

**MINUTES OF THE MEETING OF MAYOR AND COUNCIL OF
THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING**

May 16th, 2023

The meeting was called to order by Mayor Judith M. Davies-Dunhour

ROLL CALL

Judith M. Davies-Dunhour, Mayor
Megan Brown, Deputy Borough Clerk
Steve Morris, Solicitor

PRESENT

Councilmembers
Frank Dallahan
Victor Foschini
Bunny Parzych
Robin Casper
Jennifer Gensemer
Reese Moore

Mayor Davies-Dunhour announced that the meeting was now open. 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 to the Press and the Cape May County Herald on January 4, 2023.

For the record this Council Meeting was held via Video/Telephone Conference in a Zoom format.

SALUTE TO THE FLAG

COMMUNICATIONS

There are none Mayor.

MOTION CONCERNING THE MINUTES

Upon motion of
Seconded by

Councilmember Robin Casper
Councilmember Frank Dallahan

Since all members of Council have been provided with a copy of the minutes of the Regular Meeting Minutes of April 18th, 2023 and the Work Session and the Regular Meeting of May 2nd, 2023, if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Vote

6 Councilmembers AYE

Public Comment:

Homie Kapadia- 4-102nd St., Stone Harbor, representing SHPOA. Mr. Kapadia thanked Mayor Judy and members of Council for considering the 5k special event application and thankful for the opportunity to have this race which will hopefully be the first of more to come.

Suzanne Walters- 115-92nd St., Stone Harbor. Mrs. Walters presented several questions regarding the Affordable Housing Unit that the Borough purchased on Third Ave. She would like to know the details and the status of the Boroughs obligation? Who is doing the construction and what are the costs? A timeline of the project, how long has it been going on and when will it be finished and who is supervising the project? She also inquired about TRIAD, what is the contact value? How much has been spent? Details of the services provided? What are the contract terms and commitment? When will the home be available, what the process is to apply for this housing, she also has questions about the current occupancy.

Margaret Leisenring- 9600 First Ave Unit 18, Stone Harbor- Thanked the Recreation & Tourism committee, Diane Wade from the Reeds & Manny Parada for meeting her, and discussing the Sanderling Condominiums and the Shed proposed on the beach for the hotels, she was thankful that her recommendations were considered.

OLD BUSINESS:

ORDINANCE 1629 – SALARY ORDINANCE

Upon Motion By:
Seconded By:

Councilmember Jennifer Gensemer
Councilmember Reese Moore

That Ordinance 1629 be taken up on second reading.

VOTE

6 Councilmembers AYE

Clerk read the Title only of Ordinance 1629

Public Hearing on Ordinance 1629 was open

There were no comments on Ordinance 1629

Public Hearing on Ordinance 1629 was closed

Upon Motion By:

Councilmember Jennifer Gensemer

Seconded By:

Councilmember Reese Moore

That Ordinance 1629 be passed on second reading and advanced to third and final reading.

VOTE

6 Councilmembers AYE

Clerk read the Title only of Ordinance 1629

Upon Motion By:

Councilmember Jennifer Gensemer

Seconded By:

Councilmember Reese Moore

That Ordinance 1629 be passed on third and final reading, adopted and published according to law.

VOTE

6 Councilmembers AYE

ORDINANCE 1634 AMENDING CHAPTER 67, ARTICLE I- 'BOROUGH CLERK'

Upon Motion By:

Councilmember Frank Dallahan

Seconded By:

Councilmember Jennifer Gensemer

That Ordinance 1634 be taken up on second reading.

VOTE

6 Councilmembers AYE

Clerk read the Title only of Ordinance 1634

Public Hearing on Ordinance 1634 was open

There were no comments on Ordinance 1634

Public Hearing on Ordinance 1634 was closed

Upon Motion By:

Councilmember Frank Dallahan

Seconded By:

Councilmember Jennifer Gensemer

That Ordinance 1634 be passed on second reading and advanced to third and final reading.

VOTE

6 Councilmembers AYE

Clerk read the Title only of Ordinance 1634

Upon Motion By:

Councilmember Frank Dallahan

Seconded By:

Councilmember Jennifer Gensemer

That Ordinance 1634 be passed on third and final reading, adopted and published according to law.

VOTE

6 Councilmembers AYE

ORDINANCE 1635 AMENDING CHAPTER 365- MARRIAGE AND CIVIL UNION CEREMEONIES

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

That Ordinance 1635 be taken up on second reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1635

Public Hearing on Ordinance 1635 was open.

There were no comments on Ordinance 1635

Public Hearing on Ordinance 1635 was closed.

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

That Ordinance 1635 be passed on second reading and advanced to third and final reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1635

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Ordinance 1635 be passed on third and final reading, adopted and published according to law.

VOTE **6 Councilmembers AYE**

ORDINANCE 1636 AMENDING CHAPTER 205 & 205A TO COMPLY WITH SENATE BILL S-1368- INSURANCE REQUIREMENTS

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Robin Casper

That Ordinance 1636 be taken up on second reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1636

Public Hearing on Ordinance 1636 was open

There were no comments on Ordinance 1636

Public Hearing on Ordinance 1636 was closed

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Robin Casper

That Ordinance 1636 be passed on second reading and advanced to third and final reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1636

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Robin Casper

That Ordinance 1636 be passed on third and final reading, adopted and published according to law.

VOTE **6 Councilmembers AYE**

ORDINANCE 1637 ESTABLISHING A NEW CHAPTER ALLOWING FOR RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE BEING CONDUCTED

Upon Motion By: Councilmember Frank Dallahan
Seconded By: Councilmember Reese Moore

That Ordinance 1637 be taken up on second reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1637

Public Hearing on Ordinance 1637 was open

There were no comments on Ordinance 1637

Public Hearing on Ordinance 1637 was closed

Upon Motion By: Councilmember Frank Dallahan
Seconded By: Councilmember Reese Moore

That Ordinance 1637 be passed on second reading and advanced to third and final reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1637

Upon Motion By: Councilmember Frank Dallahan
Seconded By: Councilmember Reese Moore

That Ordinance 1637 be passed on third and final reading, adopted and published according to law/

VOTE **6 Councilmembers AYE**

ORDINANCE 1638 AMENDING CHAPTER 67, ARTIVLE IV OF THE GENERAL ORDINANCES PERTAINING TO THE OFFICE OF THE BOROUGH ADMINISTRATOR

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Ordinance 1638 be taken up on second reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1638

Public Hearing on Ordinance 1638 was open

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There were no comments on Ordinance 1638

Public Hearing on Ordinance 1638 was closed

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Ordinance 1629 be passed on second reading and advanced to third and final reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1638

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Ordinance 1638 be passed on third and final reading, adopted and published according to law.

VOTE **6 Councilmembers AYE**

ORDINANCE 1639 BOND ORDINANCE- WATER IMPROVEMENTS- IBANK 7,500,000

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

That Ordinance 1639 be taken up on second reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1639

Public Hearing on Ordinance 1639 was open

There were no comments on Ordinance 1639

Public Hearing on Ordinance 1639 was closed

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

That Ordinance 1639 be passed on second reading and advanced to third and final reading.

VOTE **6 Councilmembers AYE**

Clerk read the Title only of Ordinance 1639

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

That Ordinance 1639 be passed on third and final reading, adopted and published according to law.

VOTE **6 Councilmembers AYE**

NEW BUSINESS

ORDINANCE 1643- APPROPRIATING \$325,000 FROM THE CAPITAL IMPROVEMENT FUND- RESERVE FOR BEACH REPLENISHMENT, BEACH RENOURISHMENT

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Upon Motion By: Councilmember Robin Casper
Seconded By: Councilmember Frank Dallahan

That Ordinance 1643 be taken up on first reading.

Clerk read the title only of Ordinance 1643

Upon Motion By: Councilmember Robin Casper
Seconded By: Councilmember Frank Dallahan

That Ordinance 1643 be passed on first reading, published according to law and that it be taken up on second third and final reading and adoption at a meeting of Mayor and Council to be held on the 20th of June 2023

VOTE **6 Councilmembers AYE**

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

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Frank Dallahan

That Resolution #2023-S-123, Refund Hydrant meter rental deposit for \$1500, be considered for approval.

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.

VOTE **6 Councilmembers AYE**

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

Upon Motion By: Councilmember Victor Foschini
Seconded By: Councilmember Bunny Parzych

Resolution # 2023-S-124, Refund of a Boat Trailer Storage Permit and a Boat Slip Permit to Mark Fulton for a total of \$2050, be considered for approval.

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

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Fulton and that the proper officers make the proper adjustments in their records.

VOTE

6 Councilmembers AYE

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

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Resolution# 2023-S-125, Refund Crafternoon Fee to Catherine Dougherty for \$60, be considered for approval.

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.

VOTE

6 Councilmembers AYE

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

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Victor Foschini

That Resolution # 2023-S-126 Refund for soccer camp fee to Devon Smith for \$180, be considered for approval.

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.

VOTE

6 Councilmembers AYE

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

Upon Motion By: Councilmember Reese Moore
Seconded By: Councilmember Frank Dallahan

That Resolution # 2023-S-127, Authorize DeBlasio & Associates to apply for 2023 FY State Aid- 96th Street. Be considered for approval.

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;

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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.

VOTE

6 Councilmembers AYE

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

Upon Motion By:

Councilmember Reese Moore

Seconded By:

Councilmember Jennifer Gensemer

That Resolution #2023-S-128, Extend Interim Deputy Clerk for 90 days, be considered for approval.

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.

VOTE

6 Councilmembers AYE

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

Upon Motion By:

Councilmember Frank Dallahan

Seconded By:

Councilmember Reese Moore

That Resolution # 2023-S-129, Appoint Full Time Police officer Steven Michael Myers (effective June 30th) be considered for approval.

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.

VOTE

6 Councilmembers AYE

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

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Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

That Resolution # 2023-S-130, Acceptance of the ARPA Award and Execution of Grant Agreement, be considered for approval.

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;

VOTE **6 Councilmembers AYE**

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

Upon Motion By: Councilmember Frank Dallahan
Seconded By: Councilmember Reese Moore

That Resolution # 2023-S-131, Approval of American Legion Raffle License, be considered for approval.

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.

VOTE **6 Councilmembers AYE**

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

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

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That Resolution # 2023-S-132, Approval of American Legion Raffle License, be considered for approval.

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.

VOTE

6 Councilmembers AYE

Motion- Approve Special Event application- Mens Softball

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Victor Foschini

Motion- Participate in "Safe Alliance" Campaign

Upon Motion By: Councilmember Frank Dallahan
Seconded By: Councilmember Robin Casper

Motion- Authorize Mayor to sign letter for Energy Tax Credit

Upon Motion By: Councilmember Jennifer Gensemer
Seconded By: Councilmember Reese Moore

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

Upon Motion By: Councilmember Bunny Parzych
Seconded By: Councilmember Victor Foschini

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

Upon Motion By: Councilmember Robin Casper
Seconded By: Councilmember Reese Moore

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

Upon Motion By:

Councilmember Robin Casper

Seconded By:

Not Seconded

Discussion:

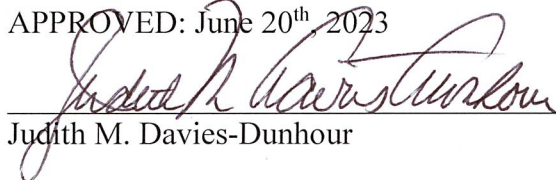
Public Comment

HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS & COMPLAINTS

MOTION TO ADJOURN

The Regular Meeting of Mayor and Council was adjourned at 8:01 p.m.

APPROVED: June 20th 2023

 _____, Mayor
Judith M. Davies-Dunhour

ATTEST:  _____, Borough Clerk
(Deputy)