hereby appointed Deputy Municipal Clerk of the Borough of Stone Harbor commencing on July 5, 2022.

ADOPTED, at the Regular Meeting of the Borough of Stone Harbor, on July 5, 2022.

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, 2022

Borough Clerk

The above resolution approved this day of....., 2022

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

**A RESOLUTION APPOINTING LISA MARCOLONGO
ASSISTANT ADMINISTRATOR**

WHEREAS, the Mayor and Council of the Borough of Stone Harbor have determined that there is a need to appoint an Assistant Administrator; and

WHEREAS, the Code of the Borough of Stone Harbor, Article V, Section 67, Chapter 19 provides for the Appointment of an Assistant Administrator; and

WHEREAS, the Assistant Administrator shall perform the duties at the direction of the Administrator, said duties including, but not limited to: Management of personnel, inventories and equipment; Budget preparation (current & capital improvement); Procurement; Planning and control; Preparation and implementation of general operating procedures; Information dissemination and such other duties, as assigned by the Administrator, in various departments of the Borough ; and

WHEREAS, the Borough of Stone Harbor finds and determines that Lisa Marcolongo meets and exceeds all qualification requirements for appointment to said position; and

WHEREAS, based on the foregoing, the governing body of the Borough of Stone Harbor has determined that Lisa Marcolongo is qualified to serve as the Assistant Administrator of the Borough of Stone Harbor and will be able to perform the duties of Assistant Administrator.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Stone Harbor that Lisa Marcolongo is hereby appointed Assistant Administrator.

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, 2022

Borough Clerk

The above resolution approved this day of....., 2022

Mayor