

**Borough of Stone Harbor**  
**REGULAR MEETING AGENDA**  
**Monday, July 3<sup>rd</sup>, 2023**  
**Borough Hall, 9508 Second Avenue, Stone Harbor**

**Call to Order:** Immediately Following Work Session

**Roll Call:** Councilmember Dallahan, 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 / Work session Meeting minutes from June 6<sup>th</sup>, 2023

**Public Comment**

**OLD BUSINESS**

None

**NEW BUSINESS**

**Ordinance 1650-** Amending Salary for Borough Administrator

**Resolution 2023-S-163-** Acknowledging NJFMBA as union representatives for Firemen.

**Resolution 2023-S-164-** Withdraw application for Cape May County Open Space Grant

**Resolution 2023-S-165-** Adjusting water usage for Daniel & Nancy Fletcher- 9815 Corinthian Dr

**Resolution 2023-S-166-** Authorizing a refund to JCM Dev. LLC for a meter disconnect fee.

**Resolution 2023-S-167-** Authorizing a refund to Rachel Haughey- Flag Football

**Motion-** Authorize Mayor & Administrator to sign revised Emergency operation plan.

**Motion –** Approve Special Event Applications:

- St. Brendan the Navigator Wedding of the Sea
- Seashore Home Supply Outdoor Furniture Tent Sale

**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-169-** Closed Session- Gallo vs. Hafner / Personnel

**Resolution 2023-S-168-** Appoint Manuel Parada as Borough Administrator

**Discussion:**

**Public Comment**

**Adjournment**

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

**ORDINANCE 1650**

**AN ORDINANCE AMENDING ORDINANCE No. 1629 OF THE BOROUGH  
OF STONE HARBOR SPECIFICALLY FIXING SALARY RANGE FOR THE  
BOROUGH ADMINISTRATOR**

**WHEREAS**, the Borough Council the Governing Body of the Borough of Stone Harbor, New Jersey, deems it to be in the best interest of the Borough of Stone Harbor to amend Ordinance No. 1629 relative to the salary range for the Borough Administrator.

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

**Section 1.** That the salary and wage range, in the current salary ordinance regarding the Borough Administrator shall hereby be amended to read follows:

	<u>MIN.</u>	<u>MAX.</u>
Borough Administrator	\$30,000	\$165,000

**Section 2.** The Salaries, wages and compensation shall be paid in equal bi-weekly installments.

**Section 3.** The remainder of the ordinance shall remain in full force in effect has written. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

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

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

APPROVED:

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Judith Davies Dunhour - Mayor

ATTEST:

\_\_\_\_\_  
Borough Clerk

# **BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

## **RESOLUTION**

2023-S-163

**A RESOLUTION APPROVING THE VOLUNTARY RECOGNITION OF THE NEW JERSEY STATE FIREFIGHTERS' MUTUAL BENEVOLENT ASSOCIATION AS THE MAJORITY REPRESENTATIVE FOR ALL FULL-TIME PAID FIREFIGHTERS EMPLOYED BY THE BOROUGH OF STONE HARBOR CONSISTENT WITH THE NEW JERSEY EMPLOYER-EMPLOYEE RELATIONS ACT AND REGULATIONS PROMULGATED THEREUNDER AND AUTHORIZING THE EXECUTION OF A VOLUNTARY RECOGNITION AGREEMENT MEMORIALIZING SAME.**

**WHEREAS**, the Borough of Stone Harbor (hereinafter "the Borough") is an employer as defined by the New Jersey Employer-Employee Relations Act (N.J.S.A. 34:13A-1, et. seq) (hereinafter "the Act"); and

**WHEREAS**, the New Jersey State Firefighters Mutual Benevolent Association (hereinafter "FMBA"), is an employee representative as defined by the Act; and

**WHEREAS**, the Borough employs full-time paid firefighters who are currently not represented by any employee representative; and

**WHEREAS**, the Borough received a request from the FMBA to voluntarily recognize the FMBA as the majority representative, as that term is defined by the Act, for all full-time paid firefighters; and

**WHEREAS**, after conducting a good faith inquiry, the Borough is satisfied that the FMBA is the freely chosen representative of a majority of the employees in the proposed collective negotiations unit; and

**WHEREAS**, the Borough has posted a notice for a period of ten days which declares its intent to recognize the FMBA as the majority representative for all paid full-time firefighters and has received no objections; and

**WHEREAS**, the Borough wishes to voluntarily recognize the FMBA as the majority representative for all paid full-time firefighters and desires to memorialize its actions.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough of Stone Harbor, County of Cape May as follows:

1. All statements set forth in the preamble are hereby incorporated as if fully stated herein.
2. The Borough hereby voluntarily recognizes the New Jersey State Firefighters Mutual Benevolent Association as the majority representative of all full-time paid Firefighters.
3. The Business Administrator, or other appropriate Borough Official, is hereby authorized to execute a Voluntary Recognition and Unit Definition Agreement with the

New Jersey State Firefighters Mutual Benevolent Association as may be required to memorialize the understanding set forth herein.

4. All Borough Officials and Employees are hereby authorized to take action to enforce the intent of this Resolution.

**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 July 3<sup>rd</sup>, 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							

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-164

**WITHDRAWAL OF AN APPLICATION FOR A GRANT TO THE CAPE MAY COUNTY OPEN SPACE BOARD**

**WHEREAS**, the Borough of Stone Harbor submitted an application for a Coastal Enhancement Project to the Cape May County Open Space Board on December 15, 2020; and

**WHEREAS**, the Cape May County Open Space Board approved the grant request on August 10, 2021 in the amount of \$1,780,862.50; and

**WHEREAS**, the Borough reviewed the status of the Project with the Cape May County Open Space Board on June 23, 2023 relative to a time extension, and during that review the option of withdrawing the application by the Borough, followed by a redefining of the Project parameters and a resubmission to the Open Space Board was discussed; and

**WHEREAS**, the Recreation and Tourism Committee met on June 28, 2023 to discuss these option and the Committee concurred that the withdrawal and re-application option is most favorable to the Borough and to the County,

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stone Harbor, on this 3<sup>rd</sup> day of July that the Borough will withdraw the application of the Coastal Enhancement Project from consideration by the Cape May County Open Space Board and shall re-apply for grant consideration at a later date when the Project scope is better defined and designed and that the Council authorizes the Borough Administrator to act on its behalf to make the withdrawal.

**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 3<sup>rd</sup>, 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							

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-165

**SUMMER LEAKS IN CONNECTION WITH RGO 542-27 G**

**WHEREAS**, Daniel J & Nancy C Fletcher experienced a 2022 summer leak at 9815 Corinthian Drive, and they have appropriately documented and certified that said leak did not drain into the sanitary collection system; and,

**WHEREAS**, on June 22 the Utilities Committee reviewed the documentation and approved the claim under the provisions of RGO 542-27G; and,

**WHEREAS**, the Utilities Collector is directed to adjust the 2022 summer usage based upon the average of the prior three years' summers consumption for the purpose of recalculating 2023 sewer volume charges; 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 the Utilities Collector makes the proper adjustments to 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 July 3<sup>rd</sup>, 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							

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-166

**REFUND DISCONNECT FEE**

**WHEREAS**, the Utilities Department assessed a disconnect fee for the ¾” water service located at Block 91.03 Lot 115.01, A.K.A. 9114 Third Ave; and,

**WHEREAS**, the meter was not disconnected due to it was being used for a subdivision; and,

**WHEREAS**, the Contractor 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 \$525.00 be issued to JCM Development LLC, PO Box 305, Dennisville NJ 08214-0305; and,

**BE IT FURTHER RESOLVED** that the Utilities Collector makes 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 July 3<sup>rd</sup>, 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							

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-167

**AUTHORIZING A REFUND FOR FLAG FOOTBALL**

**WHEREAS**, Rachel Haughey, of 223 Corsons Tavern Rd., Ocean View NJ 08230, registered her son for the Flag Football program through Rec Desk for June 27<sup>th</sup> & June 29<sup>th</sup> 2023.

**WHEREAS**, Mrs. Haughey contacted the recreation department and advised her son could not participate due to a injury 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 3<sup>rd</sup> day of July 2023, that \$30 be refunded to Rachael Haughey, 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 July 3<sup>rd</sup>, 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							

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Borough Clerk

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Mayor



**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-168

**AUTHORIZING THE APPOINTMENT OF A BOROUGH ADMINISTRATOR  
FOR THE BOROUGH OF STONE HARBOR**

**WHEREAS**, the Stone Harbor General Code of 2005, Chapter 67, Article 4 (pursuant to N.J.S. 40A: 60-6) authorizes the creation of the office of Borough Administrator; and

**WHEREAS** Manuel Parada has served as the interim Borough Administrator for the borough of Stone Harbor since March 7, 2023; and

**WHEREAS**, the Borough Council, the governing body of the Borough of Stone Harbor, deems it to be in the best interest of the Borough to appoint Mr. Parada to the position of Borough Administrator pursuant to Stone Harbor General Code of 2005, Chapter 67, Article 4.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 3rd day of July 2023, as follows:

Manuel Parada is hereby appointed to the position of Borough Administrator.

Additionally, Mr. Parada shall continue as Director of the Public Works Department.

Mr. Parada shall receive an additional stipend to serve as the Business Administrator subject to the amendment of the Borough Salary ordinance. Said stipend shall not be pensionable.

1. The parties shall execute an employment contract forthwith, setting forth the amount of compensation and other pertinent terms, relative to the employment contemplated herein.
2. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the provisions adopted pursuant to this Resolution.
3. 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 20<sup>th</sup>, 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							
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Councilmember Casper							
Councilmember Gensemer							
Councilmember Moore							

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S-169

**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. *Gallo vs. Hafner*
- 2. *Personnel*

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on July 3<sup>rd</sup>, 2023 that an Executive Session closed to the public shall be held on July 3<sup>rd</sup>, 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.

**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 July 3<sup>rd</sup>, 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>
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Councilmember Moore							

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Borough Clerk

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Mayor