

Walt

REGULAR MEETING IMMEDIATELY
FOLLOWING THE WORK SESSION

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

AGENDA REGULAR MEETING

TUESDAY November 17, 2020

Garden Club Presentation

ORDINANCE 1576 Lauth amendment 2nd 3rd and final (1) Parzych

ORDINANCE 1578 – Fee Waiver – Mayor weddings INTRO
(2) Krafczek

Resolution – Award bid – Water Meter Replacement (4) Moore

Resolution – Purchase COOP – Police (5) Dallahan

Resolution – SLEO II appointments (6) Rich

Resolution- SLEO appointment extended – Jared Carll (7) Parzych

Resolution – Shared Services – Municipal Court (8) Dallahan

Resolution – Refund Fire Hydrant Fee – Gres Paving (9) Gallagher

Resolution – Utility Payment – Carmody (10) Moore

Resolution – Reimburse Permit/ (Telsa Energy - contractor not doing work
(11) rich

Resolution – Authorize the Mayor to sign NJDEP Treatment Works
Approval permit for 114th Street Sanitary Sewer pump Improvements plus 2
permit fee checks (12) Moore

(1)

BOROUGH OF STONE HARBOR
COUNTY OF CAPE MAY

ORDINANCE 1576

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 of 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

(2)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY

ORDINANCE NO.

**ESTABLISHING FEES AND PROCEDURES FOR
REIMBURSEMENT OF MAYOR'S EXPENSES IN CONNECTION
WITH WEDDING AND CIVIL UNION CEREMONIES**

Section 1. Chapter 365 FEES FOR PERFORMANCE OF MARRIAGE OR CIVIL UNION CEREMONIES of the Revised General Ordinances of the Borough of Stone Harbor, 2005, is hereby amended as follows:

365-1 – FEES; refund for cancellation. (same)_

365-2 Mayor's compensation; payment of expenses; procedure.

A. Establishment of policy (same)

B. Prior approval required (same)

C. Procedure for approvals (same)

356-3 (NEW) Waiver of Mayor's compensation; remission of fees.

Notwithstanding the provisions of sections 365-2 contained herein, the Mayor of the Borough of Stone Harbor may waive the right to any compensation in which case any and all fees to the Borough shall also be waived.

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

**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 17th day of November, 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

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

WHEREAS, the Borough of Stone Harbor entered into the Cranford Police Cooperative Pricing System (#47-CPCPS) by Resolution 2008-S-47 for the purpose of purchasing equipment; and

WHEREAS, the Borough Police Department will be using this System to purchase a 2021 Ford Utility K8A AWD vehicle from Gentilini Ford - 555 John S. Penn Blvd, Woodbine, N.J. for \$ 34,926.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stone Harbor, County of Cape May, State of New Jersey that the purchase of a 2021 Ford Utility K8A AWD vehicle at \$ 34,926 be approved.

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

(6)

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 17th day of November, 2020 that the following be appointed as a SLEO II Officers with the Stone Harbor Police Department, effective date December 12, 2020 through April 19, 2021. They will be attending training during that time at the Cape May County Police Academy.

Eric Courtney
Matthew Grubb
Timothy Meineke
Nick McLaren
Nil Mistry

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

(1)

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 following had been appointed as a SLEO II Officer, with the Stone Harbor Police Department per Resolution 2020-S-71 and was extended to serve as a SLEO II Officer through November 30, 2020. This Resolution will further extend his appointment through the end of February 28, 2021.

Jared Carll

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

(8)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

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 17th day of November, 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

(4)

RESOLUTION

Council Meeting: November 17, 2020

Refund Fire Hydrant Rental Fee

WHEREAS, pursuant to Section 542-13D of the Borough's General Code, Gres Paving Co Inc., a private contractor, paid \$345.00 to rent a fire hydrant meter for 6 days; and,

WHEREAS, Gres Paving Co Inc. returned the fire hydrant meter to the Department of Public Works on the third rental day; and,

WHEREAS, the Utilities Collector requested that Gres Paving Co Inc. be refunded for three unused rental days; 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 \$172.50 be refunded to Gres Paving Co Inc., 2475 East State Street, Trenton NJ 08619, for overpayment of a fire hydrant rental fee.

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

(10)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

COUNCIL MEETING – November 17, 2020

REFUND UTILITIES PAYMENT

WHEREAS, On October 21 Patricia Carmody paid her taxes through her online bank bill-pay for Block 105.21 Lot 74, AKA 10500 Second Ave for the November installment, and;

WHEREAS, Ms. Carmody mistakenly input her utilities account number as the payee thereby the automated file applied the funds to her utilities account #16400, as indicated, and;

WHEREAS, Ms. Carmody requested a refund because she remembered that she escrows her property tax payments through her mortgage bank, 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 \$4,019.29 be issued to Christopher J & Patricia Carmody, 141 Hanson Rd, Darien CT 06820, 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 theday of, 2020

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(11)

REIMBURSE VOIDED PERMIT

WHEREAS, a permit was issued to Telsa Energy 1001 Lower Landing Road, Suite 601, Blackwood, N.J. 08012 for 172 – 98th Street , Permit #20-131, in the amount of \$ 249.00; and

WHEREAS, this contractor will not be doing the work; and

WHEREAS, the amount of the permit fee was \$ \$311.00 less the 20% review cost of \$62.00 leaving the amount to be reimbursed \$ 249.00.

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 a refund check in the amount of \$ 249.00 be issued to Tesla Energy.

BE IT FURTHER RESOLVED that Borough Officials make the proper adjustments in their 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 theday of, 2020

.....
Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

(12)

RESOLUTION OF THE BOROUGH OF STONE HARBOR,
IN THE COUNTY OF CAPE MAY, NEW JERSEY,
ENDORISING A TREATMENT WORKS PERMIT APPLICATION
AND FURTHER AUTHORIZING THE MAYOR
TO SIGN PERMIT APPLICATION DOCUMENTS

WHEREAS, the Borough of Stone Harbor is intending to replace the existing 114th Street Wastewater Pump Station, located on land identified on the official tax map of Stone Harbor as Block 111.03, Lot 1 with a proposed pump station on the same property:

WHEREAS, in order for the Borough of Stone Harbor to construct the proposed wastewater pump station, it must first obtain from the State of New Jersey, Department of Environmental Protection, Division of Water Quality certain approvals and permits:

WHEREAS, the Borough Engineer has also requested that the Borough prepare a checks in the amount of \$7,689.00 Treatment Works Approval (TWA) fee payable to the Treasurer, State of New Jersey and \$550.00, Soil Erosion and Sediment Control (SESC) fee payable to the Cape Atlantic Conservation District, permit fees required for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF STONE HARBOR, IN THE COUNTY OF CAPE MAY, NEW JERSEY THAT:

1. The 114th Street Pump Station Treatment Works Permit Application provided by the Borough Engineer is hereby approved and endorsed for submittal to the New Jersey Department of Environmental Protection.
2. The Borough of Stone Harbor authorizes Mayor Judith M. Davies-Dunhour, to sign the Treatment Works Permit Application documents in the appropriate designated locations as indicated by the Borough Engineer.
3. The Borough prepare checks for the permit fees as requested.

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