

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday June 6th, 2023
Borough Hall, 9508 Second Avenue, Stone Harbor

Call to Order: Immediately Following Work Session

Roll Call: Councilmember 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 18th, 2023 & Work Session/Regular Meeting ~ May 2nd, 2023

Public Comment

OLD BUSINESS

None

NEW BUSINESS

Resolution 2023-S-134- Amending 2023 Budget for the DCA Local Recreation Improvement Grant- \$78,000

Resolution 2023-S-135- Amending 2023 Budget for \$400,000 for the CMC ARPA Infrastructure Grant.

Resolution 2023-S-136- Authorizing contract for Carahsoft (PD Camera Project)

Resolution 2023-S-137-Amending Salary Ordinance to include Wage Increase for Beach Patrol and Seasonal Employees

Resolution 2023-S-138- Authorizing the renewal of a club license to 222-81st LLC

Resolution 2023-S-139- Authorizing the renewal of a Plenary Consumption License to Stone Harbor Square, LLC

Resolution 2023-S-140- Authorizing the renewal of a Plenary Consumption License to Shelter Haven Hospitality, Inc.

Resolution 2023-S-141- Authorizing the renewal of a Plenary Consumption License to Fred's Tavern & Liquor Store, Inc.

Resolution 2023-S-142- Authorizing overnight parking to Golden Shores Unit Owners until Sept 30th (in Lot across the Street)

Resolution 2023-S-143- Award a professional service contract with Moore Consulting Engineers, LLC

Resolution 2023-S-144- Authorizing the Amendment of Professional Services Contract for Labor Counsel for the Borough of Stone Harbor

Resolution 2023-S-145- Acknowledging extraordinary donation made by Larry L. Luing family foundation to Cape Regional Health System

Resolution 2023-S-146- Determining the form & details and providing for their sale of \$7.5 Million water bonds & Authorizing execution of the agreements.

Resolution 2023-S-147- Authorizing a refund to Michael & Ann Ramage for overpayment of property taxes.

Resolution 2023-S-148- Authorizing a refund to Jon Dougherty for Boat Slip #63 at the Municipal Marina.

Motion- Appoint William Righter as Zoning Board Alternate II

Motion – Approve Special Event Applications:

- Corpus Christi Procession- St Brendan the Navigator 6/11/2023
- Stone Harbor Elementary School PTC Carnival- 6/13/23 830-1230
Rain (6/14/2023)
- SHPOA 5k Race- 8/20/2023

Motion - Approve the Bill List & Authorize the CFO to Pay the bills when the funds are available, and the vouchers are properly endorsed (May 16th/ June 6th)

Resolution 2023-S-149- Closed session- Potential litigation regarding lot grading ordinance

Discussion:

Public Comment

Adjournment

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-134

**A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS, (N.J.S.A. 40A:4-87), STATE OF NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS FOR LOCAL RECREATION IMPROVEMENT GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, hereby requests the Director of the Department of Community Affairs, Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023 in the amount of Seventy-Eight Thousand Dollars (\$78,000.00) which is now available as revenue from the State of New Jersey Department of Community Affairs Local Recreation Improvement Grant for improvements to the 97th Street playground facilities

BE IT FURTHER RESOLVED that the like sum of Seventy-Eight Thousand Dollars (\$78,000.00) and the same is hereby appropriated under the caption "Local Recreation Improvement Grant."

BE IT FURTHER RESOLVED that the above is the result of a grant from the State of New Jersey Department of Community Affairs in the amount of Seventy-Eight Thousand Dollars (\$78,000.00).

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-135

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS, (N.J.S.A. 40A:4-87), CAPE MAY COUNTY AMERICAN RESCUE PLAN ACT INFRASTRUCTURE GRANT AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, hereby requests the Director of the Department of Community Affairs, Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2023 in the amount of Four Hundred Thousand Dollars (\$400,000.00) which is now available as revenue from the Cape May County American Rescue Plan Act Infrastructure Grant for an infrastructure project designed for adequate water service to a large portion of the community.

BE IT FURTHER RESOLVED that the like sum of Four Hundred Thousand Dollars (\$400,000.00) and the same is hereby appropriated under the caption “ARPA Infrastructure Grant.”

BE IT FURTHER RESOLVED that the above is the result of a grant from the Cape May County American Rescue Plan Act Infrastructure Grant in the amount of Four Hundred Thousand Dollars (\$400,000.00).

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the Grant Agreement in order to appropriately accept the grant funds detailed herein.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-136

AWARDING A CONTRACT WITH CARAHSOFT TECHNOLOGY CORP

WHEREAS, quotes were provided to the Stone Harbor Police Department which specifications are hereby incorporated herein by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, the Borough desires to improve Public Safety through the installation of roadside cameras throughout key locations of the Borough which will also assist the OEM in determining flood potential; and

WHEREAS, the quote submitted by Carahsoft Technology Corp is in the amount of \$212,014.97, with contract number 19-COMP-00601; and

WHEREAS, the Borough Council has reviewed the recommendations made by the Police Department on said quote; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer’s Certification attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey duly assembled in public session on the 6th Day of June and that the PO for the purchase of quoted camera equipment and all materials specified in the Quote dated March 13, 2023 which specifications are hereby incorporated herein by reference, be and the same is hereby awarded to Carahsoft Technology for the stated quote amount of \$212.014.97.

BE IT FURTHER RESOLVED that the Borough is hereby authorized and directed to execute the P.O. for same in accordance with the quote submitted and incorporated herein as stated above.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-137

WAGE RATES FOR BEACH PATROL AND SEASONAL EMPLOYEES

WHEREAS, the Borough of Stone Harbor maintains a Beach Patrol for the protection of the health, safety and welfare of beach-goers during the summer season and also maintains a contingent of beach tag personnel in order to enforce the Borough’s beach tag ordinance and provide convenient points of sale of beach tags to visitors; and

WHEREAS, the Public Safety Committee of Borough Council has determined that it is in the best interests of the Borough to provide a more competitive wage scheduled, complete with certain incentives, in order to continue to attract qualified and committed persons to serve as lifeguards, beach tag personnel, in our police department, in our recreation department, solid waste department, public works department and fire department.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 6th Day of June, 2023 as follows:

- 1. That the preamble of this Resolution is hereby incorporated herein by reference;
- 2. That members of the Beach Patrol be compensated for work during the 2023 season in accordance with the following schedule

Seasonal Employees Salary Resolution

<u>Beach Patrol:</u>	<u>2022 Rate</u>	<u>2023 Rate</u>
1st year of service	\$ 163.00	\$ 163.00
2nd year of Service	\$ 165.00	\$ 165.00
3rd year of service	\$ 167.00	\$ 167.00
4th year of service	\$ 169.00	\$ 169.00
5th year of service	\$ 171.00	\$ 171.00
6th year of service	\$ 173.00	\$ 173.00
7th year of service	\$ 175.00	\$ 175.00
8th year of service	\$ 177.00	\$ 177.00
9th year of service	\$ 179.00	\$ 179.00
10th year of service	\$ 181.00	\$ 181.00
11th year of service	\$ 183.00	\$ 183.00
12th year of service	\$ 185.00	\$ 185.00
13th year of service	\$ 187.00	\$ 187.00
14th year of service	\$ 189.00	\$ 189.00
15th year of service	\$ 191.00	\$ 191.00
Over 16 years	2% increase (added)	2% increase (added)

Lieutenant Rate		
Year 1	\$ 202.00	\$ 202.00
After year 1-	\$ 214.00	\$ 214.00
Sr. Lieutenants	\$ 217.00	\$ 217.00
		Or 3% increase for returning Sr. Lt
Bonuses:	A lifeguard who has worked a total of at least 40 full days shall receive a bonus of \$50.00 for each day worked from August 15th until the last day of operation	

Beach Tag Checkers and Office Staff:

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
Range:	\$13.00 \$ 21.50 /hour (returnees automatically receive additional .50/hour)	\$ 13.00 \$25.00
Bonuses:	Taggers will receive an additional .75 cents for every tag sold	

Police Department:

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
Class I	\$ 18.00 /hour	\$ 18.00
Class II	\$ 21.00 /hour	\$ 21.00
	(returnees automatically receive additional .50/hour)	

Recreation Department:

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
	\$13.00 \$ 21.00 /hour (returnees automatically receive additional .50/hour)	\$ 13.00 \$21.00

Solid Waste Department:

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
	\$18.00 \$ 21.00 (returnees automatically receive additional .50/hour)	\$ 18.00 \$25.00
Bonuses:	\$200.00 Bonus for working from July 1 through August 31	

Public Works Department:

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
	\$ 18.00 \$ 21.00 (returnees automatically receive additional .50/hour)	\$ 18.00 \$25.00
Bonuses:	\$200.00 Bonus for working from July 1 through August 31	

Fire Department

	<u>2022 Rates Range</u>	<u>2023 Rates Range</u>
Without EMT	\$ 18.00 /hour	\$ 18.00
With EMT	\$ 21.00 /hour	\$ 21.00
(returnees automatically receive additional .50/hour)		

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-138

**A RESOLUTION AUTHORIZING THE RENEWAL OF A CLUB LICENSE
TO: 222 – 81st STREET, LLC**

WHEREAS, 222 – 81st Street LLC #0510-31-006-001 has made a renewal application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for the Club License for the year beginning July 1, 2023 to June 30, 2024; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$188.00 for the Club License has been attached to the application.

WHEREAS, the following conditions shall apply:

- a) Seating shall be reserved for members only and their guests;
- b) There shall be a service bar only without adjacent seating. No seating shall be permitted at the bar and drinks shall only be served by waiters or waitresses.
- c) The use shall be as a restaurant only with no catering functions. Accordingly, under no circumstances shall the premises be open for weddings or other “life celebratory” or catered events.
- d) Music shall be limited to live background music only, utilizing small amplifiers of 15 Watts or less.
- e) All live music shall terminate at 10 p.m. Further, any recorded music played through the sound system shall terminate no later than 11 p.m.
- f) The first dinner seating shall occur no earlier than 5:00 p.m. And the last dinner seating shall occur no later than 9 p.m.
- g) The premises shall be utilized as a restaurant seasonally and be open no earlier than the week-end before Memorial Day and close no later than the Sunday of the week-end after Labor Day.
 - i. During said time period, the club member may also utilize the premises for club member activities on Fridays, Saturdays and Sundays, during the hours of 9:00 am to 5:00 pm, so long as the club does not engage in the sale of alcohol during said time and the number of people attending the activity is limited to a maximum of 50 individuals.
 - ii. H. The Licensee shall comply with all Borough Regulations and Ordinances.
- a. Any violation of the above may result in a suspension or termination of the license at the discretion of the governing body.

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 Club License for the sale of alcoholic beverages shall be signed, issued and delivered to 222 – 81st Street, LLC. That said license shall become effective on July 1, 2023 and be for the one year from said date expiring at the close of business on June 30, 2024 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-139

**A RESOLUTION AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE
TO: STONE HARBOR SQUARE, LLC**

WHEREAS, Stone Harbor Square License LLC, #0510-33-001-015 - 261 – 265 – 96th Street has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2023 to June 30, 2024; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant;

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued, and delivered to Stone Harbor Square LLC, of 261-265 & 271 96th Street and subject to the following conditions:

- a) Approved according to the plan submitted by Thomas-Amey-Shaw Inc. 6/10/14 marked “Plan of Existing Conditions” copy attached.
- b) Licensee is responsible for the removal and disposal of its trash on a daily basis during operations under the liquor license, in addition to the removal done by Borough employees, and in order to comply with the intent, shall supply four (4) 2 ½ yard dumpsters with tight fitting lids, to be located behind the Harbor Plaza for the storage of trash and garbage.

BE IT FURTHER RESOLVED, that said license shall become effective on July 1, 2023 and be for the one year from said date expiring at the close of business on June 30, 2024 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 1982, Borough of Stone Harbor, New Jersey.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-140

**A RESOLUTION AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE
TO: SHELTER HAVEN HOSPITALITY INC.**

WHEREAS, Shelter Haven Hospitality, Inc. License #0510-33-003-008, Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2023 to June 30, 2024; and,

WHEREAS, the Issuing Authority has found that:

- a) The submitted application forms for renewal are complete in all respects;
- b) The applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and,
- c) The applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensed businesses and there was none; and,

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and,

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant; and

WHEREAS, a Place to Place (Expansion of Premises) Transfer Application Rider No. 3.1, 3.2, 3.3, 3.4, 3.5 and 3.6 was approved by Resolution 2015-S-76 on April 7, 2015 and submitted to the State of New Jersey, under and subject to the following conditions:

- a) Alcoholic beverages shall be served upon outdoor areas newly licensed by this approval only by a server who obtains such beverages from an inside bar area.
- b) There shall be no portable or fixed bar located outside in the outdoor areas newly licensed by this approval.
- c) There shall be no live or recorded entertainment, including musicians, whether amplified or not, upon the outdoor areas newly licensed by this approval and no amplification of any indoor live or recorded entertainment, including musicians, onto the outdoor areas newly licensed by this approval.

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 Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Shelter Haven Hospitality, Inc. t/a The Reeds at Shelter Haven of 9601 Third Avenue. That said license shall become effective on July 1, 2023 and be for the one year from said date expiring at the close of business on June 30, 2023 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

BE IT FURTHER RESOLVED that the Borough Council has determined that it is in the best interests of the health, safety and welfare of the citizens of and visitors to the Borough of Stone Harbor to impose certain limited and reasonable conditions in order to reduce the likelihood of noise and other disruption of peace and good order, taking into consideration the prior history, before current ownership, of this area as an operating licensed establishment, which included noise associated with music and outdoor liquor service as well as the disturbance peace and good order associated with same, as well as recent complaints and concerns raised by nearby homeowners, accordingly, the conditions imposed by the Borough via Resolution 2015-S-76, as detailed

hereinabove, and amended by the State on September 1, 2015, are reaffirmed and remain in full force and effect for this renewal period for that portion of the licensed premises referenced in Resolution 2015-S-76.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-141

**A RESOLUTION AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE
TO: FRED'S TAVERN & LIQUOR STORE, INC.**

WHEREAS, Fred's Tavern and Liquor Store, Inc., License #0510-32-002-001 has made application to the Mayor and Council of the Borough of Stone Harbor, New Jersey, for a Plenary Retail Consumption License for the year beginning July 1, 2023 to June 30, 2024 and

WHEREAS, the Issuing Authority has found that:

- a) the submitted application forms for renewal are complete in all respects;
- b) the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations; and
- c) the applicants have disclosed and the Issuing Authority has reviewed any additional financing obtained in the previous license term for use in the licensing businesses and there was none; and

WHEREAS, no objections have been filed with the Borough Clerk and this body is of the opinion that said application should be granted and a license issued; and

WHEREAS, all legal requirements have been complied with and a check in the amount of \$2,500.00 for the Plenary Retail Consumption License has been attached to the application of the above mentioned applicant.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of June, 2023 by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, that a Plenary Retail Consumption License for the sale of alcoholic beverages shall be signed, issued and delivered to Fred's Tavern and Liquor Store, Inc. of 310-320 96th Street. That said license shall become effective on July 1, 2023 and be for the one year from said date expiring at the close of business on June 30, 2024 and that said license shall be delivered by the Borough Clerk who is designated as the proper person to sign all licenses on behalf of the Borough Council under Revised General Ordinances 2005, Borough of Stone Harbor, New Jersey.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-142

**AUTHORIZING OVERNIGHT PARKING FOR GOLDEN SHORES CONDOMINIUM
UNIT OWNERS UNTIL SEPTEMBER 30, 2023 IN THE RECREATION PARKING LOT
ON SECOND AVENUE AND 81ST STREET**

WHEREAS, the Borough has restricted overnight parking on 80th to 82nd streets and on First Avenue in the vicinity; and

WHEREAS, said restrictions have impacted the residents of Golden Shores Condominiums negatively; and

WHEREAS, the Borough recognizes the need to balance the needs of the Golden Shores residents with the desire to maintain peace and order in the overnight hours.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 6th day of June 2023, as follows:

- a) Residents and Owners of the Golden Shores Condominiums will be provided parking placards to allow them to utilize the parking lot adjacent to the Recreation Center located on Second Avenue and 81st Street until September 30, 2023.
- b) These placards shall be provided to said residents and owners at no cost.
- c) 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.
- d) That notice of this Resolution shall be published according to law.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-143

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR MOORE CONSULTING ENGINEERS, LLC OF SHAMONG, NJ FOR PROFESSIONAL SERVICES RELATED TO THE ELECTRICAL SERVICES ON 96TH STREET IN ACCORDANCE WITH MOORE’S REVISED PROPOSAL DATED JUNE 1, 2023.

WHEREAS, the Borough has experienced reliability of service issues related to the electrical circuits on the lampposts, entrance island, and overhead sign post on 96th street between Third Avenue and Sunset Drive; and

WHEREAS, the Borough desires to have an electrical engineer evaluate the cause of the service issues, design and supervise the corrective actions that may be required as well as troubleshoot the corrective actions taken; and

WHEREAS, Moore Consulting Engineers, LLC has agreed to perform these services for a not to exceed cost of fifteen thousand dollars (\$15,000).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 6th day of June 2023, as follows:

- a) The Proposal of May 26, 2023, last revised on June 1, 2023, by Moore Consulting Engineers is found to be reasonable and acceptable to the benefit of the Borough and the corresponding contract may be entered into to allow said services to be performed in an expeditious manner.
- b) 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.
- c) That the Mayor and Municipal Clerk are hereby authorized and directed to sign said Resolution;
- d) That notice of this Resolution shall be published according to law.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-144

**AUTHORIZING THE AMENDMENT OF THE PROFESSIONAL SERVICES
CONTRACT FOR THE BOROUGH’S LABOR COUNSEL**

WHEREAS, the Borough of Stone Harbor has determined the need to conduct certain investigation and review regarding personnel issues and expenditures made in connection with the Borough’s Fair Share Housing obligations; and

WHEREAS, the Borough Council has determined to expand the scope of services of the Borough’s Labor Counsel, William G. Blaney, Esquire of the law firm of Blaney, Donohue, & Weinberg, P.C. as set forth in the Professional Services Contract between the parties to conduct said investigation and review; and

WHEREAS, in order to enable the same, the existing Professional Services Contract between the Borough and Labor Counsel must be amended to expand the not to exceed amount by an additional Thirty-Five Thousand (\$35,000.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 6th day of June, 2023, as follows:

- a) That the provisions of the above preamble of this Resolution are hereby incorporated herein, by this reference, as if set forth at length.
- b) That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves the amendment of the Professional Services Contract between the Borough and Labor Counsel as follows:
- c) To specifically empower Labor Counsel to retain the services of third-party private investigators and/or experts as it relates investigations regarding personnel issues and expenditures made in connection with the Borough’s Fair Share Housing obligations and/or related employment issues.
- d) Increasing the not to exceed amount of the Professional Services Contract by Thirty-Five Thousand (\$35,000.00) Dollars.
- e) That the Mayor and Municipal Clerk are hereby authorized and directed to sign said Resolution;
- f) That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the execution of said agreement.
- g) That notice of this Resolution shall be published according to law.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-145

ACKNOWLEDGING AN EXTRAORDINARY DONATION MADE BY LARRY L. LUING FAMILY FOUNDATION TO CAPE REGIONAL HEALTH SYSTEM

WHEREAS, the Cape Regional Medical Center is an integral and essential part of the Cape May County community, located in the county seat of Cape May Court House, and is the southernmost gateway to advanced care in the State of New Jersey, serving an expanding local population and more than 1 million seasonal visitors with a variety of inpatient and outpatient services.

WHEREAS, Cape Regional Medical Center, having first opened in 1950 as Burdette Tomlin Memorial Hospital, and now serving as an integrated healthcare delivery system serving residents and visitors throughout Cape May County, including Cape Regional Medical Center; three urgent care facilities; Cape Regional Physicians Associates, with over 60 primary care providers and specialists delivering services in multiple locations throughout Cape May County, the Thomas and Claire Brodesser, Jr. Cancer Center; the Claire C. Brodesser Surgery Center; the Jane Osborne Center; Cape Regional Miracles Fitness; and numerous freestanding outpatient facilities providing wound care, radiology, lab, and physical therapy services; and

WHEREAS, the Larry L. Luing Family Foundation recently made an extraordinary donation, in the amount of Three Million (\$3,000,000.00) Dollars to the Hospital for the naming rights to the Emergency Center, which shall now be known as the LARRY L. LUING EMERGENCY CENTER.

WHEREAS, the late Mr. Luing was an integral part of the community and fabric of the Borough of Stone Harbor, having first visited the Borough in or around 1966, purchasing his family dream home on 115th Street in the late 1970s and ultimately enjoying nearly 50 years of time spent in the Borough; and

WHEREAS, the Borough wishes to celebrate the memory of Mr. Luing and acknowledge the Luing Family Foundation's generosity in supporting the continued medical needs of our community,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 6th day of June, 2023, as follows:

- a) Borough Council hereby acknowledges and applauds the extraordinary contribution made by LARRY L. LUING FAMILY FOUNDATION, in the amount of Three Million (\$3,000,000.00) Dollars to Cape Regional Health System.
- b) This extraordinarily generous contribution will enable the Hospital to continue its good work serving the Cape May County community and beyond.
- c) Accordingly, the same is hereby formally recognized as an extraordinary humanitarian and philanthropic act by the Stone Harbor Borough Council, and a Proclamation shall issue regarding same.
- d) Notice of this Resolution shall be published according to law.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-146

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$7,500,000 WATER BONDS OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, The Borough of Stone Harbor, (the “Local Unit”), New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the “Project”), as defined in each of that certain Loan Agreement (the “I-Bank Loan Agreement”) to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the “I-Bank”) and that certain Loan Agreement (the “Fund Loan Agreement” and, together with the I-Bank Loan Agreement, the “Loan Agreements”) to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the New Jersey Infrastructure Bank Financing Program (the “Program”);

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the “I-Bank Loan”) and the State (the “Fund Loan” and, together with the I-Bank Loan, the “Loans”) pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit’s Water Bond, to the State (the “Fund Loan Bond”) and Water Bond, to the I-Bank (the “I-Bank Loan Bond” and, together with the Fund Loan Bond, the “Local Unit Bonds”) pursuant to the terms of the Local Bond Law of the State, constituting Chapter 2 of Title 40A of the Revised Statutes of the State (the “Local Bond Law”), other applicable law and the Loan Agreements;

WHEREAS, the Local Unit Bonds have been authorized pursuant to a bond ordinance of the Local Unit adopted on May 16, 2023, entitled: “Bond ordinance providing for the improvement of the water supply and distribution system (I-Bank Project) in and of the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$7,500,000 therefor and authorizing the issuance of \$7,500,000 bonds or notes of the Borough for financing part of such appropriation” (the “Bond Ordinance”); and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of one or more Loans, the issuance of one or more Local Unit Bonds and the execution and delivery of one or more Loan Agreements, all pursuant to the terms of an Escrow Agreement (the “Escrow Agreement”) to be entered into by and among the I-Bank, the State, the escrow agent named therein and the Local Unit; and

WHEREAS, N.J.S.A. §40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. §58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth in the following resolution.

NOW, THEREFORE, BE IT RESOLVED 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:**

- a) Award of the Local Unit Bonds. In accordance with N.J.S.A. §40A:2-27(a) (2) of the Local Bond Law and N.J.S.A. §58:11B-9(a), the Local Unit hereby sells and awards its (a) I-Bank

Loan Bond to the I-Bank in accordance with the provisions of this resolution and (b) Fund Loan Bond to the State in accordance with the provisions of this resolution.

- b) Basic Terms of the Local Unit Bonds; Delegation of Power to Make Certain Determinations. The chief financial officer of the Local Unit, the acting chief financial officer of the Local Unit or the treasurer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:
 - c) The aggregate principal amount of the I-Bank Loan Bond to be issued and the aggregate principal amount of the Fund Loan Bond to be issued, which amounts in the aggregate shall not exceed \$7,500,000;
 - d) The maturity or maturities and annual and semi-annual principal installments of the Local Unit Bonds, which maturity or maturities shall not exceed thirty-five (35) years (or such longer period of time as allowed by the Program but in any event no longer than forty (40) years) from the date of the Local Unit Bonds;
 - e) The date or dates of the Local Unit Bonds;
 - f) The interest rates of the Local Unit Bonds, provided that the effective interest rate of the I-Bank Loan Bond does not exceed seven per centum (7%) and that the interest rate on the Fund Loan Bond is zero per centum (0%);
 - g) The purchase price for the Local Unit Bonds;
 - h) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities; and
 - i) Such other matters with respect to the Local Unit Bonds as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof including (1) adjusting the title of the Local Unit, (2) issuing each Local Unit Bond in the form of multiple bonds from time to time if the project is funded in more than one installment by the Program and (3) combining the issuance of the Local Unit Bonds with the issuance of other bonds of the Local Unit authorized or to be authorized to be issued for other purposes.
- j) Determinations Conclusive. Any determination made by the Chief Financial Officer pursuant to the terms of this resolution shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) of this resolution.
- k) Further Terms of the Local Units Bonds. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:
 - l) The Fund Loan Bond shall be issued in a single denomination and shall be numbered RA-1, or as may otherwise be determined by the Chief Financial Officer. The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered RB-1, or as may otherwise be determined by the Chief Financial Officer;
 - m) The Local Unit Bonds shall be issued in fully registered form (convertible to bearer as therein provided) and shall (unless converted to bearer) be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America;
 - n) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, engraved, or reproduced thereon and attested by the manual signature of the Local Unit Clerk or Deputy Local Unit Clerk (the “Local Unit Clerk”); and
 - o) In order to distinguish the Local Unit Bonds from other bonds of the Local Unit, the Local Unit Bonds shall have such letters and/or numbers incorporated in their titles as shall be determined by the Chief Financial Officer.

Forms of the Local Unit Bonds. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Authorized Parties. The law firm of Hawkins Delafield & Wood LLP, bond counsel to the Local Unit, is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor and financial advisor, if any, are hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer, the Local Unit Administrator and the Local Unit Clerk (each, an “Authorized Official”) are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Report to the Local Unit. The Chief Financial Officer is hereby directed to report in writing to this Council at the next meeting of this Council next following the closing with respect to the Local Unit Bonds as to the terms of the Local Unit Bonds authorized to be determined by the Chief Financial Officer pursuant to and in accordance with the provisions of this resolution.

Delivery of the Local Unit Bonds. Each Authorized Official is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Local Unit Bonds and is hereby further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Execution of Agreements. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the “Financing Documents”) are hereby authorized to be executed and delivered on behalf of the Local Unit by an Authorized Official (other than the Local Unit Clerk) in substantially the forms required and traditionally used by the I-Bank and the State (which forms are available from the I-Bank and the State), with such changes as such Authorized Official, in his or her sole discretion, after consultation with counsel and any advisors to the Local Unit (the “Local Unit Consultants”) and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the “Program Consultants” and, together with the Local Unit Consultants, the “Consultants”), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by an Authorized Official (other than the Local Unit Clerk). The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Official and to affix the corporate seal of the Local Unit to such Financing Documents.

Authorized Actions. The Authorized Officials are hereby further severally authorized to (i) execute and deliver and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Local Unit Bonds and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Officials deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Multiple Document Sets. Notwithstanding any other provision of this resolution to the contrary, if in connection with the participation of the Local Unit in the Program, the State and the I-Bank require that the Local Unit execute more than one set of documents, the provisions of this resolution shall be deemed to apply to the Local Unit Bonds and the Financing Documents related to each set of documents; provided, however, that in no event may the aggregate principal amount of all Local Unit Bonds issued and delivered pursuant to the provisions of this resolution be in excess of the amount referred to in Section 2(a) hereof.

Interim Financing. In anticipation of the issuance of the Local Unit Bonds, the Local Unit hereby authorizes, if necessary or desirable, the issuance, sale and award of a bond anticipation note or notes, or other obligation or obligations (the “Note”) pursuant to the I-Bank’s financing program. The Note shall be substantially in the form provided by the I-Bank. The execution and

delivery of the Note shall be in the same manner as herein prescribed with respect to the Local Unit Bonds. An Authorized Official is hereby authorized to determine, pursuant to the terms and conditions established by the I-Bank under its financing program and the terms and conditions of this resolution, the following items with respect to the Note: (a) the aggregate principal amount of the Note to be issued, which amount shall not exceed \$7,500,000; (b) notwithstanding any provisions of the Bond Ordinance or of N.J.S.A. 40A:2-8 to the contrary and as authorized by the provisions of N.J.S.A. 58:11B-9(e), the maturity of the Note, which shall be no later than five (5) years after the date of issuance thereof or such longer or extended period of time as may be permitted under the rules of the I-Bank’s financing program; (c) the date of the Note; (d) the interest rate or rates of the Note (including different interest rates applicable to different drawdowns on the Note), which shall not exceed three percent (3%) per annum or such higher rate as may be determined pursuant to the rules of the I-Bank’s financing program; (e) the purchase price for the Note; and (f) such other matters with respect to the Note as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, including, without limitation (i) combining the issuance of the Note with the issuance of other notes of the Local Unit authorized or to be authorized to be issued for other purposes and (ii) issuing the Note in the form of multiple notes from time to time if the project is funded in more than one installment by the I-Bank. The Authorized Officials are hereby further severally authorized to manually execute and deliver and the Local Unit Clerk is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Local Unit to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Note and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

Capitalized Terms. All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

Prior Action. All action taken to date by the officers, employees and agents of the Local Unit with respect to the Local Unit Bonds and the Note hereby are approved, ratified, adopted and confirmed.

Effective Date. This resolution shall take effect immediately.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-147

AUTHORIZING A REFUND OF PAYARGO TAX PAYMENT

WHEREAS, Mr. Ramage former owner of Block 84.01 Lot 17, A.K.A. 8 85TH Street forgot he sold his home and made an online bill payment through the Payargo ACH portal, causing an overpayment; and,

WHEREAS, Mr. Ramage requested a refund; 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 check in the amount of \$5,551.52 be issued to Michael & Ann Ramage, 746 Mill St, Moorestown NJ 08057; and

BE IT FURTHER RESOLVED that the Tax Collector make the proper adjustment in her records.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-148

AUTHORIZNG A REFUND FOR A BOAT SLIP AT THE MUNICIPAL MARINA

WHEREAS, On March 30, 2023, Jon Dougherty of 4 State Park Rd, Chester PA 07930 submitted a application and payment to rent Boat slip # 63 at the Borough Marina; and

WHEREAS, On May 29, 2023, Mr. Dougherty notified the Borough that he no longer needed the boat slip and has submitted a written request for a refund of \$1,900.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, in the County of Cape May on this 6th day of June 2023 that \$1,900 be refunded to Jon Dougherty and that the proper officers make the proper adjustments in their records.

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-149

**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. Potential Litigation regarding lot grading Ordinance

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on June 6th, 2023 that an Executive Session closed to the public shall be held on June 6th, 2023 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.

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

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey at the Regular Meeting held on June 6th, 2023, with the voting record as indicated below.

	<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							

Attest:

Borough Clerk

Mayor