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REGULAR MEETING IMMEDIATELY
FOLLOWING THE WORK SESSION

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

AGENDA REGULAR MEETING

TUESDAY _____ December 15, 2020

Resolution – Appoint New Firemen (1) Dallahan

SWEAR IN NEW FIREMEN

HARDSHIP CASES – South Jersey Gas (2)

Bill & Kelly Stiles – 415 Berkley Road approval to connect to Natural Gas

DOCK HEARING – (3) Bob Giesecke – 10521 Golden Gate

ORDINANCE 1578 – Fee Waiver – Mayor weddings 2nd 3rd and final (4) Krafczek

Resolution – Fees for 2021 (5) Gensemer

Resolution – Reimburse Street Opening – Eldon (6) Moore

Resolution – Appoint Temp Detective – Police (7) Dallahan

Resolution – Refund Surety Monies – PPA Realty (8) Parzych

Resolution – Appoint Conflict Zoning Official and Code Enforcement Officer (9) Dallahan

Resolution – Shared Services CMC MUA (10) Moore

Resolution – Refund Duplicate Tax Payment – Beltz (11) Rich

Resolution (12) Dallahan

Closed Session- 1. COAH Obligations – Nancy Holm

2. Resolution 2020-S-214 - -Change Order #3 – 2019 Utility & Road Program (tabled from December 1, 2020)

3. Villa Lot

4. Employee Salaries

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(11)

RESOLUTION

APPOINTING FULL-TIME FIREFIGHTERS

WHEREAS, the Stone Harbor Fire Chief, Roger W. Stanford has recommended to the Public Safety Committee the hiring of the following as full-time firefighters for the Borough of Stone Harbor; and

WHEREAS, the Public Safety Committee recommends that Borough Council make these appointments.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Borough of Stone Harbor, in the County of Cape May and State of New Jersey on this 15th day of December, 2020 that

- Donald J. Fancher
- William F. Stahl
- Christopher N. Gay
- Peter J. Conlin
- Joshua R. Otton
- Robert C. McClure, Jr.
- Eric D. Staeger
- Michael H. Gihorski

are hereby appointed as full-time firefighters in the Stone Harbor Volunteer Fire Company #1.

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

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

Borough Clerk

.....
Mayor

(2)

November 20, 2020

Bill and Kelly Stiles
415 Berkley Road
Stone Harbor NJ 08247

Dec 15

Susanne Stanford, Clerk
Borough of Stone Harbor
9508 Second Avenue
Stone Harbor NJ 08247

SUBJ: Request for Hardship to Connect to Natural Gas
REF: 415 Berkley Road, Stone Harbor, NJ
Block 200.02 Lot 449
Attachments Cancelled Check South Jersey Gas (Upon request)

To Stone Harbor Hardship Committee,

REQUEST

The Stiles are requesting the Borough grant a Hardship Condition approval to connect to natural gas.

2014

In 2014, the Borough of Stone Harbor sent several letters to us stating "Berkley Road is scheduled for paving and that Stone Harbor was placing a 7-year moratorium immediately thereafter." The letter suggested we be proactive if we foresaw a need for natural gas and contract directly with the utility company. This proactive move would ensure us to be "connect ready" and eliminate any future utility access needs.

In 2014 we did exactly as the Borough recommended. We contracted and paid South Jersey Gas company to have our property natural gas ready. A check was written to South Jersey Gas on February 14, 2014 with notations indicating it was for the subject property. Shortly thereafter, South Jersey Gas completed the work.

TODAY

The referenced property is under construction by Alexandria Builders. The builder applied for the meter install from South Jersey Gas Co and was informed that he needed to write a hardship letter to South Jersey Gas Co to acquire permits to do the connection. The builder provided South Jersey Gas Co with the requested letter and was informed that permits were issued and that the meter/hourmeter would be installed. On November 19 South Jersey Gas arrived at our property and installed the gas line but could not connect to the stub. South Jersey Gas contacted the Borough of Stone Harbor and the borough engineer. The Borough engineer told the builder and South Jersey Gas that Berkley Road has a moratorium and cannot be opened without approval from the Borough. South Jersey Gas presented 3 options to resolve the issues but were all denied by the engineer. The homeowners need to file for a Hardship Condition with the Borough.

We are not sure why the stub failed. South Jersey Gas has:

- acknowledged that in 2014 we contracted and paid to proactively secure future natural gas needs.

- acknowledged they actually did the work in 2014 and cut into the street and laid a stub on our property.
- acknowledged today there is no gas flow at stub.
- recommended 3 options to resolve the issue.
- stated they are immediately ready to connect given Borough authorization to break open the street.
- acknowledged they made a mistake. New Construction Department.
- asked their legal department to write a favorable hardship letter on our behalf.

We were never informed during the permitting stage for our house to be built that there would be an issue with connecting to the gas stub that we paid for in 2014. Our house is in the painting stage of the interior with all flooring and tile installed which obviously means that all the insulation and sheet rock is also already in place; our heating system which runs on natural gas as well as all of the connections for our appliances have already been established to use the natural gas that we assumed we would be hooking up to. The amount of work that would go into converting the house to any other form of energy would be excessive and put our project months behind. We are requesting at this point that you will allow South Jersey Gas to hook up to the existing gas line in the street and in turn allow our project to move forward to completion.

In hindsight we could have paid an independent contractor to ensure the proactive work we paid for in 2014 stayed secure when the street was actually paved but honestly that never crossed our minds. We are becoming increasingly concerned about the temperature changes and the effects they will have on our interior finishes so we request that this authorization happens immediately.

Sincerely,

Bill and Kelly Stiles

Handwritten signatures of Bill and Kelly Stiles. The signature on the left is 'Kelly Stiles' and the signature on the right is 'Bill Stiles'.

(3)

JERSEY SHORE PILING & DOCK COMPANY
PO BOX 392, STONE HARBOR, NJ 08247
609-827-4558

November 30, 2020

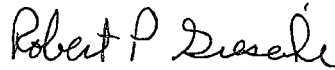
Dear Neighbor,

I, Robert Giesecke, of Jersey Shore Piling & Dock Co. will be building a 8'x16' floating dock with a 3'x16' ramp attached to a 4'x8' fixed pier with mooring pilings at 10521 Golden Gate Drive, Stone Harbor, NJ, block 201 Lot 28.29 owned by Mike Tabasso.

I will be appearing before Council to receive approvals from the Borough of Stone Harbor on December 15, 2020.

The Borough Council meeting will be on December 15, 2020 at 4:30 pm at the Borough Hall, 9508 Second Avenue, Stone Harbor, NJ, if you would like to voice an opinion in support or concern.

Sincerely,



Robert Giesecke

(4)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY

ORDINANCE NO. 1578

**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.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(5)

RESOLUTION

WHEREAS, the Borough Council of the Borough of Stone Harbor in the County of Cape May and the State of New Jersey has ordained that certain fees may be established from time-to-time by Resolution of the Borough Council; and

WHEREAS, the Administration and Finance Committee of Borough Council has recommended that certain fees be established by Resolution; and

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Stone Harbor, in the County of Cape May, duly assembled in public session this 15th day of December, 2020, that the following fees be set at the following levels for the year 2021:

- Beach Fees
 - \$25.00 pre-season
 - \$30.00 after May 31, 2021
 - \$13.00 weekly
 - \$6.00 daily
- Newspaper Vending Permit \$65.00
- Floating Dock Storage \$250.00 per floating dock
- Sailcraft Permit \$250.00
- Municipal Boat Slip
 - \$1,700.00 slips 9-25
 - \$1,500.00 slips 26-79
- Boat Trailer Storage \$150.00 per trailer
- Peddlers/Solicitors/Vendors \$350.00
- Vehicles on Beach \$60.00
- Boat Ramp \$10.00 daily \$100.00 per season
- Business Registration \$100.00
- Landscaper Registration \$25.00
- Parking Permit \$225.00
- Kayak Permit \$100.00
- Taxi License \$100.00
- Vendors \$350.00
- Alcoholic Beverage License
 - \$2,500.00
 - \$188.00 Club
- Amusement License
 - \$300.00 annual (up to 3 machines)
 - Each additional machine \$30.00
- Cat & Dog Licenses
 - Dogs \$4.20 neutered
 - Dogs \$7.20 non-neutered
- Cats
 - Cats \$5.50 neutered
 - Cats \$50.00 non-neutered
- Parking Meters
 - .25 for 15 minutes
 - (with a 10 minute Grace Period)
 - Kiosk parking lots located at the Beach and the Water Tower will remain \$.25 for 30 minutes (no Grace Period)
 - Kiosk located at Beach will have hours limited to 10 am – 5 pm
 - Kiosk located at Beach (Recreation Vehicle Spaces Only) will be .50 cents per 15 minutes 10am – 5 pm (no grace period)
 - The 2 – 1 cent meters next to Post Office
 - 5 cents for 12 minutes (no Grace Period)

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

167

RESOLUTION

WHEREAS, the following submitted a check that amounted to \$1,250.00 for a Street Opening Permit for 8704 Pennsylvania Avenue; and

WHEREAS, the Contractor did not get the job, and

WHEREAS, the Construction Office has requested and approved a refund of the fee to Eldon Builders, 1001 Shunpike Road, Cape May, N.J. 08204.

NOW, THEREFORE, BE IT RESOLVED this 15th day of December, 2020 by the Borough Council of the Borough of Stone Harbor as follows:

1. That the sum of \$ 1,250.00 be refunded to Eldon Builders, for a Street Opening Permit for 8704 Pennsylvania Avenue, Stone Harbor, N.J.

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

(1)

RESOLUTION

**APPOINTING ANTHONY TIRELLI
TO THE POSITION OF TEMPORARY DETECTIVE
AS AUTHORIZED BY STONE HARBOR CODE 10-46.1 (b)**

WHEREAS, the Police Administration of the Borough of Stone Harbor in the County of Cape May, State of New Jersey has determined a need for a Temporary Detective within the Police Department as of January 1, 2021; and

WHEREAS, the Public Safety Committee of the Borough has reviewed the request and recommended to Council that same be approved;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stone Harbor, duly assembled this 15th day of December, 2020, that the appointment of Officer Anthony Tirelli to the position of Temporary Detective is hereby approved in accordance with Stone Harbor Code 10-46.1 (b) beginning January 1, 2021, under and subject to the Rules and Regulations of the Police Department; all applicable Borough Policies and Collective Bargaining Agreement provisions.

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

(8)

RESOLUTION

WHEREAS, the following submitted Maintenance / Surety Monies for a street opening;
and

WHEREAS, none of the fees were used in conjunction with the project, and

WHEREAS, the Zoning Officer has requested and approved the return of the fee to:

PPA Realty Group
134 West Main Street
Leola, Pa. 17540

9815 – 9825 Third Avenue
B.96.04 L.119.01
\$1,600.00

NOW, THEREFORE, BE IT RESOLVED by the Borough of Stone Harbor on this 15th
day of December, 2020 that this fee be reimbursed.

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

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

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(9)

RESOLUTION

RESOLUTION APPOINTING A CONFLICT ZONING OFFICIAL AND CODE ENFORCEMENT OFFICER

Whereas, the Borough of Stone Harbor requires the positions of Conflict Zoning Official and Conflict Code Enforcement Officer to be appointed.

Whereas, John Tracy has a vast amount of experience in the area of construction, zoning and code enforcement, having worked in said areas for over twenty-five (25) years in a neighboring municipality.

Whereas, John Tracy is licensed by the State of New Jersey as a Construction Official, Building Sub-code Official, Building Inspector and a Fire Inspector.

Whereas, John Tracy will act as an independent contractor, will be compensated as such and will be issued an IRS 1099. However, John Tracy will be held harmless and indemnified by the Borough to the extent permitted by the Joint Insurance Fund while acting in his conflict capacity for the Borough.

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 John Tracy be and is hereby appointed as Conflict Zoning Official and Conflict Code Enforcement Officer for the Borough of Stone Harbor.

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 A SHARE SERVICES AGREEMENT WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE DISPOSAL AND RECYCLING SERVICES.

WHEREAS, the Cape May County Municipal Utilities Authority ("CMCMUA"/"Authority") owns and operates a solid waste system ("System") which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer, and recycling of solid waste; and

WHEREAS, the CMCMUA's System is comprised of the CMCMUA's Secure Sanitary Landfill, Solid Waste Transfer Station, and Intermediate Processing Facility, as well as several recycling operations and programs; and

WHEREAS, the Borough of Stone Harbor has utilized and desires to continue to utilize the services of the CMCMUA's System; and

WHEREAS, there presently exists a contract between the Borough of Stone Harbor and the Authority ("CMCMUA") for the use of the CMCMUA's System for the disposal, transfer, and recycling of solid waste which will expire on December 31, 2020 entitled "Shared Services Agreement for Solid Waste Disposal and Recycling Services (Agreement); and

WHEREAS, the Borough of Stone Harbor and the Authority desires to enter into a new Agreement and to fix the expiration date of said Agreement to occur on December 31, 2021; and

WHEREAS, the Authority has offered the "Shared Services Agreement for Solid Waste Disposal and Recycling Services" to the Borough of Stone Harbor in order to more efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA's Solid Waste System from January 1, 2021 through December 31, 2021; and

WHEREAS, the Authority has submitted the same proposed form of Agreement to all Cape May County Municipalities which will provide for both solid waste disposal and certain recycling services through December 31, 2021; and

WHEREAS, N.J.S.A 40A:65-1 et seq. authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Stone Harbor, County of Cape May, and State of New Jersey, that the Borough of Stone Harbor shall enter into a contract with the Authority entitled "Shared Services Agreement for Solid Waste Disposal and Recycling Services", effective January 1, 2021, in the form to be maintained on file in the office of the Borough of Stone Harbor Clerk, and that the appropriate Borough of Stone Harbor officials are hereby authorized and directed to execute said Agreement .

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

(11)

RESOLUTION

COUNCIL MEETING – December 15, 2020

REFUND DUPLICATE TAX PAYMENT

WHEREAS, Barbara A Beltz and CoreLogic tax servicing agency paid the 4th quarter tax installment for Block 81.04 Lot 143 Qualifier C0001, A.K.A. 378 83rd Street Unit 1; and,

WHEREAS, Ms. Beltz 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 \$907.17 be issued to Barbara A Beltz, 378 83rd Street Unit 1, 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 theday of, 2020

Borough Clerk

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

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(12)

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. *Pending, anticipated and/or ongoing litigation.*
2. *Matters Relating to employees, the relevant employees 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 a Special Meeting public session on December 15, 2020 that an Executive Session closed to the public shall be held on December 15, 2020 at or about 4:30 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 theday of, 2020

.....
Borough Clerk

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

.....
Mayor