

**MINUTES OF THE MEETING OF MAYOR AND COUNCIL OF
THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING**

November 7, 2023

The meeting was called to order by Mayor Judith M. Davies-Dunhour at 5:37PM.

ROLL CALL

Judith M. Davies-Dunhour, Mayor
Emily Dillon, Borough Clerk
Steve Morris, Solicitor
Manny Parada, Borough Administrator

PRESENT

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

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 Council Meeting was held via Video/Telephone Conference in a Zoom format.

SALUTE TO THE FLAG

COMMUNICATIONS

There are no communications.

Motion concerning the minutes

Since all members of Council have been provided with a copy of the minutes of the Work Session and the Regular Meeting of October 3rd and October 17th 2023, if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Motion: Gensemer **Second:** Parzych
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Dock Hearing:

- Channel Marine Construction Inc., 9727 3rd Avenue

Lauren Plasket appeared before Council and was sworn in by Solicitor, Steven Morris.

The Mayor asked if anyone was here to speak for or against the application, and no comments were made.

Motion is made to approve the dock permit application.

Motion: Dallahan **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

- Jersey Shore Piling and Dock Co., 370-372 83rd Street

Robert Giesecke appeared before Council and was sworn in by Solicitor, Steven Morris.

The Mayor asked if anyone was here to speak for or against the application, and no comments were made.

Motion is made to approve the dock permit application.

Motion: Dallahan **Second:** Parzych
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Public Comment:

Sandy Slabik, 323 84th Street- Ms. Slabik comments on the combining of the Planning and Zoning Boards and questions the amount of members, if the Mayor will be a member, and the meeting schedule as both boards currently have full workloads. Ms. Slabik questions if the requirements to be a board member differ between the boards and how this will affect a combined board. Bill Blaney, of Labor Counsel, clarifies every member of both board is required to be a permanent resident.

Wayne Conrad, Vice Chair of Planning Board, 10711 Sunset Drive- Mr. Conrad states the importance of having a separation between the Planning and Zoning Boards.

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Tim Carney, 336 96th Street- Mr. Carney agrees with the previous comment and states Council should respect the opinions of the chairmen and members of the boards and should not rush an important decision. Mr. Carney states both of the boards are always fully staffed with two alternate members.

Gerald Blackman, Architect and Planner with LSK Design Partners, 9616 Second Avenue- Mr. Blackman comments on the Council’s comments stating Middle Township has a combined Planning and Zoning Board and states for the record Middle Township has separate boards.

Suzanne Walters, 115 92nd Street- Ms. Walters states the topic of combining the boards was previously brought up but was not followed through because the board members did not support it. Ms. Walters states Council needs to respect the members of the board and to not rush a decision that does not have the best interest of Stone Harbor.

Kat Laughlin, 19 83rd Street- Ms. Laughlin mentions no Councilmember conferred with any of the board members on combining the boards and finds Council’s approach and comments disturbing. Ms. Laughlin states it is inappropriate for Council to expedite such an important decision and urges Council to improve their responsibilities as stewards of the government.

Angelo Caracciolo, Zoning Board Chair, 11861 Paradise Drive- Mr. Caracciolo states a decision of this importance regarding combining the boards needs to be thoroughly thought out and researched. Mr. Caracciolo requests data supporting that the combination of the boards would result in an increase in efficiency and a decrease in funds spent. Mr. Caracciolo mentions statutorily the decision to have separate or combined boards is based on the population and states based on the town’s population this topic should be up for public referendum. Mr. Caracciolo urges Council to have more discussions with the board members and public before rushing this decision.

No further comments were made.

Mayor Judy Davies-Dunhour Closed Public Comment.

OLD BUSINESS

Ordinance 1654 An Ordinance Amending Chapter 560, Zoning of the Revised General Ordinances of the Borough of Stone Harbor Amending the Zoning Code for Bulkhead and Habitable Story

PUBLIC HEARING :

Gerald Blackman, Architect and Planner with LSK Design Partners, 9616 Second Avenue - Mr. Blackman comments on the term “habitable story” and states the word habitable should be removed from the ordinance in reference to the maximum number of permitted stories in residential zones. Mr. Blackman suggests this ordinance be referred to the Planning and Zoning Boards for review to attempt to provide clarification.

Motion is made to table ordinance 1654 for further discussion with the Planning and Zoning Boards.

Motion: Parzych **Second:** Gensemer
Dallahan: Yes Foschini: Yes Parzych: Yes Casper: Yes Gensemer: Yes Moore: Yes

Ordinance 1655 An Ordinance Amending Chapter 560, Zoning of the Revised General Ordinances of the Borough of Stone Harbor Amending the Zoning Code Encroachments into Side Yard Along Beach and Bay

PUBLIC HEARING: None.

Motion: Foschini **Second:** Parzych
Dallahan: No Foschini: Yes Parzych: Yes Casper: Yes Gensemer: Yes Moore: Yes

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Ordinance 1656 An Ordinance Amending Chapter 560, Zoning of the Revised General Ordinances of the Borough of Stone Harbor Amending the Zoning Code for Fences

PUBLIC HEARING: None.

Motion: Gensemer **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Ordinance 1657 An Ordinance Amending Chapter 560, Zoning of the Revised General Ordinances of the Borough of Stone Harbor Amending the Zoning Code for Side Yard Setbacks in Residential Zones A, B, and C Zones to Retain Open Space in Stone Harbor

PUBLIC HEARING:

Vincent LaManna, 10510 Golden Gate Drive- Mr. LaManna states he supports Council's decision to table ordinance 1657 as it is not consistent with the Master Plan and urges Council to take a more sophisticated approach to Zoning issues,

Mark Asher, Architect- Mr. Asher states the Borough's Zoning Code is easy to use and enforce and encourages Council not to over complicate the zoning regulations.

Paul Kiss, Principal of LSK Design Partners- Mr. Kiss agrees with the previous comments and states the Borough's zoning code is very easy to understand and follow. Mr. Kiss details that this ordinance would result in longer constructed houses causing an obstruction of views and open space. Mr. Kiss states Council needs to approach zoning issues holistically not piece meal and suggests hiring a Planner for this process.

Cory Gilman, 2699 Dune Drive- Mr. Gilman states he supports the postponement of ordinance 1657 as it conflicts with the master plan and the long term affects of this big of a change are unknown.

Scott Peter, 11825 Paradise Drive- Mr. Peter thanks Council for listening to the public and professionals and postponing the ordinance and encourages Council to hire a professional planner.

Kat Laughlin, 19 83rd Street- Ms. Laughlin thanks Council for hearing the feedback of the public and agrees that a professional planner would be beneficial regarding zoning issues. Ms. Laughlin states the importance of preserving the values of the community through aesthetics of the town.

Motion is made to postpone ordinance 1657 indefinitely.

Motion: Gensemer **Second:** Dallahan
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Ordinance 1658 An Ordinance Amending Chapter 560, Section 50 of the Code of the Borough of Stone Harbor, Lot Grading

PUBLIC HEARING:

Gerald Blackman, Architect and Planner with LSK Design Partners, 9616 Second Avenue- Mr. Blackman states he supports ordinance 1658 but states there is a portion missing regarding the driveway exception regarding elevation at the foundation of the building.

Ray Poudrier, Zoning Officer- Mr. Poudrier states this ordinance has been heavily discussed amongst the engineers and the board's intent was to have wording regarding the driveway exception. Mayor Davies-Dunhour encourages Council to pass the ordinance to address the issues of retaining walls and address the drive way exception separately and states this can be discussed at the upcoming Zoning Board meeting. Council agrees to adopt the ordinance and revisit the drive way excepting moving forward.

Motion: Moore **Second:** Dallahan
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

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Ordinance 1659 An Ordinance Amending Chapter 453 of the General Ordinances of the Borough of Stone Harbor

PUBLIC HEARING: None.

Motion: Gensemer **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

NEW BUSINESS

Resolution 2023-S-212 Resolution for Certification of Compliance with the United States Equal Employment Opportunity Commission's

Motion: Dallahan **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-213 Resolution to Affirm the Borough of Stone Harbor's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and members of the Public that come into Contact With Municipal Employees, Officials and Volunteers

Motion: Gensemer **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-214 Resolution to Refund Duplicate Tax Payment, 150109th Street

Motion: Parzych **Second:** Casper
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-215 Resolution for an Adjustment for Summer Leaks in Connection with RGI 542-27-G- 11841 Paradise Drive

Motion: Casper **Second:** Parzych
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-216 Resolution for an Adjustment for Summer Leaks in Connection with RGO 542-27-G- 20 94th Street

Motion: Moore **Second:** Parzych
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-217 Resolution Authorizing a credit for Utilities Sewer Overpayment- 290 88th Street

Motion: Gensemer **Second:** Moore
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

Resolution 2023-S-218 A Resolution Authorizing the Transfer of Funds

Motion: Moore **Second:** Dallahan
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

MOTION – Approving the Bill List and Authorizing the CFO to Pay the Bills when the funds are available, and the vouchers are properly endorsed.

Motion: Dallahan **Second:** Foschini
Dallahan: Yes **Foschini:** Yes **Parzych:** Yes **Casper:** Yes **Gensemer:** Yes **Moore:** Yes

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Public Comment:

John McAllister, 281 81st Street- Mr. McAllister suggests Council follow the regulations for residential zoning versus commercial zoning regarding commercial properties.

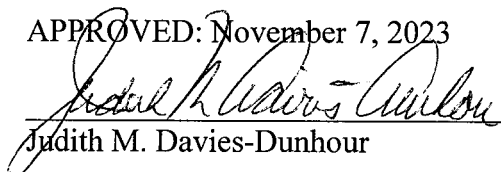
MOTION TO ADJOURN

Motion: Dallahan **Second:** Foschini

Dallahan: Yes Foschini: Yes Parzych: Yes Casper: Yes Gensemer: Yes Moore: Yes

The Regular Meeting of Mayor and Council was adjourned at 7:20 PM.

APPROVED: November 7, 2023

 _____, Mayor
Judith M. Davies-Dunhour

ATTEST:  _____, Borough Clerk

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