

Walt

REGULAR MEETING IMMEDIATELY
FOLLOWING THE WORK SESSION

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

AGENDA REGULAR MEETING

TUESDAY October 20, 2020

MUSEUM REPORT – Jim Talone - Presentation --

ORDINANCE 1572 – Lauth Sale 2nd 3rd and final
This Ordinance will be withdrawn (1) Parzych

ORDINANCE 1576 Lauth Sale - INTRO Amendment to original Ordinance
1563 (2) Parzych

Resolution – Approve Fire Department Employee Manual (3) Dallahan

Resolution – Award Water Meter Bids (4) Moore

Resolution – Shared Court (5) Dallahan

Motion – Beach School Proposal

Motion – 2 New Firemen – (6) Dallahan

DISCUSSION

Resolution – Closed Session (7) Krafczek

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE 1572

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

(11)
*will
withdraw*

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, Lauths 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

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Stone Harbor, in the County of Cape May, New Jersey, held on September 15, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of said Borough Council to be held in the Municipal Building in said Borough on Tuesday, October 20, 2020 at 4:30 p.m. and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

Suzanne C. Stanford, Borough Clerk



BOROUGH OF STONE HARBOR
9508 SECOND AVENUE
STONE HARBOR, NEW JERSEY 08247

TELEPHONE (609) 368-5102
FAX (609) 368-2619

September 16, 2020

Press of Atlantic City
1000 W. Washington Ave
Pleasantville, N.J. 08232

Please print the enclosed ORDINANCE NO. 1572 and Notice, **ONCE, IN FULL** Saturday, September 19, 2020. I will also need a Proof of Publication sent to my attention.

Thank you very much.

Sincerely,

Suzanne C. Stanford
Borough Clerk

Enc:
Emailed: September 16, 2020

"The Seashore at its Best"



SHOULD YOU REQUIRE A SPECIAL ACCOMMODATION PLEASE CALL (609) 368-5102
WWW.STONE-HARBOR.NJ.US

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE 1576

*(2) Amend
Approved
1563*

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, Lauth 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. 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 without exception and specifically with regard to its condition, need for a replacement or damages to third parties.

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

Buyer agrees that work shall be performed in accordance with the timeline and as outlined in the report of Richard Walters. Attached hereto as Exhibit "A"

The balance of the agreement, except as modified herein 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

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(3)

A RESOLUTION
APPROVING FIRE DEPARTMENT EMPLOYEE MANUAL

WHEREAS, the attached Manual contains information about policies and procedures and an overview of Firefighter benefits; and

WHEREAS, this Manual is attached hereto and incorporated herein by reference;

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 20th day of October 2020, that the attached Fire Department Employee Manual be and is hereby approved and adopted.

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 theday of, 2020

.....

Borough Clerk

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

.....

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(4)

**AWARDING A CONTRACT
FOR WATER METER REPLACEMENT**

WHEREAS, two (2) bids were received by the Stone Harbor Municipal Clerk on October 1, 2020 on the Borough's Notice to Bidders for the aforementioned project in accordance with the specifications prepared by DeBlasio & Associates, the Borough Engineer, bearing project number D & A Project #: SH-C-023, which specifications are hereby incorporated herein and made a part hereof by reference, all in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, the low bidder, Core& Main, L.P. 228 Williamstown Road, Berlin, N.J. 08009 whose bid was \$1,248,405.00 for the Alternate Bid 1; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as evidenced by the Chief Financial Officer's Certification attached hereto and the bid has been reviewed by the Borough Solicitor.

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 20th day of October, 2020, as follows;

1. That the preamble of this Resolution is hereby incorporated herein by reference;
2. That the contract for the aforementioned project bearing DeBlasio & Associates project number D & A Project #: SH-C-023 be and the same is hereby awarded to Core & Main, L.P. in the amount of \$ 1,248,405.00.
3. That the Mayor and Clerk are hereby authorized and directed to execute the contract for same in accordance with the bid submitted and incorporated herein as stated above.
4. That the Borough Engineer is hereby directed and authorized to issue an appropriate Notice of Award and Notice to Proceed as called for within the contract.
5. That the Borough Clerk is authorized to return the bonds of the unsuccessful bidders.

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 theday of, 2020

Borough Clerk

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

Mayor

DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

PHONE: 609-854-3311 • FAX: 609-854-4323

October 15, 2020

VIA EMAIL

Ms. Suzanne Stanford, Clerk
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor, New Jersey 08247

RE: **Borough of Stone Harbor**
Water Meter Replacement - Readvertised
D&A Project #: SH-C-023


Dear Ms. Stanford:

We have tabulated the two (2) bids received on October 1, 2020 with reference to the above captioned project and find the low bidder to be Core & Main, L.P., 228 Williamstown Road, Berlin, NJ 08009, in the amount of \$1,248,405.00 for the Alternate Bid 1. A copy of the bid tabulation is enclosed for your review.

Therefore, in accordance with the New Jersey Local Public Contracts Law, NJS 40A:11-1 et seq., the contract should be awarded to the lowest responsible bidder, which appears to be Core & Main, L.P. The award should be contingent upon approval of your solicitor and monies being available.

Should you have any questions or require any additional information, please do not hesitate to contact me at our office.

Very truly yours,
DeBlasio & Associates, P.C.


Marc DeBlasio, P.E., P.P., C.M.E.
President
T: 609-854-3311
Marc@deblasioassoc.com

MD:eb

cc: Robert Smith, Administrator (via email w/encl.)
Marcus Karavan, Borough Solicitor (via email w/encl.)
Grant Russ, Director of Public Works (via email w/encl.)
Francisco Tirado, Public Works Supervisor of Water-Sewer (via email w/encl.)
Jim Craft, CFO (via email w/encl.)

WWW.DEBLASIOASSOC.COM



BID TABULATION

Project Name: Water Meter Replacement
 DGA Project #: SH-C023
 Client: Borough of Stone Harbor
 Bid Opening Date: 10/1/2020

Item #	DESCRIPTION	QUANTITY & UNITS	Core and Main 1228 W. Wintonwood Road Berlincourt, NJ 08009		Roo Supply 1100 Sailed Victory Sicklerville, NJ 08081	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	FURNISH & INSTALL 3/8" x 3/4" METER, COMPLETE	2,889 UNITS	\$295.00	\$862,255.00	\$302.00	\$1,008,276.00
2	FURNISH & INSTALL 1" METER, COMPLETE	263 UNITS	\$310.00	\$82,730.00	\$599.00	\$157,997.00
3	FURNISH & INSTALL 1 1/2" METER, COMPLETE	41 UNITS	\$709.00	\$29,069.00	\$891.00	\$36,891.00
4	FURNISH & INSTALL 2" METER, COMPLETE	39 UNITS	\$496.00	\$19,344.00	\$1,081.00	\$42,199.00
5	FURNISH & INSTALL 3" METER, COMPLETE	2 UNITS	\$1,959.00	\$3,918.00	\$2,889.00	\$5,818.00
6	FURNISH & INSTALL 4" METER, COMPLETE	10 UNITS	\$2,219.00	\$22,190.00	\$3,844.00	\$38,440.00
7	HANDHELD DATA COLLECTOR	2 UNITS	\$2,900.00	\$5,800.00	\$12,515.00	\$25,125.00
8	SOFTWARE SYSTEM	LUMP SUM	\$6,400.00	\$6,400.00	\$16,500.00	\$16,500.00
9	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	650 UNITS	\$134.00	\$87,100.00	\$80.00	\$52,000.00
10	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	100 UNITS	\$161.00	\$16,100.00	\$80.00	\$8,000.00
11	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	50 UNITS	\$465.00	\$23,250.00	\$300.00	\$15,000.00
12	CONCRETE SIDEWALK, 6" THICK (IF & WHERE DIRECTED)	400 S.Y.	\$35.00	\$14,000.00	\$160.00	\$64,000.00
13	CONCRETE DRIVEWAY, 6" THICK (IF & WHERE DIRECTED)	400 S.Y.	\$30.00	\$12,000.00	\$180.00	\$72,000.00
			Total Amount Bid Based on Estimated Quantities for Bid Items 1-13:		\$1,229,913.00	

Item #	DESCRIPTION	QUANTITY & UNITS	Core and Main 1228 W. Wintonwood Road Berlincourt, NJ 08009		Roo Supply 1100 Sailed Victory Sicklerville, NJ 08081	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
A1	FURNISH & INSTALL 5/8" x 3/4" METER, COMPLETE	2,889 UNITS	\$295.00	\$862,255.00	\$302.00	\$1,008,276.00
A2	FURNISH & INSTALL 1" METER, COMPLETE	263 UNITS	\$340.00	\$89,420.00	\$599.00	\$157,997.00
A3	FURNISH & INSTALL 1 1/2" METER, COMPLETE	41 UNITS	\$675.00	\$27,675.00	\$891.00	\$36,699.00
A4	FURNISH & INSTALL 2" METER, COMPLETE	39 UNITS	\$985.00	\$38,415.00	\$1,081.00	\$42,199.00
A5	FURNISH & INSTALL 3" METER, COMPLETE	2 UNITS	\$1,875.00	\$3,750.00	\$2,889.00	\$5,818.00
A6	FURNISH & INSTALL 4" METER, COMPLETE	10 UNITS	\$2,295.00	\$22,950.00	\$3,844.00	\$38,440.00
A7	HANDHELD DATA COLLECTOR	2 UNITS	\$2,900.00	\$5,800.00	\$12,515.00	\$25,125.00
A8	SOFTWARE SYSTEM	LUMP SUM	\$19,000.00	\$19,000.00	\$48,500.00	\$48,500.00
A9	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	650 UNITS	\$134.00	\$87,100.00	\$80.00	\$52,000.00
A10	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	100 UNITS	\$161.00	\$16,100.00	\$80.00	\$8,000.00
A11	METER YOKER BAR, TYPE Y504 (IF & WHERE DIRECTED)	50 UNITS	\$365.00	\$18,250.00	\$300.00	\$15,000.00
A12	CONCRETE SIDEWALK, 6" THICK (IF & WHERE DIRECTED)	400 S.Y.	\$35.00	\$14,000.00	\$160.00	\$64,000.00
A13	CONCRETE DRIVEWAY, 6" THICK (IF & WHERE DIRECTED)	400 S.Y.	\$30.00	\$12,000.00	\$180.00	\$72,000.00
A14	PERMANENTLY MOUNTED DATA COLLECTOR	LUMP SUM	\$48,000.00	\$48,000.00	\$128,000.00	\$128,000.00
			Total Amount Bid Based on Estimated Quantities for Bid Items A1-A14:		\$1,740,175.00	

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF AVALON AND THE BOROUGH OF STONE HARBOR FOR A SHARED MUNICIPAL COURT FOR A TERM OF FIVE (5) YEARS COMMENCING JANUARY 1, 2021.

WHEREAS, the "Uniformed Shared Services and Consolidation Act", N.J.S.A. 40A:65-1 et seq. (the "Act") authorizes local units of the State of New Jersey to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within in its own jurisdiction; and

WHEREAS, N.J.S.A. 2b:12-1© allows two or more municipalities, by ordinance or resolution, may agree to provide shared courtrooms, chambers, equipment, supplies and employees for their Municipal Courts and agree to appoint Judges and Municipal Court Administrators without establishing a joint Municipal Court; and

WHEREAS, the Borough of Avalon and Borough of Stone Harbor desire to share Municipal Court services, in accordance with N.J.S.A. 2B-12-1 © in order to conserve resources and to provide for more efficient and more economically sound municipal court system, with the Borough of Avalon being the lead agency and providing the Municipal Courtroom and court offices as well as maintaining the right to appoint the Judge, Municipal Prosecutor, and Municipal Public Defender; and

WHEREAS, the Borough of Avalon and Borough of Stone Harbor find that it would be in the best interest of both municipalities to share Municipal Court Services, under the terms and conditions of a Shared Services Agreement for a term of five (5) years commencing January 1, 2021 through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of October, 2020 by the Borough Council of the Borough of Stone Harbor, County of Cape May as follows:

1. The allegations to the preamble be and hereby are incorporated by reference.
2. The Shared Services Agreement between the Borough of Avalon and the Borough of Stone Harbor for shared Municipal Court services be and hereby is authorized for a five (5) year term commencing January 1, 2021 through December 31, 2025.
3. The proper officials be and hereby are authorized to execute the Shared Services Agreement and 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 theday of, 2020

Borough Clerk

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

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(7)

**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. *Pending and/or anticipated litigation.*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, assembled in public session on October 20, 2020 that an Executive Session closed to the public shall be held on October 20, 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