

**Borough of Stone Harbor**  
**REGULAR MEETING AGENDA**  
**Tuesday October 3, 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 to the Press and the Cape May County Herald on September 15, 2023.

**Salute the Flag**

**Communications:**

**Approval of Minutes:** Work Session and Regular Meeting Minutes dated September 19, 2023

**Public Comment**

**OLD BUSINESS**

**NEW BUSINESS**

**Ordinance 1659**

An Ordinance Amending Chapter 453 of the General Ordinances of the Borough of Stone Harbor

**Resolution 2023-S-203**

Resolution Authorizing the Refund of a Tax Overpayment

**Resolution 2023-S-204**

Resolution for an Adjustment Regarding Summer Leaks in Connection with RGO 542-27 G Block 87.03, Lot 111.02

**Resolution 2023-S-205**

Resolution for an Adjustment Regarding Summer Leaks in Connection with RGO 542-27 G- Block 87.03, Lot 92

**Resolution 2023-S-206**

Resolution to Refund Utilities Sewer Volume Overpayment for 87.03, Lot 92

**Motion-** Approve the Special Event Application for The Stone Harbor Avalon School PTC Halloween Carnival on October 27, 2023

**Motion-** Approve the Stone Harbor Chamber of Commerce Savor September Festival for their re-scheduled date of October 21, 2023

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

**Discussion:**

**Public Comment**

**Adjournment**

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

**ORDINANCE 1659**

**AN ORDINANCE AMENDING CHAPTER 453 OF THE GENERAL  
ORDINANCES OF THE BOROUGH OF STONE HARBOR**

**WHEREAS**, the Borough Council of the Borough of Stone Harbor adopted a comprehensive municipal ordinance governing smoking consistent with the provision of the New Jersey Smoke-Free Air Act by way of Ordinance # 1644 and

**WHEREAS**, the Borough has identified an inconsistency between the definitions and substantive provisions of the section that require amendment for consistent application and enforcement,

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council, the Governing Body of the Borough of Stone Harbor, New Jersey as follows:

Section 1. Chapter 453-3(b) is hereby amended to read as follows:

PUBLIC PROPERTY OR FACILITIES AND PUBLIC PLACES — All Borough-owned or -controlled parks, ~~public rights-of-way, public streets,~~ beaches, beach accesses, ~~boardwalk,~~ athletic fields, marinas, playgrounds, buildings and grounds, and shall include the area within the buildings, outside areas, and appurtenances and all other Borough-owned or controlled facilities.

Section 2. 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 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

Section 4. 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:

\_\_\_\_\_  
Emily Dillon, Borough Clerk

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-203**

**RESOLUTION FOR THE REFUND OF TAX OVERPAYMENT**

**WHEREAS**, the homeowners taxes are escrowed through their mortgage bank via Corelogic Tax Servicing Agency who paid the 3<sup>rd</sup> quarter installment on August 23; and,

**WHEREAS**, the homeowner also paid the 2023 3<sup>rd</sup> quarter installment as well as the 2023 4<sup>th</sup> quarter installment and the 2024 1<sup>st</sup> & 2<sup>nd</sup> quarter installments (he paid the entire 2023 Final/2024 Preliminary tax bill) for Block 100.03, Lot 77, qualifier C0002, A.K.A. 201 100<sup>th</sup> Street West unit; and,

**WHEREAS**, the homeowner 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 \$6,133.70 be issued to James & Jaclyn Galbally, 474 Glenwyth Rd, Wayne Pa 19087; and

**BE IT FURTHER RESOLVED** that the Tax Collector make the proper adjustment 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 October 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							

Attest:

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

\_\_\_\_\_  
Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-204**

**RESOLUTION FOR AN ADJUSTMENT REGARDING SUMMER LEAKS IN CONNECTION WITH RGO 542-27 G BLOCK 87.03, LOT 111.02**

**WHEREAS**, Brian & Sara Markle residing at 132 95<sup>th</sup> Street, AKA Block 87.03 Lot 111.02 and Utility Account 8350-0, experienced a 2022 summer leak which was appropriately documented and certified that said leak did not drain into the sanitary collection system; and,

**WHEREAS**, 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 October 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							

Attest:

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Borough Clerk

\_\_\_\_\_  
Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-205**

**RESOLUTION FOR AN ADJUSTMENT REGARDING SUMMER LEAKS IN CONNECTION WITH RGO 542-27 G- BLOCK 87.03, LOT 92**

**WHEREAS**, Carl Joseph Matteo, owner of record at Block 87.03 Lot 92, utilities account 3830, and AKA 237 87<sup>th</sup> Street, experienced a 2022 summer leak and presented appropriate documentation certifying that said leak did not drain into the sanitary collection system; and,

**WHEREAS**, on September 21, 2023, at a regularly scheduled meeting 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 quarterly 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 October 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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Attest:

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Borough Clerk

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Mayor

**BOROUGH OF STONE HARBOR**

Cape May County, New Jersey

**RESOLUTION**

**2023-S-206**

**RESOLUTION TO REFUND UTILITIES SEWER VOLUME OVERPAYMENT FOR  
BLOCK 87.03, LOT 92**

**WHEREAS**, Block 87.03 Lot 92, utilities account 3830, AKA 237 87<sup>th</sup> Street experienced a 2022 summer leak which was documented and certified that said leak did not drain into the sanitary collection system, the Utilities Collector was directed by the Utilities Committee to recalculate the quarterly 2023 sewer volume charges under the provision of RGO 542-27 G; and,

**WHEREAS**, because the recalculation of the 2023 sewer volume charges resulted in an excessive overpayment the Utilities Collector is requesting a refund be issued to the homeowner; 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 \$6,199.00 be issued to Carl J Matteo, 41 Glen Rd, Verona NJ 07044; 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 October 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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Attest:

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Borough Clerk

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Mayor