

REGULAR MEETING IMMEDIATELY  
FOLLOWING THE WORK SESSION

MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE  
PRELIMINARY AGENDA FOR COUNCILMEMBERS

AGENDA REGULAR MEETING

TUESDAY                      September 15, 2020

ORDINANCE 1572 – Amendment to 1563 – Lauth Sale (1) Parzych

Resolution – Bond Anticipation Notes (2) Krafczek

Resolution – Award 2020 Utility & Road Program (taking bids on September 10<sup>th</sup>) (3) Parzych

Resolution – Reject Bids – Water Meters – (4) Moore

Resolution – Refund Duplicate Tax Payment (Marguess (5) Rich

Resolution – Refund Duplicate Tax Payment (Ruskey (6) Gensemer

Resolution – Refund Duplicate Tax Payment (Marino (7) Dallahan

Resolution – Amend Personnel Manual – Sick Leave (8) Krafczek

Resolution – Cancel Unexpended Grant Balances (Cape May County, Open Space Grant – Bikeway Grant \$99,046.96) - explanation by CFO (9) Krafczek

Resolution – Extend Yoga (10) Gensemer

Resolution – Approve DeBlasio Proposal – Bay Marine Park Improvements – Open Space (11) Gensemer

Resolution – Approve DeBlasio Proposal Add 116<sup>th</sup> street to 111<sup>th</sup> & 114<sup>th</sup> outfall project proposal (12) Parzych

MOTION – OUT TO BID (REBID) – WATER METER REPLACEMENT (13)  
Moore

Motion	September 15
Advertise	September 18
Bid Opening	October 1
Award	October 6

MOTION – Special Event – Chamber Saving September Event (14)  
Gensemer

DISCUSSION

Resolution - CLOSED SESSION: (15) Dallahan

Court Consolidation - draft Ordinance & Agreement -Administrator  
COAH Update of COAH issues – Nancy L. Holm Esq. - Administrator  
Personnel – Sandy Bosacco – Administrator

(1)

**BOROUGH OF STONE HARBOR**  
**COUNTY OF CAPE MAY**

**ORDINANCE 1572**

**AN ORDINANCE AMENDING ORDINANCE 1563 (Section 5)**  
**AUTHORIZING A PRIVATE SALE OF REAL PROPERTY**

WHEREAS, the Borough of Stone Harbor previously adopted Ordinance 1563 – 2019 authorizing the sale of a parcel of land abutting the inter-coastal waterway identified as Block 204.02, Lot 41 to Bill and Ann Lauth; and

WHEREAS, it is necessary to amend the agreement previously authorized as further indicated herein;

NOW, THEREFORE, being ordained by the Borough Council, the governing body of the Borough of Stone Harbor as follows:

Section 1. The averment's above are incorporated herein as if set forth at length.

Section 2. The obligations set forth in Section 2 of the Agreement of Sale previously approved shall be modified to reflect the following:

- (a) Lauth shall be responsible for the replacement of approximately 130 linear feet of bulkhead, which Lauth acknowledges has deteriorated and may, in the immediate future, be in need of replacement. Lauth accepts said bulkhead in "AS IS / WHERE IS" condition and agrees to replace same pursuant to the report from Richard A. Walters, attached hereto as Exhibit "A". The replacement shall otherwise be in accordance with the terms and conditions of the agreement, except that the bulkhead shall be designed by a licensed engineer retained by Lauth and approved by the New Jersey Department of Environmental Protection at Lauth's sole cost and expense. The bulkhead, once approved by the NJ DEP shall not be subject to approval by the Stone Harbor Borough Engineer.
- (b) At closing, Laughs shall pay the full purchase price of Fifty Thousand (\$50,000.00) Dollars to the Borough Stone Harbor. Stone Harbor shall execute and deliver to Lauth a "Quit Claim" deed conveying such title to the Stone Harbor property as the Borough may have. The repairs and/or replacement of the bulkhead shall be a condition subsequent to the execution of this agreement, shall survive closing and shall be so referenced in the deed, in a "Reverter" clause. After closing has been consummated, Lauth shall take full responsibility for the bulkhead and shall release and indemnify Stone Harbor with regard to any claims that may arise thereafter and specifically with regard to its condition and need for a replacement.

Section 3. Additionally, the obligations with regard to time for performance shall be modified as follows:

Buyer agrees to apply to the Borough within 90 calendar days (3 months) of settlement for permits to begin work on the Bulkhead and will complete the bulkhead project within 730 calendar days (24 months) of the permit approvals, to the satisfaction of the NJDEP.

The balance of the agreement, except as modified herein in shall remain in full force and effect. A final copy shall be prepared by the municipal solicitor incorporating these changes.

Section 5. 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 6.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

**Section 4.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

APPROVED:

\_\_\_\_\_  
Judith M. Davies-Dunhour, Mayor

ATTEST:

\_\_\_\_\_  
Suzanne C. Stanford, Borough Clerk

**EXTRACT** from the minutes of a regular meeting of the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, held at the Municipal Building, 9508 Second Avenue, Stone Harbor, New Jersey, on September 15, 2020, at 4:30 o'clock P.M.

**PRESENT:**

**ABSENT:**

\* \* \*

\_\_\_\_\_ introduced and moved the adoption of the following resolution and \_\_\_\_\_ seconded the motion:

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$17,855,173 BOND ANTICIPATION NOTES OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY.**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AS FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Borough of Stone Harbor, in the County of Cape May (the "Borough") entitled: "Bond ordinance providing for the improvement of the water and sewerage system in and by the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$17,855,173 therefor and authorizing the issuance of \$17,855,173 bonds or notes of the Borough for financing such appropriation (General Capital)", finally adopted on October 18, 2011 (#1391), bond anticipation notes of the Borough in a principal amount not exceeding \$433,480 shall be issued for the purpose of temporarily

financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$750,000, and authorizing the issuance of \$750,000 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the county of Cape May, New Jersey", finally adopted on March 6, 2012 (#1399), bond anticipation notes of the Borough in a principal amount not exceeding \$639,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of the water and sewerage system in and of the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$1,650,000 therefor and authorizing the issuance of \$1,571,000 bonds or notes of the Borough for financing such appropriation", finally adopted on April 2, 2013 (#1418), bond anticipation notes of the Borough in a principal amount not exceeding \$1,443,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$620,000, and authorizing the issuance of \$620,000 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey", finally adopted on February 18, 2014 (#1437), bond anticipation notes of the Borough in a principal

amount not exceeding \$526,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of the water and sewerage system in and of the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$4,000,000 therefor and authorizing the issuance of \$4,000,000 bonds or notes of the Borough for financing such appropriation (Water and Sewer Utility)", finally adopted on October 21, 2014 (#1450), bond anticipation notes of the Borough in a principal amount not exceeding \$74,693 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance providing for the improvement of the water and sewerage system in and of the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$1,300,000 therefor and authorizing the issuance of \$1,300,000 bonds or notes of the Borough for financing such appropriation", finally adopted on April 5, 2016 (#1480), bond anticipation notes of the Borough in a principal amount not exceeding \$1,272,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Borough entitled: "Bond ordinance appropriating \$366,000, and authorizing the issuance of \$347,700 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be

undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on March 3, 2015 (#1456), bond anticipation notes of the Borough in a principal amount not exceeding \$244,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$553,000, and authorizing the issuance of \$553,000 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on April 5, 2016 (#1479), bond anticipation notes of the Borough in a principal amount not exceeding \$523,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance providing for the improvement of the water and sewerage system in and of the Borough of Stone Harbor, in the County of Cape May, New Jersey, appropriating \$1,500,000 therefor and authorizing the issuance of \$1,500,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on March 9, 2017 (#1492-17), bond anticipation notes of the Borough in a principal amount not exceeding \$1,480,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$3,310,000, and authorizing the issuance of \$3,310,000 bonds or notes

of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on April 18, 2017 (#1496-17), bond anticipation notes of the Borough in a principal amount not exceeding \$2,519,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$1,354,000, and authorizing the issuance of \$1,354,000 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on April 17, 2018 (#1518-18), bond anticipation notes of the Borough in a principal amount not exceeding \$1,000,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$4,753,175, and authorizing the issuance of \$4,753,175 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on May 7, 2019 (#1547-19), bond anticipation notes of the Borough in a principal amount not exceeding \$4,000,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$5,395,980, and authorizing the issuance of \$4,841,181 bonds or notes

of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on May 7, 2019 (#1546-19), bond anticipation notes of the Borough in a principal amount not exceeding \$2,500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$4,356,000, and authorizing the issuance of \$4,356,000 bonds or notes of the Borough, for various water and sewerage system improvements or purposes authorized to be undertaken by the Borough of Stone Harbor, in the County of Cape May, New Jersey”, finally adopted on May 5, 2020 (#1567-20), bond anticipation notes of the Borough in a principal amount not exceeding \$1,200,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 15. All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby

authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 16. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 17. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 18. All action heretofore taken by Borough officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 19. This resolution shall take effect immediately.

Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was adopted by the following vote:

**AYES:**

**NOES:**

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(4)

**RESOLUTION**

**RESOLUTION REJECTING BIDS FOR WATER METER REPLACEMENT**

WHEREAS, on July 30, 2020, the Borough received four (4) bids for Water Meter Replacement File #SH-C-023; and

WHEREAS, under the specifications and under law, the Borough reserves to itself the right to reject all bids; and

WHEREAS, there were anomalies in the various bids submitted on July 30, 2020 and the Borough Engineer and the Municipal Solicitor recommend that the bids be rejected and the project rebid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 15<sup>th</sup> day of September, 2020, as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth at length;
2. That all bids received on July 30, 2020 by the Borough Clerk in connection with Water Meter Replacement by and hereby rejected by the Borough in exercise of it discretion to do so under law.
3. That the Borough Clerk is authorized to return the bid bonds of the unsuccessful bidders.
4. That all applicable Borough professionals, agents and servants and employees are hereby authorized and directed to promptly rebid this project forthwith.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

( 5 )

**COUNCIL MEETING – SEPTEMBER 15, 2020**

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, John J Marquess paid the third quarter tax installment twice for Block 98.03 Lot 92.02 A.K.A. 245 98th Street; and

**WHEREAS**, Mr. Marquess 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 \$2,122.83 be issued to John J & Carol A Marquess, 324 Homestead Ave, Haddonfield NJ 08033; and

**BE IT FURTHER RESOLVED** that the Tax Collector make the proper adjustment in her records.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(b)

*COUNCIL MEETING – September 15, 2020*

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, Dr. Elizabeth Ruskey and CoreLogic tax servicing agency paid the 3<sup>rd</sup> quarter tax installment for Block 88.01 Lot 14.02 located at 8808 First Ave, A.K.A. 8808 First Ave; and

**WHEREAS**, Dr. Ruskey 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 \$2,784.21 be issued to John & Elizabeth Ruskey, 8808 First Ave, Stone Harbor NJ 08247; and

**BE IT FURTHER RESOLVED** that the Tax Collector make the proper adjustment in her records.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(7)

**COUNCIL MEETING – September 15, 2020**

**REFUND DUPLICATE TAX PAYMENT**

**WHEREAS**, In August Richard Marino sold his home located at 9301 Sunset Dr., AKA Block 93.05 Lot 166, and Seaboard Title Agency paid the 3<sup>rd</sup> quarter water/sewer bill, and;

**WHEREAS**, Mr. Marino was enrolled in the Direct Debit program and forgot to cancel the agreement thereby a duplicate payment was made for the 3<sup>rd</sup> quarter on account #7160, and he has 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 \$238.50 be issued to Richard & Teresa Marino, 783 Mitchell Rd, Wilmington OH 45177; and

**BE IT FURTHER RESOLVED** that the Tax Collector make the proper adjustment in her records.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(8)

**RESOLUTION AMENDING PERSONNEL MANUAL  
SECTION 6.4 SICK LEAVE**

WHEREAS, the Borough of Stone Harbor maintains a Personnel Manual; and

WHEREAS, from time to time, it becomes necessary to amend said Manual; and

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 following amendment concerning Sick Leave be made to the Personnel Manual:

**6.4 SICK LEAVE**

Policy: It is the policy of the Borough to grant sick leave to an employee for an occasional absence due to illness, injury, exposure to a contagious disease or employee's medical appointment. The Borough has the responsibility and authority to determine that the employee's illness is incapacitating and that other reasons for which sick leave are granted are true. Employees covered by Collective Bargaining Agreement should consult their contract.

Note:

- 2. Sick leave shall be used for the employee's personal illness or injury. The use of sick leave for the care of dependent children or a spouse or co-party to a civil union is allowed under this section. The use of sick leave for the care of a spouse or co-party to a civil union shall be limited to a "serious medical condition" as defined by section 101 (11) of the FMLA.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**RESOLUTION AMENDING PERSONNEL MANUAL  
SECTION 6.9 FUNERAL LEAVE §3b**

**WHEREAS**, the Borough of Stone Harbor maintains a Personnel Manual; and

**WHEREAS**, from time to time, it becomes necessary to amend said Manual; and

**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 following amendment concerning Funeral Leave be made to the Personnel Manual:

**6.9 FUNERAL LEAVE**

**Policy:** It is the policy of the Borough to grant time off with pay to full-time employees for a death in the immediate family.

**Note:**

1. Time off shall be granted without deduction from pay or time owed.
2. Except for employees covered by collective bargaining agreements, leave, with pay, not exceeding four (4) working days, shall be granted to permit the employee to attend and/or make arrangements for the funeral in the event of the death of a member of the immediate family.
3. The term immediate family shall include:
  - a. The employee's spouse, or significant other, civil union partner, child, parent, stepchild, sibling, brother or sister. The term parent, brother, sister shall include step-parents, step-sisters or step-brothers.
  - b. In the event of the death of the employee's grandmother, grandfather or grandchild, or brother-in-law, sister-in-law, mother-in-law, father-in-law, or a relative living under the same roof of the employee, the employee shall be granted three (3) days off with pay to attend the funeral.

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(9)

**RESOLUTION**

CANCELLATION OF UNEXPENDED GRANT FUND RECEIVABLE AND APPROPRIATION BALANCES OF THE  
CAPE MAY COUNTY, OPEN SPACE GRANT – Bikeway Grant

WHEREAS, It is necessary to cancel the unexpended grant fund receivable and appropriation balance of the Cape May County, Open Space Grant, Bikeway Grant and it is the desire of the Borough Council to cancel these balances at this time.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor on this 15<sup>th</sup> day of September, 2020 that the unexpended grant fund receivable and appropriation balances be canceled as follows:

Receivable:		
	Cape May County, Open Space Grant, Bikeway Grant	\$99,046.96

Appropriation:		
	Cape May County, Open Space Grant, Bikeway Grant	\$99,046.96

BE IT FURTHER RESOLVED that the proper officials be and are hereby authorized to do all things necessary to carry out the intent of this resolution.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

(10)

**RESOLUTION**

**RESOLUTION AUTHORIZING EXTENSION OF JUST BREATHE YOGA DURING 2020 SEASON**

WHEREAS, the Borough of Stone Harbor, in an effort to expand recreational opportunities for resident and visitors has pursued the provision of certain "sport camps" which are extraordinary and not amenable to typical specification processes; and

WHEREAS, agreements to provide such services are acceptable and do not fall under typical specification procedure and are therefore exempt from public bidding in accordance with N.J.S.A. 40A:11-5 as Extraordinary Unspecifiable Services; and

WHEREAS, a contract for the following service has been prepared and is on file with the Recreation Director: Just Breathe Yoga – until August 28, 2020; and

WHEREAS, the Borough would like to extend Just Breathe Yoga until Saturday, October 10, 2020 and the Liability Insurance covers until then as per the Recreation Director; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey, duly assembled in public session this 15<sup>th</sup> day of September, 2020, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the Borough Council hereby approves the above mentioned extension of contract for Just Breathe Yoga and the extension of season, subject to the following:

A. Execution of Addendum to the existing Agreement in a form acceptable to the Municipal Solicitor;

B. Receipt of proof of adequate insurance coverage naming the Borough as a named insured.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(11)

**Approve Proposal for Professional Services  
Conceptual Design and Cape May County Open Space Grant Application  
Bay Marine Park Improvement**

WHEREAS, DeBlasio & Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal on May 26, 2020 (copy attached) to provide Conceptual Design and Cape May County Open Space Grant Application (Bay Marine Park Improvement) D&A Project #SH-C-024:

Services will include

- A. Conceptual Design
  - 1. Topographic Survey
  - 2. Conceptual Site and Improvement Design
- B. Cape May County Open Space Application  
Schedule and Fee..... \$23,000.00

**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 Borough Council approves the attached Proposal for Professional Services as presented on this 15<sup>th</sup> day of September, 2020.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2020

The above resolution approved this ..... day of....., 2020

Borough Clerk

Mayor

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

(12)

**Approve Proposal for Professional Services  
111<sup>th</sup> Street and 114<sup>th</sup> Street Beach Outfall Elimination  
Additional Services - Reconstruction of 116<sup>th</sup> Street  
Geotechnical Engineering Services**

WHEREAS, DeBlasio & Associates, Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal on July 15, 2020 (copy attached) to provide Additional Services D&A Project #SH-C-021:

Services will include

- |  |                |
|--|----------------|
| A. NJDEP Land Use Approval – CAFRA if required | Not Applicable |
| B. Design Development                          | \$20,000       |
| C. Preparation of Construction Documents       | \$ 5,000       |

Total \$25,000

**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 Borough Council approves the attached Proposal for Professional Services (Additional Services) as presented on this 15<sup>th</sup> day of September, 2020.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the ..... day of ....., 2020

Borough Clerk

The above resolution approved this ..... day of....., 2020

Mayor

(15)

**BOROUGH OF STONE HARBOR**

CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**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. *Terms and conditions of an existing or proposed bargaining agreement, including negotiation positions.*
2. *Matters falling within the attorney-client privilege.*
3. *Matters Relating to a Borough Employee, the relevant employee having been properly notified in accordance with law.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on September 15, 2020 that an Executive Session closed to the public shall be held on September 15, 2020 at or about 5:30 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 such confidentiality.

Offered by ..... Seconded by.....

The above resolution was duly adopted by the Borough Council of the Borough of Stone Harbor, New Jersey, at a meeting of said Council duly held on the .....day of ....., 2020

.....  
Borough Clerk

The above resolution approved this ..... day of....., 2020

.....  
Mayor