

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday, September 5th, 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 August 1st & 15th

Public Comment

OLD BUSINESS

Ordinance 1652- Adding a 'No Parking' Zone- Chelsea Park (10509 Second Avenue)- *2nd, 3rd & Final*

NEW BUSINESS

Resolution 2023-S-185 Authorizing Extension of Resolution 2023-S-96 for Antonio Morales, SLEO II.

Resolution 2023-S-186- Authorizing Extension of Resolution 2023-S-128 for Megan Brown, Temporary Deputy Clerk.

Resolution 2023-S-187-Appoint Emily Dillon as Borough Clerk.

Resolution 2023-S- 188- Purchase of Police Vehicles

Resolution 2023-S-189 Authorizing contract with approved state vendor Municipal Equipment Co. for purchase of accessories for police vehicle.

Resolution 2023-S-190 Construction Administration Services for DeBlasio & Assoc. related to 114th St. Pump Station

Resolution 2023-S-191- Authorize Classic & Vintage Car Show & Fees

Resolution 2023-S-192- Adoption of PIA agreement with State of NJ

Resolution 2023-S-193- Adoption of the Revised Emergency Operations Base Plan for Flood Protection

Resolution 2023-S-194- Proclaiming September at Prostate Cancer awareness month

Motion- Approve SH Chamber of Commerce- Special Event Application- Savor September 22nd & 23rd

Motion- Approve Seashore Home Supply Special Event Application- October 27

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-195- Closed Session Client Attorney Privilege- Possible Litigation

Discussion:

Public Comment

Adjournment

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S- 185

EXTEND EMPLOYMENT OF SEASONAL SLEO II POLICE OFFICER

WHEREAS, the Stone Harbor Police Department currently has one officer attending the Cape May County Police Academy recruit training; and

WHEREAS, Chief Schutta is requesting that one SLEO II Seasonal Police Officer extend his employment with the Borough of Stone Harbor to provide appropriate Squad Coverage and alleviate the need for overtime compensation within the Department; and

WHEREAS, the dates requested for coverage are October 1, 2023 through December 31, 2023; and

WHEREAS, Antonio Morales was appointed a Special Law Enforcement Office II by way of Resolution 2023-S-94,

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 on this 5th day of September 2023 as follows:

1. That the provisions of the above preamble of this Resolution are hereby incorporated herein, by this reference, as if set forth at length.
2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby authorizes the extension of the employment of SLEO II Officer Antonio Morales of the Stone Harbor Police Department until December 31, 2023 noting all conditions detailed in Resolution 2023-S-94 remain in effect until the completion of this extended term.
3. That the Mayor and Municipal Clerk are hereby authorized and directed to sign said Resolution.
4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to extend this employment.
5. 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 September 5th, 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:

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-186

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

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

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

WHEREAS, the Borough Council of the Borough of Stone Harbor determined, by way of Resolution No. 2023-S-128, 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 extended the appointment of Megan Brown to serve in the capacity as Deputy Borough Clerk on an interim basis until September 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 December 5, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 5th day of September 2023, as follows:

1. The interim appointment of Megan Brown as Deputy Clerk for the Borough is hereby extended until December 31, 2023.
2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves this resolution.
3. That the Mayor and the interim Deputy Clerk are hereby authorized and directed to sign said Resolution.
4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the enforcement of the provisions adopted pursuant to this Resolution.
5. That notice of this Resolution shall be published according to law.

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 September 5th, 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:

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-187

DESIGNATING THE APPOINTMENT OF MUNICIPAL CLERK AND LOCAL REGISTRAR AND CONFIRMING SAID APPOINTMENTS

WHEREAS, pursuant to N.J.S.A. 40A:9-133(a.), in every municipality there shall be a Municipal Clerk appointed to a three-year term by the governing body of the municipality; and

WHEREAS, Emily Dillon holds a Registered Municipal Clerk certificate issued pursuant to N.J.S.A. 9-133.3, a requirement of the Borough of Stone Harbor, notwithstanding the provisions of N.J.S.A. 40A:9-133(c); and

WHEREAS, pursuant to N.J.S.A. 26:8-11(c.), the governing body of each registration district shall also appoint a Local Registrar; and

WHEREAS, pursuant to N.J.S.A. 26:8-13, if the Local Registrar is the Municipal Clerk, the term of office as Local Registrar shall be concurrent with the term of the Municipal Clerk; and

WHEREAS, there exists a need for the appointment of a Municipal Clerk and a Local Registrar for the Borough of Stone Harbor, County of Cape May, State of New Jersey as mandated by the statutory law described herein, for the purpose of providing the Borough with the duties, tasks and services proscribed at N.J.S.A. 40A:9-133e(1)-(7) and 26:8-25.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 5th day of September 2023, as follows:

1. Emily Dillon is hereby appointed Municipal Clerk and Local Registrar of the Borough of Stone Harbor for a three-year concurrent term commencing on September 11, 2023.
2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves this resolution.
3. That the Mayor and the interim Deputy Clerk are hereby authorized and directed to sign said Resolution.
4. 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 September 5th, 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: _____

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-188

AUTHORIZATION TO PURCHASE A NEW POLICE VEHICLE

WHEREAS, the Borough of Stone Harbor entered into the Cranford Police Cooperative Pricing System (#47-CPCPS) by Resolution 2008-S-47 for the purpose of purchasing equipment; and

WHEREAS, the Borough Police Department will be using this system to purchase a 2023 Ford Police Interceptor for \$41,499 from Gentilini Motors, Inc. of 2703 Fire Road, Egg Harbor Township NJ 08234; and

WHEREAS, the Borough Police Department will be using this system to add numerous accessories including a siren system, lights and other accessories for a total cost of \$18,150.03 from Municipal Equipment Company 2703 Fire Rd, Egg Harbor Township, NJ 08234;

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 purchase of the 2023 Ford Police Interceptor vehicle for \$41,499 be approved and that the purchase of the accessories for the vehicle for \$18,150.03 also be approved.

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 September 5th, 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: _____

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-189

**A RESOLUTION AUTHORIZING CONTRACTS WITH
CERTAIN APPROVED STATE CONTRACT VENDORS FROM JANUARY 1, 2023
THROUGH DECEMBER 31, 2023**

WHEREAS, the Borough of Stone Harbor, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.2 may by Resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Stone Harbor may enter into contractual agreements with State Contract Vendors through this Resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local Public State Contracts Law.

WHEREAS, the Borough of Stone Harbor wishes to use the following State Contracts under NJ START for outfitting a Police Vehicle: 17-FLEET-00739, 17-FLEET-00719, 17-FLEET-00758.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey authorizes the Borough Qualified Purchasing Agent purchase of certain goods or services from those approved New Jersey State Contract Vendors listed, pursuant to all conditions of the individual State Contracts; and

BE IT FURTHER RESOLVED that the State Contract vendors and their corresponding numbers may change during the time frame indicated below and that Borough Qualified Purchasing Agent is hereby authorized to make the necessary adjustments as may be required for the Borough to continue its routine procurement practices throughout the indicated time frame; and

BE IT FURTHER RESOLVED by the Borough Council, pursuant to N.J.A.C. 5:30-5.5(b) that no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Stone Harbor and the referenced State Contract Vendors shall be from January 1, 2023 and continuing through December 31, 2023 or until the expiration of the referenced vendor's New Jersey State Contract, whichever shall occur first.

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 September 5th, 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:

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-190

**AWARDING A CONTRACT FOR THE CONSTRUCTION PHASE SERVICES OF THE
114TH STREET SANITARY SEWER PUMP STATION
AND FORCE MAIN IMPROVEMENTS**

WHEREAS, DeBlasio and Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, NJ 08260 has provided a proposal dated August 22, 2023 to provide Construction Phase Services; for the DeBlasio and Associates Project No. SH-C-009, Construction of the 114th Street Sanitary Sewer Pump Station and Force Main Improvements; and

WHEREAS, the Borough wishes to engage DeBlasio and Associates to provide all Construction Phase and Engineering Services, Contract Administration, Periodic Construction Observation, NJDEP Construction Administration requirements, and Construction Inspection and Observation Services; and

WHEREAS, the Borough Engineer has provided a detailed scope of service proposal dated May 17, 2023 to be billed on a time and material basis in accordance with the contractual hourly rate schedule not to exceed Thirty Thousand Dollars (\$30,000); and

WHEREAS, the Chief Financial Officer of the Borough has determined that sufficient funds are available,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor in the County of Cape May, duly assembled in public session this 5th day of September 2023, that the proposal dated August 22, 2023 be approved.

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 September 5th, 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: Megan Brown, Deputy Clerk

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-191

**A RESOLUTION AUTHORIZING THE ANNUAL
CLASSIC AND VINTAGE CAR SHOW AND FEES**

WHEREAS, the Borough of Stone Harbor will hold a Classic and Vintage Car Show on Saturday, October 7, 2023 from 10:00 a.m. to 1:00 p.m. on the 200 block of 96th Street in Stone Harbor with a rain date of Sunday, October 8, 2023.

WHEREAS, all vehicle owners must complete a registration to participate, abide by the rules and regulations established and return completed form and payment check along with proof of insurance certificates before they'll be allowed to participate.

WHEREAS, it has been recommended that the fee for the Classic and Vintage Car Show be set at \$10 per vehicle if registered by October 6, 2023 and \$15.00 per vehicle if registered on October 7, 2023 for participation in the event.

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Stone Harbor, in the County of Cape May, duly assembled in public session this 5th day of September, 2023 that this Resolution is hereby approved.

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 September 5th, 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:

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-192

**RESOLUTION OF THE STONE HARBOR RECOMMENDING PLAN
ENDORSEMENT AND ADOPTING THE PLANNING AND IMPLEMENTATION
AGREEMENT**

WHEREAS, pursuant to the New Jersey State Planning Act and N.J.A.C. 5:85-7.1-24 the Borough of Stone Harbor has participated in the Plan Endorsement Process; and

WHEREAS, the Borough of Stone Harbor held a pre-petition meeting with the State on April 28th, 2020; and

WHEREAS, the Borough of Stone Harbor was granted a waiver from the public hearing portion of the plan endorsement for having completed their Master Plan Re-Examination during the prior year. The re-examination included extensive public outreach, public meetings, and presentations and was found to sufficiently fulfill the public outreach requirement.; and

WHEREAS, the Borough has approved the MSA, dated November 2021, prepared by Kates Schneider Engineering, LLC; and

WHEREAS, the Borough will create a Visioning Statement to be incorporated into the next Master Plan update; and

WHEREAS, the New Jersey State Planning Commission to adopted the Plan Endorsement Petition on July 5th, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey as follows:

- 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
- 2. The Borough adopts the attached PIA as part of the Plan Endorsement recertification process.
- 3. This resolution should be forwarded to the N.J. State Office of Planning Advocacy.
- 4. All Borough officials and officers are hereby authorized and empowered to take all actions deemed necessary or advisable to carry into effect the intent and purpose 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 September 5th, 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: _____

Mayor Judith Davies-Dunhour _____

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-193

**ADOPTION OF THE REVISED EMERGENCY OPERATIONS
BASE PLAN FOR FLOOD PROTECTION**

WHEREAS, the Borough of Stone Harbor has engaged in an update of the Emergency Operations Plan – Base Plan for Flood Mitigation; and

WHEREAS, the Emergency Operations Plan is a critical component of the Community Rating System (CRS) point system; and

WHEREAS, the Emergency Operations Plan has been reviewed by various key members of Borough Staff and they recommend the adoption of the Plan; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 5th day of September 2023, as follows:

- 1. The Emergency Operations Plan – Base Plan for Flood Protection be adopted and made part of the Borough’s response to emergencies.
- 2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves this resolution
- 3. That the Mayor and the interim Deputy Clerk are hereby authorized and directed to sign said Resolution;
- 4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the enforcement of the provisions adopted pursuant to this Resolution.
- 5. That notice of this Resolution shall be published according to law.

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 September 5th, 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: _____

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-194

PROCLAIMING SEPTEMBER AS PROSTATE CANCER AWARENESS MONTH

WHEREAS, this year, approximately 288,300 men will be diagnosed with prostate cancer in the United States alone – one man every 2 minutes, and roughly 34,700 will die this year from the disease, about 3,500 more than 2020 – which is one man every 15 minutes; and

WHEREAS, in New Jersey, an estimated 9,460 new cases of prostate cancer will be diagnosed and an estimated 730 deaths will occur in 2023; and

WHEREAS, men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease; and

WHEREAS, prostate cancer is the most commonly diagnosed cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and

WHEREAS, one in eight men are diagnosed with prostate cancer in their lifetime and one in six African American men will develop prostate cancer in their lifetime. Overall, African American men are 1.7 times more likely to be diagnosed with - and 2.1 times more likely to die from - prostate cancer than white men; and

WHEREAS, veterans who were exposed to herbicides like Agent Orange are at increased risk for developing prostate cancer, and are more likely to have an aggressive form of the disease; and

WHEREAS, education regarding prostate cancer and early detection strategies is critical to saving lives, preserving, and protecting our families. As well as the economic and social burden of prostate cancer is huge on families; and

WHEREAS, if caught early prostate cancer has a five-year survival rate of nearly 100%. However, for late stage prostate cancer the five-year survival rate is 31%; and

WHEREAS, many more men will be diagnosed in 2023 at a later stage because of delayed screenings and treatment due to Covid-19; and

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of the Borough of Stone Harbor to increase the importance of prostate awareness and screenings.

NOW, THEREFORE, BE IT RESOLVED; by the Borough Council of the Borough of Stone Harbor in the County of Cape May, duly assembled in public session this 5th day of September 2023, that September be proclaimed as Prostate Cancer Awareness Month within the Borough of Stone Harbor.

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 September 5th, 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:

Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR
Cape May County, New Jersey

RESOLUTION

2023-S-195

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC
IN ACCORDANCE WITH THE PROVISIONS OF
THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,
N.J.S.A. 10:4-12**

WHEREAS, the Borough Council of the Borough of Stone Harbor is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4 - 6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough Council of the Borough of Stone Harbor to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- 1. Attorney Client Privilege
- 2. Potential Litigation

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on August 31, 2023 that an Executive Session closed to the public shall be held on August 31, 2023 at or about 7:00 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 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 September 5th, 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: _____

Mayor Judith Davies-Dunhour