

Borough of Stone Harbor
REGULAR MEETING AGENDA
Tuesday November 21, 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 January 4, 2023.

Salute the Flag

Communications:

Dock Hearing:

- Channel Marine Construction Inc., 10518 Golden Gate

Public Comment

NEW BUSINESS

Resolutions

- | | |
|------------------------------|--|
| Resolution 2023-S-219 | Resolution Awarding a Contract for the Design and Construction Administration for the Improvements to 10206 Third Ave, A Borough Owned Residential Structure |
| Resolution 2023-S-220 | Resolution Authorizing a Shared Services Agreement for the Snow Plow/Ice Removal on County Roads Within the Borough of Stone Harbor |
| Resolution 2023-S-221 | Resolution Acknowledging and Approving a Grant Application to the New Jersey Department of Community Affairs for the American Rescue Plan Firefighters Grant Program Funds |
| Resolution 2023-S-222 | Resolution Appointing SLEO II Officers |
| Resolution 2023-S-223 | Resolution Authorizing the Award of a Professional Contract Services Contract for Conflict Labor Counsel |
| Resolution 2023-S-224 | Resolution for Change Order No. 2 Final- Reconstruction of 122 nd Street |
| Resolution 2023-S-225 | Resolution to Hire a Part Time Firefighter |

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

Cape May County, New Jersey

RESOLUTION No. 2023-S- 219

**RESOLUTION AWARDING A CONTRACT FOR THE DESIGN AND
CONSTRUCTION ADMINISTRATION FOR THE IMPROVEMENTS TO 10206 THIRD
AVE, A BOROUGH OWNED RESIDENTIAL STRUCTURE**

WHEREAS, DeBlasio and Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, NJ 08260 has provided a revised proposal dated November 9, 2023 to provide Professional Engineering Services including Surveying, Design, Bidding and Construction Administration; for the DeBlasio and Associates Project No. SH-C-504, entitled 10206 Third Avenue Building Improvements; and

WHEREAS, the Borough wishes to engage DeBlasio and Associates to provide all Surveying, Design and Bidding Phase and Engineering Services and Construction Administration including elevating the structure above the design flood elevation and perform numerous remodeling efforts to the three rental units; and

WHEREAS, the Borough has sufficient funds in the COAH Trust to cover said expenses and the Fair Housing Attorney has opined that this is a proper use of the funds to improve the housing; and

WHEREAS, the Borough Engineer has provided a detailed scope of service proposal last revised on November 9, 2023 including architectural to be billed on a lump sum basis Sixty Thousand Dollars (\$60,000) to be billed according to the percentages completed; 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 21st day of November 2023, that the proposal dated November 9, 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 November 21st, 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-220

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT FOR THE SNOW
PLOW/ICE REMOVAL ON COUNTY ROADS WITHIN THE BOROUGH OF STONE
HARBOR**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. (the “Act”) authorizes and encourages local governmental units to enter into agreements for the pooling of resources and sharing of services, with an aim of reducing property taxes through the reduction of local expenses; and

WHEREAS, the County of Cape May (“County”) has requested that the Borough of Stone Harbor continue snow plowing and ice removal along the full length of Third Avenue and the 300 and 400 blocks of 96th Street which are County Owned roadways within the Borough; and

WHEREAS, the Borough finds itself in a position where it can accommodate the County's request in this regard in a manner that is consistent with the purposes of the Act; and

WHEREAS, the County of Cape May has utilized and desires to continue to utilize the services of the Borough in this regard; and,

WHEREAS, the Borough is willing, as a matter of comity and cooperation, to undertake these responsibilities, under certain terms and conditions; and

WHEREAS, there is not presently contract between the Borough of Stone Harbor and the County for use of the Borough’s Snow Plowing and Ice Removal of County Owned roadways within the Borough but there is such a Contract proposed; and,

WHEREAS, the Borough of Stone Harbor and the County desire to enter into a new Agreement and to fix the expiration of said Agreement to occur on December 1, 2024 with a two year automatic extension available;

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 on this 21st day of November, 2023 as follows:

1. The allegations of the preamble are incorporated herein by this reference and are hereby adopted as factual findings.
2. The Borough of Stone Harbor shall enter into a contract with the County of Cape May entitled

“Shared Services Agreement for the Snow Plow/Ice Removal of County Owned Roadways within the Borough of Stone Harbor”, effective December 1, 2023 in the form to be maintained in the office of the Borough Clerk.

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.

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 November 21st, 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> |
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| 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-221

RESOLUTION ACKNOWLEDGING AND APPROVING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE AMERICAN RESCUE PLAN FIREFIGHTERS GRANT PROGRAM FUNDS

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) has opened the application process for funds from the American Rescue Plan Firefighters Grant Program that are due on December 8, 2023; and

WHEREAS, the NJDCA has requested a Resolution from the Governing Body acknowledging and approving the application for the requested grant; and

WHEREAS, the Borough wishes to replace ten (10) sets of turnout gear including helmets, coats and gloves among other items, utilizing the available grant funds; and

WHEREAS, the value of each turnout gear set is \$3,725.85 for a combined total of \$37,258.50 to be used in the purchase of this equipment and that will be the requested amount of the grant, and

WHEREAS, the NJDCA has stipulated that the purchase of turnout gear is an eligible use of the grant funds,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, on this 21st day of November, 2023 that the Borough acknowledges the grant application authorizes the Chief Financial Officer to make said application for a requested grant of \$37,258.50 to the NJDCA before December 8, 2023 and that:

1. The allegations of the preamble are incorporated herein by this reference and are hereby adopted as factual findings.

2. The Borough of Stone Harbor shall enter into a contract with the NJDCA for the American Rescue Plan Firefighter Grant should the Borough be selected to receive said grant.

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, specifically including to make such an application for the grant.

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 November 21st, 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> |
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| 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-222

RESOLUTION APPOINTING SLEO II OFFICERS

WHEREAS, The below will attend training at the Cape May County Police Academy from December 2, 2023 through April 3, 2024 before beginning their seasonal patrol duties.

Jonathan Joseph Ricciardi
Joseph Edward Smith
Ryan Michael Williams

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 21st day of November 2023 that the following be appointed as SLEO II Officers with the Stone Harbor Police Department, effective date December 1, 2023 through September 30, 2024.

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 November 21st, 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> |
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| 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 No. 2023-S- 223

**RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES
CONTRACT FOR CONFLICT LABOR COUNSEL**

WHEREAS, the Borough of Stone Harbor has determined the need to conduct an investigation in response to certain employment complaints and allegations raised; and

WHEREAS, the scope of the investigation would normally fall within the purview of the Professional Services Contract for Borough's Labor Counsel, William G. Blaney, Esquire of the law firm of Blaney, Donohue, & Weinberg, P.C., ("Labor Counsel") but a conflict has been identified that precludes the same; and

WHEREAS, Labor Counsel has identified another law firm, Shant H. Zakarian ("Conflict Labor Counsel"), competent to handle the subject investigation and solicited a proposal and Agreement to provide Legal Services from Conflict Labor Counsel, the terms of which are incorporated by reference herein; and

WHEREAS, the governing body of the Borough of Stone Harbor desires to retain said Conflict Labor Counsel and enter into a Professional Services Agreement with Conflict Labor Counsel.

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 21st day of November 2023, as follows:

That the provisions of the above preamble of this resolution are hereby incorporated herein, by this reference, as if set forth at length.

That the Borough Council, the governing body of the Borough of Stone Harbor, hereby authorizes the award of a Professional Services Contract to Shant H. Zakarian in an amount not to exceed \$17,500.

That the Mayor and Municipal Clerk are hereby authorized and directed to sign said resolution.

That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the execution of said agreement.

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 November 21st, 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> |
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| 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-224

RESOLUTION FOR CHANGE ORDER NO. 2-FINAL – RECONSTRUCTION OF 122ND STREET

WHEREAS, the Borough of Stone Harbor has entered into a Contract with Fred M. Construction, for the FY2022 NJDOT Municipal Aid Program Reconstruction of 122nd Street and

WHEREAS, it is the recommendation of the Borough’s Engineer, DeBlasio and Associates to authorize Change Order No. 2 – *Final* to Adjust the Contract to As Built Quantities, and;

WHEREAS, Change Order No. 2 –will result in a decrease of \$35,521.91 to the amended contract amount of \$727,751.07 for a final contract amount of \$692,229.16, and;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 21st day of November 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 Mayor and Clerk to execute Change Order No. 2 – *Final* to the subject Contract.
3. 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 November 21st, 2023, with the voting record as indicated below.

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| Councilmember Foschini | | | | | | | |
| Councilmember Parzych | | | | | | | |
| Councilmember Casper | | | | | | | |
| Councilmember Gensemer | | | | | | | |
| Councilmember Moore | | | | | | | |

 Attest: Emily Dillon Clerk

 Mayor Judith Davies-Dunhour

BOROUGH OF STONE HARBOR

Cape May County, New Jersey

RESOLUTION

2023-S-225

RESOLUTION TO APPOINT A PART TIME FIREFIGHTER

WHEREAS, The below will be appointed as a Part Time Firefighter with the Stone Harbor Borough Fire Department for the period of November 21, 2023 through January 31, 2024:

Evan Schroer

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 21st day of November 2023 that Evan Schroer be appointed as a Part Time Firefighter with the Stone Harbor Fire Department, effective date November 21, 2023 through January 31, 2024.

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 November 21st, 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> |
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| Councilmember Dallahan | | | | | | | |
| Councilmember Foschini | | | | | | | |
| Councilmember Parzych | | | | | | | |
| Councilmember Casper | | | | | | | |
| Councilmember Gensemer | | | | | | | |
| Councilmember Moore | | | | | | | |

Attest:

Borough Clerk

Mayor