

**MINUTES OF THE WORK SESSION OF MAYOR AND COUNCIL
OF THE BOROUGH OF STONE HARBOR HELD IN THE
MUNICIPAL BUILDING
September 5, 2023**

The meeting was called to order by Mayor Davies-Dunhour at 4:30 p.m.

ROLL CALL

Judith M. Davies-Dunhour, Mayor
Megan Brown, Deputy Clerk
Marcus Karavan, Solicitor
Manny Parada, Borough Administrator

PRESENT

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

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 WORK SESSION WAS HELD VIA VIDEO/TELEPHONE CONFERENCE IN A ZOOM FORMAT AS WELL AS IN PERSON

SALUTE TO THE FLAG

Administration & Finance Committee- Councilmember Gensemer

CRS Update- Ray Poudrier- Borough's documentation for various activities requesting credit was due by August 29, we met that deadline with all of the submissions with the exception of one, activity 610, which was for our emergency operations plan. Upon submission the reviewer noted that we lacked a copy of a resolution authorizing that plan. Subsequent conversations and communications between various representatives, Mark DeBlasio's office, Mayor, and myself. Mr. Poudrier received permission to submit that resolution tomorrow following this meeting, after submission of this final document, they review all our submittals. We are told there is an excess of 1000 pages of documentation. The resolution is scheduled to be brought before this council at the regular meeting following this work session.

Construction Official- Ray Poudrier- Permits and revenue for the construction and zoning office remain consistent with previous years. There have been an enormous amount of inquiries and concerns via e-mail and walk-ins, even OPRA requests regarding the elevated lot on the corner of 113th St. and 2nd Ave, recently the office had similar concerns with the site on the 100 block of 105th St. The complaint was directed to the planning board to voice any concerns. Mr. Poudrier advised he has done the same here & he has shared this with the concerned citizens that the structure going up does conform to the current ordinances and has been reviewed by both the construction office and the engineer's office for performance. These inquiries have consumed the construction office.

Councilmember Parzych questioned the wall at the 113th Street lot, she noticed it has some perpendicular offshoots of the wall, she questioned the purpose of that wall. Mr. Poudrier answered that is the retaining wall, but he made it clear that he is not a design professional or the building inspector, but he believes the offshoots are for stability. Mr. Poudrier indicated that the 112th St. subdivision was brought up in elevation.

Mr. Poudrier went on to explain the details of some minor zoning ordinance changes that will be presented to the board for adoption. He explained that himself, along with Mr. Baldini and Mr. Kates were tasked to correct some minor flaws/ issues. The changes will be as follows: For the Bulkhead ordinance, language will be added to indicate that if the recent map doesn't show the EDL then they will refer to the last map that shows the EDL. Secondly, there is a small inconsistency with the definition of story, height/definition of habitable stories. The term habitable will be removed so the definition matched the Ordinance.

Setback exceptions (560-38) does not apply to waterfront properties; Mr. Poudrier investigated approvals from years prior and he could not find this section being enforced, so he recommended that it be removed- this will pertain to: eaves, steps, landings, pool equipment, HVAC, fireplaces, window seats and such in the setbacks. Fence ordinance addition of verbiage to include: the finished portion of the fence is to face the adjoining lot, and if there is a noncompliance letter issued that the Borough will not charge a fee. Finally, some language was agreed upon to restrict side yard setbacks for any newly created oversized lots.

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Borough Administrator- Manny Parada- Update on COAH- The TRIAD contract is under legal review- he will refer to Mr. Karavan for that update. The home will either need to be lifted or demolished.

Nancy Holm- Affordable housing counsel- Ms. Holm advised the home can be rezoned if the home needs to be demolished, there is no reason why it cannot be rezoned, but she feels as though it should be lifted since there has been a considerable amount already spent on the triplex.

Mr. Parada would like to discuss this further with A&F to consider options- approximately \$180k has already been spent on this home, but he will get an exact figure on what was spent on the home & the contract. Further information will be provided at the next meeting.

Borough Engineer- Marc DeBlasio- Update 96th Street; update that's 96th St. There have been two DOT grants secured for the 96th street project, which is from 2nd to 3rd Ave. His office is currently working with the Department of Public works to put together a scope of work for utilities that need to be replaced, once we ascertain public works needs his office will be providing a proposal to effectuate that project.

Legal Report- Marcus Karavan- Update on two legal matters
Stone Harbor versus FIA (bonding company) and RTW (road contractor) & Gallo versus Stone Harbor & Hafner. Both of those cases are in the middle of a lengthy discovery process of approximately 180 days. Mr. Karavan suspects that discovery will become more protracted as the first case has many documents that are being produced, which will have to be cataloged and reviewed. Mr. Karavan suspects that the discovery will be extended; we are talking about a mediation date for the Gallo matter. There will be a postponement as the litigants procured new council and mediation was scheduled, but a lengthy discovery is anticipated. Marcus advised that he was asked by Manny to review the proposed TRIAD contract renewal, in which Mr. Karavan had several issues that he articulated to Mr. Parada briefly. This involved a tighter scope of work, some cap on the amount and some mutuality of remedies. Mr. Karavan will continue to work with Mr. Parada & with TRIAD to produce something that's a little more favorable to the Borough.

Rec & Tourism announcement- Councilmember Foschini - advised that on August 29th, there was a Paddle Tennis Tournament in which the players were very happy with the use of the Courts. They have donated a check from Pro Flight at the Shore battle, a check for \$5000.

Human Resources- Manny Parada- Quick update on Employee manual, policies and procedures are being looked over and a lot of recommendations were made by JIF to bring the manual up to current. Also, there is a vacancy in the Recreation department. As for the Borough Clerk position, Emily Dillon will be sworn in tonight, after the vote, as Borough Clerk. Emily Dillon comes from Cape May and she will be starting on September 11th.

Public Works Committee- Councilmember Moore.

Mr. Parada advised more park mobile signs have been added throughout the Borough, we will continue to reassess and modify our approach towards park mobile. DPW has also added some warning signs just as a general warning to everybody to be careful around those large rocks the some of them are partially submerged or partially exposed and they can be difficult to see. Trash and recycle pickup continue twice a week through September 16th, then switching over to normal once a week pickup. Bulk pickup will start on September 18th. The convenience center will maintain a seven day a week operation, through November: using our DPW staff- from 7:00 AM to 3:30 PM.

Utilities Committee- Councilmember Parzych

Two large projects are upcoming- Mr. DeBlasio explained the 114th St. sanitary sewer pump station; there was a pre-construction meeting today; and the contractor was supposed to mobilize the site to start work the first week of October. The second big project is the I-Bank drinking water project, that contractor is going to be starting work on 3rd Ave. at 80th St. and moving towards 96th street. They have mobilized to the Borough this week with mark outs and are digging test pits.

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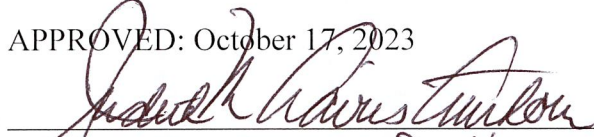
DISCUSSION:


Upon motion of
Seconded by

Councilmember Frank Dallahan
Councilmember Bunny Parzych

That the Work Session Meeting of Mayor and Council be adjourned 5:56 pm

APPROVED: October 17, 2023

 _____, Mayor

ATTEST  _____, Borough Clerk