

**Borough of Stone Harbor**  
**REGULAR MEETING AGENDA**  
**Tuesday, August 1<sup>st</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 July 3<sup>rd</sup>

**Public Comment**

**OLD BUSINESS**

**NEW BUSINESS**

**Ordinance 1652-** Adding a 'No Parking' Zone- Chelsea Park (10509 Second Avenue)

**Resolution 2023-S-175-** Authorizing Interlocal agreement with WW Catholic for Fall 2023 girls/boys' soccer & girls' tennis

**Resolution 2023-S-176-** Adjusting usage for Roger & Katherine Tappen- 290-88<sup>th</sup> Street.

**Resolution 2023-S-177-** Authorizing a shared service agreement with Avalon Borough, for Interim Deputy Violations Clerk

**Resolution 2023-S-178-** Authorizing the extension of the Tax payment grace period to August 25, 2023

**Motion-** Approve the special event application for the Northeast Longboard Surf Contest on October 14 & 15, 2023 (rain date Oct. 21 & 22, 2023)

**Motion-** Approve a Donation of 10 Holiday Beach Tags to Cape Regional Medical Center for Gala- August 18, 2023

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

**Resolution 2023-S 179-** Closed Session- Personnel

**Discussion:**

**Public Comment**

**Adjournment**

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

**ORDINANCE 1652**

**AN ORDINANCE AMENDING CHAPTER 520, SECTION 11 OF THE CODE OF  
THE BOROUGH OF STONE HARBOR, VEHICLES AND TRAFFIC**

**WHEREAS**, the Borough Council has determined that it is in the best interest of the Borough to update the Municipal Code regarding parking restrictions on Chelsea Place, north of Second Avenue;

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, that Article 11 of Chapter 520 of the Borough Code governing Vehicles and Traffic entitled Parking Prohibited on Certain Streets, be updated as follows:

**SECTION 1.**

The following section of Chapter 520 is hereby amended in their entirety to read as follows:

§ 520-11 **Parking prohibited at all times on certain streets.**

A. No person shall park a vehicle at any time upon any streets or parts thereof described.

<b>Name of Street</b>	<b>Sides</b>	<b>Location</b>
83rd Street	North	Between Third Avenue and the bayfront bulkhead, except angle parking from a point 240 feet west of the west curb line of Third Avenue to a point 335 feet west of the west curb line of Third Avenue
83rd Street	South	Between First Avenue and a point 25 feet west of the seawall
83rd Street	South	Between Third Avenue and the bayfront bulkhead, except parallel parking is permitted from a point 30 feet west of the west curb line of Third Avenue to a point 165 feet west of the west curb line of Third Avenue, and from a point 25 feet west of the west curb line of Sunset Drive to a point 100 feet west of the west curb line of Sunset Drive
95th Street	South	Between Second Avenue and Third Avenue
97th Street	North	Between Second Avenue and Third Avenue
Chelsea Place	South	Between Second Avenue and Chelsea Park

**SECTION 2. Severability and Effectiveness Clause**

- a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- b) Any Ordinance or Code Section inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 3. Effective Date**

This Ordinance shall take effect 20 days from the time of final adoption and publication in accordance with law.

APPROVED:

\_\_\_\_\_  
Judith Davies-Dunhour, Mayor

ATTEST:

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

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

2023-S- 175

**A RESOLUTION CREATING AN INTERLOCAL SERVICES AGREEMENT WITH  
WILDWOOD CATHOLIC HIGH SCHOOL FOR THE USE OF  
THE RECREATION FIELDS AND TENNIS COURTS  
OF THE BOROUGH OF STONE HARBOR**

**WHEREAS**, N.J.S.A. 40:8A-1 *et seq.*, authorizes municipalities and school districts to enter into agreements for the purposes of exchanging, sharing and cooperating with regard to services common to said communities through Interlocal Services Agreements ; and

**WHEREAS**, the Wildwood Catholic High School is in need of services relating to the use of recreational playing fields of the Borough of Stone Harbor for use by its High School soccer teams for the Fall of 2023 for games and practices; and

**WHEREAS**, they have also requested the tennis courts for use by its High School girl's tennis season in Fall of 2023 and boys tennis season in the Spring of 2023; and

**WHEREAS**, the Borough of Stone Harbor has certain lands, equipment and personnel available to meet the needs of the Wildwood Catholic High School in this area; and

**WHEREAS**, entering into an Interlocal Services Agreement with the Wildwood Catholic High School for this purpose has been deemed to be in the best interests of citizens of the Borough and the students of the Wildwood Catholic High School; and

**WHEREAS**, in consideration of this Agreement and in an effort to supplement the costs of maintenance of Borough facilities, Wildwood Catholic agrees to pay the Borough the sum of \$1,500.00 per sport, per season for maintaining the fields/courts.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the preamble of this Resolution is hereby incorporated by reference;

**BE IT FURTHER RESOLVED** this 1<sup>st</sup> day of August, 2023 the Borough of Stone Harbor and Wildwood Catholic High School hereby agree, under the authority of N.J.S.A. 40:8A-1 *et seq.*, as follows:

1. Wildwood Catholic High School agrees to pay the sum of \$1,500 for soccer (boys/girls) and \$1,500 for tennis (boy/girls) for a total of \$3,000 and shall have full access to and use of the recreational ball fields and the tennis courts of the Borough of Stone Harbor located in the vicinity of 80<sup>th</sup> Street and Second Avenue, for recreational activities officially sanctioned and conducted by the Wildwood Catholic High School and according to the schedules submitted and attached.
2. Soccer teams for the Fall of 2023, games and practices, Tennis Courts for girls tennis season, Fall of 2023 and Boys Tennis, Spring of 2023. Practice will be every day as of April, 6, 2023.
3. Such access and use shall be conditioned upon coordination with and approval by the Recreation Director of the Borough of Stone Harbor with the understanding that the activities of the Borough of Stone Harbor Recreation Department take precedence.
4. The Wildwood Catholic High School shall provide to the Borough of Stone Harbor written proof of liability insurance for the aforementioned use of the property of the Borough of Stone Harbor as required by the Atlantic County Joint Insurance Fund; and shall, additionally, hold harmless and indemnify the Borough of Stone Harbor for any and all loses, damages, and claims of whatever nature that may arise out of or in connection with the use of the property by the Wildwood Catholic High School, its

sports/recreation participants, agents, contractors, officers and/or employees.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized and directed to execute this Resolution as the Interlocal Services Agreement between the Borough of Stone Harbor and the Wildwood Catholic High School, pursuant to N.J.S.A. 40:8A-1 *et seq.*

**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 August 1<sup>st</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

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Wildwood Catholic

**BOROUGH OF STONE HARBOR**  
Cape May County, New Jersey

**RESOLUTION**

2023-S-176

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

**WHEREAS**, Roger & Katherine Tappen residing at 290 88<sup>th</sup> Street, AKA Utility Account 4220-0 and Block 87.03 Lot 111.02, experienced a 2022 summer leak which was appropriately documented and certified that said leak did not drain into the sanitary collection system; and,

**WHEREAS**, on July 20, 2023 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 August 1<sup>st</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

.....  
Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-177**

**CONFIRMING THE APPOINTMENT OF INTERIM ACTING DEPUTY COURT  
ADMINISTRATOR FOR THE SHARED MUNICIPAL COURTS OF THE BOROUGHS OF  
AVALON AND STONE HARBOR**

**WHEREAS**, pursuant to the Mayoral Executive Order of the Borough of Avalon No. 2023-003 Mayor Martin L. Pagliughi nominated and appointed **SAMANTHA KUHNS** as **INTERIM ACTING DEPUTY COURT ADMINISTRATOR** at an increase in annual salary of \$2,500.00 said appointment to become effective immediately upon the confirmation of such appointment by the Governing Bodies of both the Borough of Stone Harbor and the Borough of Avalon; and

**WHEREAS**, **SAMANTHA KUHNS** was previously appointed as Violations Clerk and has been satisfactorily pursuing a course of instruction leading to certification as a Municipal Court Administrator and has now completed and passed all academic courses required for certification and upon completion of one final assignment will be certified as a Municipal Court Administrator; and

**WHEREAS**, the Shared Services Agreement between Avalon and Stone Harbor pertaining to the shared Municipal Court requires that certain court personnel, including this appointment, must be appointed and confirmed by separate action of both municipalities; and

**WHEREAS**, a certification of available funds is not required for this resolution since the Municipal Court operates under a joint budget approved by both municipalities and adequate funds have been appropriated in the 2023 annual municipal budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, in the County of Cape May on this 1st day of August, 2023 as follows:

1. The allegations of the preamble are incorporated herein by this reference and are hereby adopted as factual findings.
2. Borough Council hereby **APPROVES and CONFIRMS**:

**SAMANTHA KUHNS**, having previously been appointed to the position of **VIOLATIONS CLERK** in the office of the Municipal Court, for a shared municipal court for the communities of Avalon and Stone Harbor, and presently satisfactorily pursuing a course of instruction leading to certification as a Municipal Court Administrator as required by the Avalon Borough Code; is hereby **CONFIRMED** as **INTERIM ACTING DEPUTY COURT ADMINISTRATOR**. This advice and consent is based substantially on the statements contained in MEO 2023-003 which is incorporated herein by this reference and upon the recommendation and request of the Municipal Court Administrator who has certified that **SAMANTHA KUHNS** has sufficient training and experience to fill the duties and responsibility of that position and further made and with the concurrence and approval of the Hon. Andrew Cafiero, J.M.C. This appointment is **CONFIRMED** subject to the following: the consent, approval, and identical appointment by the Avalon Borough Council as required by the Shared Services Agreement between Avalon and Stone Harbor for a shared Municipal Court. Approvals, if any are required, of the Assignment Judge of Vicinage One or his designee.

3. All Borough Officers and Employees are hereby authorized to take any action required, or reasonably necessary, to carry out the intent and purpose of this Resolution and any such action heretofore taken in furtherance of the intent and purpose of this Resolution is hereby ratified and confirmed.

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

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the 1st day of August, 2023

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Borough Clerk

The above resolution approved this 1st day of August, 2023

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Mayor

**BOROUGH OF STONE HARBOR**  
Cape May County, New Jersey

**RESOLUTION**

2023-S-178

**RESOLUTION TO EXTEND GRACE PERIOD**

**WHEREAS**, pursuant to N.J.S.A 54:4-64, the 3rd quarter installment of current year taxes shall not be subject to interest until the later of August 1, the additional interest-free period authorized pursuant to R.S. 54:4-67, or the twenty-fifth calendar day after the date the tax bill was mailed or otherwise delivered; and,

**WHEREAS**, the 2023 Final/2024 Preliminary tax bills were mailed on July 31, 2023; and,

**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 grace period for the 3rd quarter installment of current year taxes is extended to August 25, 2023.

**BE IT FURTHERED RESOLVED** that the Tax Collector makes the proper adjustments 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 August 1, 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-179

**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. Personnel*

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on August 1<sup>st</sup>, 2023 that an Executive Session closed to the public shall be held on August 1<sup>st</sup>, 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 August 1<sup>st</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							

Attest:

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

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Mayor