

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

<u>AGENDA</u>	<u>March 20, 2012</u>	<u>Regular Meeting</u>
<u>TUESDAY</u>		<u>4:30 pm</u>

REPORTS OF COMMITTEES AND OFFICERS

OLD BUSINESS:

NEW BUSINESS:

- A. ORDINANCE 1401 – Change number- Flags (Ordinance 1384 passed July 11, 2011 added the Chamber of Commerce Flag to “permitted flags” in the business district. In the meantime, Zoning Ordinance was completely redone and somehow “Awnings and flags”, the old version was put in. This will just change the Section number so General Code can place Ordinance 1384 in the correct section. INTRO
- B. Resolution – Mandatory Source Separation
- C. Resolution – Tax Identification Certification
- D. Appoint Mayor - Council Member to Museum
- E. Motion – Authorize Mayor to execute form requested by Margaret Brown, so there DEP application can be approved – bulkhead – 360 – 104<sup>th</sup> Street
- F. Motion – Authorize Solicitor & Engineer to prepare a street vacation ordinance bulkhead – 360 – 104<sup>th</sup> Street
- G. Motion – Special Event – Quarterback Scramble 5 K, Jaws Youth Playbook, July 29, 2012

DISCUSSION

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

**ORDINANCE NO. 1401**

**AN ORDINANCE AMENDING ORDINANCE 1394 (CHAPTER 560, SECTION 41 OF THE REVISED GENERAL ORDINANCES)  
TO INCLUDE AMENDMENTS CONTAINED IN ORDINANCE 1384  
(Flags in the Business District)**

**Section 1.**

**WHEREAS**, Ordinance 1394 (Zoning Ordinance) was adopted on December 6, 2011 and is collectively referred to as Chapter 560 of the Revised General Ordinances to the Borough of Stone Harbor; and

**WHEREAS**, Ordinance 1384 (Flags in the Business District) was adopted on July 19, 2011 and amended Chapter 560 (Zoning) of the Revised General Ordinances to add the Stone Harbor Chamber of Commerce Flag as a "permitted flag;" and

**WHEREAS**, Ordinance 1394 (Zoning Ordinances) did not include the amendment made in Ordinance 1384 and shall be amended as follows:

**§560-41. Awnings and Flags**

**Retractable awnings of canvas or similar material and all permitted flags shall be allowed to extend over a portion of the sidewalk in business and light industry districts. However, the lowest portion of the awning or flag, which extends over the sidewalk, shall be no lower than seven feet above the level of the sidewalk. No portion of the awning or flagpole shall extend outward from the building further than six feet. No flag shall exceed either five feet in length or three feet in width and no more than one flag may be flown by any business or industry at one time. "Open" flags are permitted all year in business districts. "Open" flags are those flags which indicate the business is open. A "permitted flag," as the term is used in this section, is limited to a flag of the United States of America, of the State of New Jersey, of the Borough of Stone Harbor, or of the Stone Harbor Chamber of Commerce.**

**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 adoption and publication in accordance with law.

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c 102 has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grant to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as conditions for applying for tonnage grants including, but not limited to making and keeping accurate, verifiable records of material collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2011 tonnage grant in calendar year 2012 will memorialize the commitment of this municipality to recycling and indicate the assent of Members of Council of the Borough of Stone Harbor to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor that the Borough of Stone Harbor hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Gregory Sheeran, Director of Public Works, 9508 Second Avenue, Stone Harbor, N.J. 08247 to ensure that the said application is properly filed.

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

# BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

## RESOLUTION

### TAX IDENTIFICATION CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.O. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor that the Borough of Stone Harbor hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2011 in the amount of \$ 5,950.44. Documentation supporting this submission is available at Department of Public Works and shall be maintained for no less than five years from this date.

Tax Identification Statement certified by: James Nicola  
Name of official: James Nicola  
Title of official: CFO  
Date March 20, 2012

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 ....., 2012

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2012

.....  
Mayor

cc: Greg, Joyce, Frank

# BOROUGH OF STONE HARBOR

## SPECIAL EVENTS ON PUBLIC LANDS

(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 Council pursuant to Chapter 275 of the Borough of Stone Harbor Municipal Code.)

### LICENSE APPLICATION (Chapter 275)

**\$60.00 For the Permit Application Fee.**  
**All Permit Fees Shall Be Paid To Borough Clerk When Application Is Filed.**  
**Application Should Be Filed At Least 60 Days Before The Date Set For The Special Event.**  
**Attach Certificate of Insurance Naming the Borough of Stone Harbor as Certificate Holder and/or Additional Insured.**

DATE OF APPLICATION: 2/24/2012 FEE PAID: \$ 60.00  
Should be filed 60 Days Before the Date of Event

TYPE OF EVENT: Quarterback Scramble 5K  
Please Describe

DATE(S)/TIME(S) OF EVENT: July 29, 2012 7:30 AM Registration  
9:00 AM Start 5K  
Please Describe

LOCATION OF EVENT: 82nd Street Park & Race Course ADMISSION FEE (If Any): \$25 Adult  
\$20 Child  
\$10 Trolley

REGISTRATION FEE TO PARTICIPATE IN EVENT (If Any): \$ \_\_\_\_\_

Applications must be complete, including contact information, in order to be considered filed.

SPONSOR'S NAME: Jaws Youth Playbook PHONE#: 856-848-4437  
Please Print Name of Person, Association, Corporation, Firm, etc.

SPONSOR'S ADDRESS: 270 Eagle Point Rd West Deptford NJ 08086  
Street Address PO Box No. City State Zip Code

CONTACT PERSON: Jessica Myers

CONTACT PERSON'S PHONE #: 856-848-4437 cell # 856-275-6614

ESTIMATE OF DAILY CROWD EXPECTED: 1,000

SECURITY MEASURES TO BE INSTITUTED BY SPONSOR FOR CROWD AND TRAFFIC CONTROL:  
A team of (100) volunteers, including parking/traffic volunteers

	Fees.
- Application Filing Fee	\$60.00 per event
- Seasonal Use by Local Schools	\$1,500.00 per season
- Charity Organizations	\$750.00 per season for second sport
- Use of Fields	\$60.00 Application Fee (No other fees to be assessed)
- Use of Fields	\$500.00 per day (first two days) \$250.00 per day each additional day
- Use of Fields	\$250.00 per day if before Memorial Day and after Labor Day and if the event is hosted by an Organization headquartered in Cape May County with at least five members from Stone Harbor.
- Chamber of Commerce	\$60.00 application fee for all Events

**Section 275-4. Exceptions.**  
A. Special Events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for a special event permit. Such special events shall be governed by applicable Borough policies. Additionally, Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

**Continuation- Special Event – page 2**

**PLEASE LIST ALL VENDOR'S (FOOD, NOVELTY, CONCESSION, ETC.) THAT WILL BE PROVIDING SERVICES AT THE EVENT:**

<u>NAME OF OPERATOR</u>	<u>OPERATOR'S ADDRESS/PHONE NUMBER</u>	<u>PROPOSED ACTIVITY</u>

**Food Festival Events – Cape May County Department of Health**

All food vendors are subject to regulation in Chapter XII N.J.A.C. 8:24-8 and 9 in order to operate. The filing fee for a Food Festival Event is \$25.00 and must be filed with the County Health Department at least fourteen (14) days before the event involving five (5) or fewer booths and thirty (30) days prior to an event involving more than five (5) booths. Applications are on file in the Borough Clerk's Office.

**Open Flame – Barbeque – Permit Fees**

The Uniform Fire Code States: Permits shall be required and obtained from the local enforcing agency for activities pursuant to N.J.A.C. 5:70-2.7(a). Applications for a permit are on file in the Borough Clerk's Office.

**PLEASE LIST ANY SPECIAL REQUEST YOU WOULD NEED FOR YOUR EVENT (Example: Police, Rescue Squad, Use of Standard Electric, Bathrooms, etc.):**

*Police assistance with traffic for race course. Electric on-site at 82nd Street Park. Bathroom (same as years past). Rescue Squad has volunteered in part, we would appreciate their assistance in 2012*

- Section 275-2 Regulations**
- A. No special event shall be held on public lands pursuant to this article without the approval of the governing body.
  - B. No special event shall be held on public lands pursuant to this article until a special events permit has been issued by the Borough Clerk.
  - C. No alcoholic beverages shall be sold or distributed on the public lands pursuant to this article.
  - D. The applicant for a special events permit shall provide liability insurance in the amount of \$1,000,000.00, which covers the special event. The Borough of Stone Harbor shall be named as an additional insured under the policy of insurance. Proof of said insurance shall be filed with the Borough Clerk before the permits are issued. The governing body may lower or waive the insurance requirement by resolution approving the special event when the liability risks are minimal for the type of special event approved.
  - E. The applicant must execute an indemnification agreement with the Borough of Stone Harbor which agrees to indemnify and save the Borough harmless from all liability related to the special event. The form of agreement is attached to this Application.
  - F. The permittee shall comply with these regulations, all conditions imposed, and all applicable state and local laws and regulations.
  - I. Except as otherwise provided herein, all persons shall comply with all applicable ordinances regulating the use of public lands including those regulations contained in Chapter 275 of the Code of the Borough of Stone Harbor.

**NOTICE TO APPLICANT'S SPONSORING**  
**SPECIAL EVENTS ON PUBLIC LANDS**

The completed Special Event Permit on Public Lands Application Must be received by the Borough Clerk's Office 60 days Prior to the Special Event.

Application will not be approved unless the following documentation is attached:

An Appropriate Certificate of Liability Insurance naming the Borough of Stone Harbor as Additionally Insured must be submitted from the Sponsor of the Special Event as follows in the amount as indicated below:

**Non-Alcohol Events**

**\$ 1,000,000.00**

The vendor application must include all the required documentation attached (written consent from Sponsor, State of New Jersey Tax Sale Certificate, Board of Health Certificate, copy of driver's license, copy of vehicle registration, etc.). In addition, each vendor must provide a Certificate of Liability Insurance naming the Borough of Stone Harbor as Additionally Insured in the amount as indicated above.

**INDEMNITY CLAUSE**

**(Hold Harmless Agreement)**

To the fullest extent permitted by law, JAWS Youth Playbook agrees to defend,  
(Name of Facility User)

pay on behalf of, indemnify, and hold harmless the Borough of Stone Harbor, its elected and appointed officials, its agents, employees and volunteers and others working on behalf of the Borough of Stone Harbor against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Borough of Stone Harbor, its elected and appointed officials, its agents, employees, volunteers or others working on behalf of the Borough of Stone Harbor, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with the use of

SIGNATURE OF APPLICANT: \_\_\_\_\_

Signature

Date

2/26/12



**BOROUGH OF STONE HARBOR**  
**APPLICATION FOR SIGN/BANNER ON PUBLIC PROPERTY**

Applicant's Name JAWP Youth Playbook (Jessica Myers)

Address 270 Eagle Point Road, West Deptford NJ 08086

Phone # 856-848-4437

Location of Signs/Banner 96<sup>th</sup> Street (Same as 2011)

Dates requested for Sign/Banner to be up (2) weeks  
(Time Limited to two (2) weeks)

Wording on Sign (exactly) 2012 QB Scramble

FOR BANNERS OVER 96<sup>TH</sup> STREET, 36 INCHES HIGH, UP TO AND NO MORE THAN 30 FEET WIDE, GROMETS TOP AND BOTTOM APPROXIMATELY 18 INCHES APART, WIND HOLES IF POSSIBLE.

**SIGNS ARE TO BE REMOVED THE DAY AFTER THE EVENT ENDS**

Approval date \_\_\_\_\_

Denied \_\_\_\_\_ Reason \_\_\_\_\_



**BOROUGH OF STONE HARBOR**  
 9508 SECOND AVENUE  
 STONE HARBOR, NEW JERSEY 08247

**REQUEST FOR USE OF BOROUGH'S GOVERNMENT CHANNEL 2**

APPLICANT/ORGANIZATION NAME: Jaws Youth Playbook  
 CONTACT PERSON: JESS MURPHY  
 CONTACT DAYTIME PHONE & E-MAIL: 856-848-4437 jess@rtdjawsjski.com

**NOTE:** When composing a message, the writer should be brief and use standard abbreviations whenever possible. Each message shall be submitted on a separate form and shall contain a headline. The headline shall briefly convey the main idea of the message. It should attract attention and encourage the viewer to read the message. **For Example:**

**STONE HARBOR CHAMBER OF COMMERCE  
 FREE CONCERT**  
 Sun. June 17 2:30 – 3:30  
 Stone Harbor Recreational Field  
 Info call 609-368-6101

MESSAGE REQUESTED: Jaws Youth Playbook SK Stone Harbor  
Recreational Field Sunday July 29<sup>th</sup> 8:00am Info call  
856-848-4437 or visit [www.jawyouthplaybook.org](http://www.jawyouthplaybook.org)

If you wish to use photographs, they must be in digital format. Please note, photographs will not be returned. Number of photographs attached:

If your request is to run a video, it must be on a DVD and include the exact amount of run time:  
 \_\_\_\_\_ Minutes \_\_\_\_\_ Seconds.

Please note, DVDs will not be returned.

Date requested for message to run:

Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

All requests shall be submitted to the Borough Clerk's Office **NOT LESS** than seven (7) days, but **NOT MORE** than fifteen (15) days before the requested display date.

I, the undersigned, hereby request use of the Borough of Stone Harbor's Public Access Channel 2, acknowledge that I have read the attached guidelines for use, and that I am authorized to submit this message on behalf of the organization listed above.

X [Signature] Date: 2/26/12  
 Signature \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_  
 Tourism Director Approval