

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday, May 16th
Borough Hall, 9508 Second Avenue, Stone Harbor

Call to Order: Immediately Following Work Session

Roll Call: Councilmember Dallahan, Councilman Foschini, Councilmember Parzych, Councilmember Casper, Councilmember Gensemer, Councilmember Moore

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 4, 2023.

Salute the Flag

Communications:

Approval of Minutes: Regular Meeting April 18, 2023

Public Comment

OLD BUSINESS

Ordinance 1629 – Salary Ordinance – *2nd, 3rd & Final*

Ordinance 1634 – Amending Chapter 67, Article I – “Borough Clerk” - *2nd, 3rd & Final.*

Ordinance 1635 – Amending Chapter 365 – Marriage and Civil Union Ceremonies- *2nd, 3rd & Final.*

Ordinance 1636 – Amending Chapter 205 & 205A to Comply with Senate Bill S-1368 – Insurance Requirements - *2nd, 3rd & Final.*

Ordinance 1637 — Establishing a New Chapter Allowing for Restricted Areas in Buildings Where Municipal Operations are Being Conducted - *2nd, 3rd & Final.*

Ordinance 1638 – Amending Chapter 67, Article IV of the General Ordinances Pertaining to the Office of Borough Administrator - *2nd, 3rd & Final.*

Ordinance 1639 – Bond Ordinance – Water Improvements – IBank \$7,500,000 - *2nd, 3rd & Final*

NEW BUSINESS

Ordinance 1643- Appropriating \$325,000 from the Capital Improvement fund- reserve for beach replenishment- *Introduction*

Resolution 2023-S-123 – Refund Hydrant meter rental deposit \$1500

Resolution 2023-S-124– Refund Boat Trailer Storage Permit - \$150 & Boat Slip Permit \$1900- Mark Fulton

Resolution 2023-S-125– Refund Crafternoon Fee- Catherine Dougherty- \$60

Resolution 2023-S-126- Refund for soccer camp- Devon Smith- \$180

Resolution 2023-S-127- Authorize DeBlasio & Associates to apply for 2023 FY State Aid- 96th Street

Resolution 2023-S-128- Extend Interim Deputy Clerk – 90 days

Resolution 2023-S-129- Appoint Full Time Police officer Steven Michael Myers (June 30th)

Resolution 2023-S-130- Acceptance of ARPA Award and Execution of Grant Agreement

Resolution 2023-S-131- Approve Raffle License for American Legion RA#2023-01

Resolution 2023-S-132 Approve Raffle License for American Legion RA #2023-02

Motion- Approve Special Event application- Mens Softball

Motion- Participate in “Safe Alliance” Campaign

Motion- Authorize Mayor to sign letter for Energy Tax Credit

Motion- Authorize DeBlasio & Associates to Bid IBank Project

- Motion: May 16, 2023
- Bid Advertisement: On or about June 1, 2023
- Bid Opening: On or about June 15th, 2023
- Award: On or about June 20, 2023

Motion- To Bid Use of Beach Stand for Hotel/Motel Beach Storage Sheds, 96th Street & 98th Street (Storage Shed Size to be included in Bid Specifications – 10X12X8)

- Motion: May 16, 2023
- Bid Advertisement: May 24th 2023
- Bid Opening: June 6th, 2023
- Award: June 6th, 2023

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

Resolution 2023-S-133- Closed Session- Attorney Client Privilege

Discussion:

Public Comment

Adjournment

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

ORDINANCE NO. 1643

**ORDINANCE APPROPRIATING \$325,00.00
FROM THE CAPITAL IMPROVEMENT FUND –
RESERVE FOR BEACH REPLENISHMENT
FOR BEACH RENOURISHMENT**

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

Section 1. \$325,000.00 is hereby appropriated from the Capital Improvement Fund – Reserve for Beach Replenishment for the following items:

Beach Renourishment \$325,000.00

Beach Renourishment are bondable capital improvement with a useful life that exceeds the minimum of five (5) years.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital 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. To the extent that the purpose authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

APPROVED:

Judith M. Davies- Dunhour, Mayor

ATTEST:

Borough Clerk

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-123

REFUND \$1500.00 HYDRANT METER RENTAL DEPOSIT

WHEREAS, pursuant to RGO 542-13B of the Borough’s General Code, Aliano Brothers General Contractors Inc., paid a refundable \$1500.00 hydrant meter rental deposit; and

WHEREAS, upon completion of the local improvement, the hydrant meter was returned to Public Works; and

WHEREAS, the Utilities Collector has requested that a refund be issued; and

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 a refund in the amount of \$1,500.00 be issued to Aliano Brothers Contractor Inc., 2560 Industrial Way Suite A, Vineland NJ 08360 and;

BE IT FURTHER RESOLVED that the Utilities Collector makes the proper adjustment to her records.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

.....
Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-124

WHEREAS, Mark Fulton of 285 Park Place Media, PA 19063 rented boat slip # 76 and boat trailer slip # 14C at the Borough Marina; and

WHEREAS, Mr. Fulton has notified the Borough that he has a medical emergency and has requested a refund of \$1,900 for the boat slip and \$150.00 for the trailer slip.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 16th day of May 2023 that \$ 2,050 be refunded to Mark Fulton and that the proper officers make the proper adjustments in their records.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-125

WHEREAS, Catherine Dougherty of 42 Robin Drive, Cape May Court House, NJ 08210 registered for the after school “Crafternoon” program through Rec Desk for April 17th 2023 and April 24th 2023.

WHEREAS, Mrs. Dougherty is due a refund of the registration fee since the program was cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 16th day of May 2023 that \$60, be refunded to Catherine Dougherty and that the proper officers make the proper adjustments in their records.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-126

WHEREAS, Devon Smith of 566 Upper Weadley Road, Wayne PA 19087 registered for the Soccer program through Rec Desk for Summer 2023.

WHEREAS, Mrs. Smith noticed a schedule conflict and requested a refund of the fee she paid.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 16th day of May 2023 that \$180, be refunded to Devon Smith and that the proper officers make the proper adjustments in their records.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-127

**AUTHORIZING DEBLASIO & ASSOCIATES TO APPLY FOR 2023 FY STATE
AID- RECONSTRUCTION OF 96TH STREET**

WHEREAS, The NJDOT has announced that they are accepting State Aid applications for Roadways, Bikeways, Pedestrian, Safe Streets to Transit and Transit Village projects and;

WHEREAS, the Borough was previously notified by the NJDOT that \$200,000 was allocated for the reconstruction of 96th Street from Third Avenue to Second Avenue and;

WHEREAS, the applications are due June 2, 2023 and the reference number is LTPT- Stone Harbor Borough 00168.

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 on this 16th day of May, 2023 that the Borough Engineer, DeBlasio & Associates, is hereby authorized to apply for said Municipal Aid for the reconstruction of 96th Street.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May, 2023

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-128

**AUTHORIZING THE EXTENSION OF THE APPOINTMENT OF A TEMPORARY
DEPUTY CLERK**

WHEREAS, on or about May 2, 2023, the Borough of Stone Harbor had a vacancy for the position of Deputy Borough Clerk, the position having become vacant without adequate opportunity to find a suitable replacement or alternate who could fulfill the duties of Deputy Borough Clerk or that of the Borough Clerk in the temporary unavailability of the same; and

WHEREAS, the Borough Council of the Borough of Stone Harbor determined, by way of Resolution No. 2023-S-112, that the day to day operations of the Borough required an individual to serve in such a capacity in the event of the absence and/or unavailability of the Borough Clerk and appointed Megan Brown to serve in the capacity as Deputy Borough Clerk on an interim basis until June 5, 2023; and

WHEREAS, the Borough has determined it to be in the best interests of the public and the operations of the Borough to extend that interim appointment until September 5, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 16th day of May 2023, as follows:

1. The interim appointment of Megan Brown as Deputy Clerk for the Borough is hereby extended until September 5, 2023.
2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves this resolution
3. That the Mayor and the newly appointed interim Deputy Clerk are hereby authorized and directed to sign said Resolution;
4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the enforcement of the provisions adopted pursuant to this Resolution.
5. That notice of this Resolution shall be published according to law.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

.....
Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-129

APPOINTING FULL-TIME POLICE OFFICER

WHEREAS, the Chief of Police, Thomas J. Schutta has recommended to the Public Safety Committee the hiring of Steven Michael Myers for the position of full-time police officer for the Borough of Stone Harbor; and

WHEREAS, the Public Safety Committee recommends that Borough Council make this appointment.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey on this 16th day of May, 2023 that Steven Michael Myers is hereby appointed as a full-time permanent member of the Stone Harbor Police Department effective June 30, 2023.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th Day of May 2023

.....
Borough Clerk

The above resolution approved this 16th Day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-130

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARDED BY THE COUNTY OF CAPE MAY, THE AMERICAN RESCUE PLAN ACT INFRASTRUCTURE GRANT TO THE BOROUGH OF STONE HARBOR

WHEREAS, the Borough of Stone Harbor, Public Works Department, submitted an application to the Cape May County American Rescue Plan Act (ARPA) Infrastructure Grant in connection with projects regarding wastewater conveyance upgrades and for stormwater and flood mitigation efforts; and

WHEREAS, the scope and details of two (2) projects are outlined herein as listed below and more particularly described in the annexed Exhibit “A” (Applications and Resolution 2023-S-73)

- 1. 114th Street Sanitary Sewer Pump Station Replacement
- 2. 93rd-95th Street Storm Sewer Tide Valve Installation

WHEREAS, The County has awarded the Borough of Stone Harbor a grant for funding in an amount not to exceed Four Hundred Thousand (\$400,000.00) Dollars for the projects listed in Exhibit “A”;

WHEREAS, the Grant awarded incorporates all conditions and representations contained or made in the application and the award agreement entitled “Subrecipient Grant Agreement American Rescue Plan Act Infrastructure Grant” a copy annexed hereto as Exhibit “B”; and

WHEREAS, the Borough of Stone Harbor accepts the award of said grant for the purpose of improvements to its water, sanitary sewer and storm water projects;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 16th day of May 2023, as follows:

- 1. That the provisions of the above preamble of this Resolution are hereby incorporated herein, by this reference, as if set forth at length.
- 2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves the acceptance of the Cape May County American Rescue Plan Act (ARPA) Infrastructure Grant;
- 3. That the Mayor and Municipal Clerk are hereby authorized and directed to sign said Resolution;
- 4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the execution of said agreement.
- 5. That notice of this Resolution shall be published according to law

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
Councilmember Dallahan							
Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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 16th day of May 2023

.....
Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-131

WHEREAS, the American Legion Stephen C. Ludlam Post 331 made application on February 2, 2023 for a Raffle License; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval to American Legion Stephen C. Ludlam Post 331 for holding of said Raffle License #2023-01 (11/11/2023);

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey this 16th Day of May, 2023 as follows:

- 1. That the Borough Council issue to the American Legion Stephen C. Ludlam Post 331 a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council for an application made by said American Legion Stephen C. Ludlam Post 331; and
- 2. That the Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the American Legion Stephen C. Ludlam Post 331 in accordance with the application made therefor.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Councilmember Foschini							
Councilmember Parzych							
Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-132

WHEREAS, the American Legion Stephen C. Ludlam Post 331 made application on February 2, 2023 for a Raffle License; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval to American Legion Stephen C. Ludlam Post 331 for holding of said Raffle License #2023-02 (10/4/2023)

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey this 16th Day of May, 2023 as follows:

1. That the Borough Council issue to the American Legion Stephen C. Ludlam Post 331 a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council for an application made by said American Legion Stephen C. Ludlam Post 331; and

2. That the Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the American Legion Stephen C. Ludlam Post 331 in accordance with the application made therefor.

	<u>MOTION</u>	<u>SECOND</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSE</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Councilmember Foschini							
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Councilmember Gensemer							
Councilmember Moore							

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 16th Day of May 2023

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Borough Clerk

The above resolution approved this 16th day of May 2023

.....
Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-133

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. Attorney Client Privilege

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on May 16, 2023 that an Executive Session closed to the public shall be held on May 16, 2023 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.

Table with 8 columns: Councilmember Name, MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT. Rows include Councilmembers Dallahan, Foschini, Parzych, Casper, Gensemer, and Moore.

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 16th Day of May 2023

Borough Clerk

The above resolution approved this 16th day of May 2023

Mayor