

6/2/22

REGULAR MEETING IMMEDIATELY
FOLLOWING THE WORK SESSION
MEETING AT MUNICIPAL BUILDING, 9508 SECOND AVENUE
PRELIMINARY AGENDA FOR COUNCILMEMBERS

AGENDA REGULAR MEETING

TUESDAY February 1, 2022

ORDINANCE 1604 Police Department Updates INTRO (1) Dallahan

Resolution – American Legion Raffle – One drawing 11/11/22 (2) Krafczek

Resolution – American Legion Raffle Electric Bike 9/1/22 (3) Moore

Resolution – Approve changes Special Event Application (4) Gensemer

Resolution – Appoint Doug Gaffney – Coastal Consultant (5) Casper

Motion – Approve Rebecca Gibula

– Recycling Coordinator

Clean Communities Coordinator (6) Moore

Motion – Mayor appoint new Planning Board members (7) Krafczek

Jonathan LaKose – unexpired term of Robert Smith 12/31/2022 (Class III member)

Sandy Slabik unexpired term of Lynne Dubler 12/31/2023 (Class IV Member – was Alt I)

Kevin Fischer unexpired term of Thomas Hand 12/31/2023 (Class IV Member – was Alt II)

Timothy Clay unexpired term of Kevin Fischer 12/31/2022 (Alt I)

Resolution – Closed Session (8) Parzych

Sale, purchase, lease or acquisition of real property

Personnel matters

**Borough of Stone Harbor, NJ / Part I: Administrative
Legislation / Administration of Government**

Article X Police Department

[Amended 6-7-2005 by Ord. No. 1236; 3-7-2006 by Ord. No. 1251; 6-20-2006 by Ord. No. 1260^(a)]

[1] *Editor's Note: This ordinance stated that all appointments to positions within the Police Department extant before the date of adoption of the ordinance shall remain in force and shall be modified only by further appropriate action of the governing body of the Borough.*

§ 10-37 **Department established; composition.**

§ 10-38 **Appropriate authority.** § 10-39 **Appointment.**

§ 10-40 **Chief of Police.**

§ 10-41 **Captain of Police.**

§ 10-42 **Rules and regulations.**

§ 10-43 **Duties of Department.**

§ 10-44 **Training; probationary appointment.**

§ 10-45 **Discipline.**

§ 10-46 **Special law enforcement officers.**

§ 10-46.1 **Detectives.**

§ 10-46.2 **Line of authority.**

§ 10-37 **Department established; composition.**

A. The Police Department of the Borough of Stone Harbor is hereby established. This Department shall consist of a police force and such other nonsworn or civilian personnel as the governing body of the Borough of Stone Harbor shall appoint. The police force shall consist of one Chief of Police, one Captain, five Sergeants, one Detective Sergeant and 10 officers. These shall constitute the permanent full-time members of the police force. The police force may also consist of such temporary and special police officers as may from time to time be required on a seasonal or emergency basis. Such employees shall carry out and obey all orders and instructions of the Chief of Police or, in his/her absence, his/her designee. In the event of an officer in any of these positions being on leave, immediately preceding an announced retirement or a suspension with intent to dismiss, the governing body may, for the efficiency of the Department, appoint a replacement to serve in the vacant position. The governing body may also choose to leave a position vacant to undertake a review of whether the current table of organization is still beneficial to the police mission.

The governing body shall have up to one year from the effective date of retirement or resignation to appoint/promote the replacement in order to conduct a thorough, fair and competitive search and selection process. The salary, contractual compensation or other monies paid to members of the police force for their services shall be provided by ordinance.
[Amended 6-5-2007 by Ord. No. 1284]

B. The governing body may decrease the police force for reasons of economy. In accordance with N.J.S.A. 40A:14-143, the governing body, if it shall deem it necessary for reasons of economy, may decrease the number of

members and officers of the Police Department or force or their grades or ranks.

C. There shall also be such clerical, secretarial and administrative employees as the governing body shall appoint. Said members shall not be members of the Police Department within the meaning of any provision of Chapter 14, Title 40A, of the Revised Statutes of New Jersey, as amended and supplemented. Such employees shall carry out and obey all orders and instructions of the Chief of Police or, in his/her absence, his/her designee.

§ 10-38 Appropriate authority.

The "appropriate authority," as said term is used in N.J.S.A. 40A:14-188, shall be the governing body of the Borough of Stone Harbor, which shall consist of the Mayor and the Borough Council. The governing body shall be responsible for the overall performance of the Police Department. Failure to post rules and regulations shall in no way invalidate such rules and regulations.

§ 10-39 Appointment.

All officers and employees of the Police Department shall be appointed by the governing body, which is empowered to request and receive recommendations made by the Chief of Police. The governing body may require the Chief of Police to process a report upon all applications for employment and upon the applicants.

§ 10-40 Chief of Police.

The head of the Police Department shall be the Chief of Police, who shall be the head of the police force, and he/she shall be directly responsible to the appropriate authority for the efficiency and routine day-to-day operations thereof, and he/she shall, pursuant to policies established by the appropriate authority:

- A.** Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel;
- B.** Have, exercise, and discharge the functions, powers and duties of the force;
- C.** Prescribe the duties and assignments of all subordinates and other personnel;
- D.** Delegate such of his/her authority as he/she may deem necessary for the efficient operation of the force to be exercised under his/her direction and supervision; and
- E.** Report at least monthly to the appropriate authority in such form as shall be prescribed by such authority on the operation of the force during the preceding month, and make such other reports as may be requested by such authority.

§ 10-41 Captain of Police.

In the absence of the Chief of Police, the Captain of Police shall assume the duties and responsibilities of the said Chief. He/she shall conform to the duties imposed by the job description for Chief of Police as contained in adopted Borough policies.

§ 10-42 Rules and regulations.

The governing body shall establish by resolution, and may from time to time amend and repeal by resolution, such rules and regulations as it may deem necessary for the government and efficient working of the entire Police

Department. The rules and regulations when adopted shall be posted by the Chief of Police within five days after their adoption in the room in the municipal building assigned to the Police Department, and a copy thereof delivered to each and every member of the Department within five days after their adoption or any amendment or repeal thereof. Failure to post rules and regulations shall in no way invalidate such rules and regulations.

§ 10-43Duties of Department.

A. General.

(1) Each police officer and temporary and special officer shall be subject to the command and direction of the head of the Police Department actually in command and shall perform all duties and obligations prescribed with respect to the Department and with respect to all laws, ordinances and general law enforcement.

(2) The Department is charged with the duty of enforcing law, maintaining order, preventing crime, investigating actual or alleged criminal acts and apprehending all violators in a manner agreeable to law and the regulations of the Department.

(3) The Department shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Borough of Stone Harbor; direct and control traffic; provide attendance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies; and provide training for the efficiency of its members and officers (N.J.S.A. 40A:14-152).

B. Specific duties of Department. The following are specific duties to be performed by the Police Department:

(1) Preventing crime.

(2) Arresting any person committing or attempting to commit a crime, and apprehend, pursue and arrest any person when permitted to do so without a warrant, and serving any warrant and arresting any person to whom the warrant is directed.

(3) Seeking and reporting all hazards that might affect the safety of people and property.

(4) Checking and investigating all suspicious persons and things, including private as well as public property and including vacant homes and any faulty condition with respect thereto.

(5) Making any and all investigations and checking at nighttime in accordance with the directives of the Department.

(6) Performing such duty at school crossings and other public places as directed.

(7) Enforcing all laws, ordinances and directives of superiors in the line of duty.

§ 10-44Training; probationary appointment.

A. Training. No person shall be given or accept a permanent appointment as a police officer in the Borough unless that person has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey pursuant to the provisions of Chapter 56 of the Laws of 1961, and any amendments and supplements thereto.⁽¹⁾

[1]Editor's Note: See N.J.S.A. 52:17B-66 et seq.

B. Probationary appointment.

(1)No person shall be permitted to take a police training course unless he/she holds a probationary or temporary appointment as a police officer in the

Borough. The appointee shall be entitled to a leave of absence with pay during the period of the police training course.

(2) This Subsection B shall not prohibit the giving or accepting of a probationary or temporary appointment as a police officer, for a period not to exceed one year, to enable a person seeking a permanent appointment to complete a police training course as prescribed by the Police Training Commission.

§ 10-45 Discipline.

A. Each permanent police officer shall hold his/her office and continue in his/her employment during good behavior and efficiency, and no such police officer shall be removed from office or employment for any cause other than incapacity, misconduct or disobedience of rules and regulations of the Police Department. No such police officer shall be suspended, removed, fined or reduced from his/her office or employment except upon notice and service of written charges and a hearing, unless any or all of such procedures are waived. Exception: Any such police officer may be suspended, with or without pay, upon written charges pending a hearing as provided by law.

B. The Police Chief shall hold the hearing and assess the penalty in instances when the penalty sought is a suspension of five days or some such lesser penalty. In any and all other disciplinary hearings, including a disciplinary hearing based upon charges against the Chief of Police, the Chair of the Public Safety Committee for Police shall be the hearing officer and shall assess the penalty. However, in instances where the Police Chief or the Chairman of the Public Safety Committee is either unavailable, withdraws or is determined to have a conflict of interest, then the Mayor will appoint the hearing officer subject to the approval of the Borough Council. The hearing officer shall assess the penalty.

§ 10-46 Special law enforcement officers.

A. Number and class.

(1) The Police Department of the Borough of Stone Harbor may hire, on a seasonal basis for terms not to exceed six months during any calendar year, special law enforcement officers as follows:

(a) Class 1 officers (as defined in the Special Law Enforcement Officers' Act): not to exceed 10 in number at any one time.^[1]

[1] *Editor's Note: See N.J.S.A. 40A:14-146.8 et seq.*

(b) Class 2 officers (as defined in the Special Law Enforcement Officers' Act): not to exceed 35 in number at any one time.

(2) Anything to the contrary herein notwithstanding, no more than four Class 2 special law enforcement officers may be hired for a term not to exceed one year.

B. Uniforms, equipment and training. The Borough of Stone Harbor shall provide uniforms, equipment and training for the special law enforcement officer. The Borough may charge a reasonable fee for the equipment and uniform supplied, the amount of same to be fixed from time to time by resolution of the Borough Council. The Borough shall charge no fee for training, and the Borough shall pay special law enforcement officers for time spent in training if during the employment with the Borough.

§ 10-46.1 Detectives.

- A.** The Police Department shall have one full-time permanent detective who shall be appointed by the Borough.
- B.** The Police Department may have one full-time temporary detective who shall be assigned by resolution to serve in that position for a period not to exceed one year.
- C.** The position of temporary detective shall be filled by an existing member of the Police Department at the time the temporary assignment is made.
- D.** The Chief of Police shall designate and assign the officer who shall serve in the position of temporary detective.
- E.** The assignment of an officer to the position of temporary detective in one year shall not entitle that officer to fill the position in any succeeding year, but shall not preclude same.

§ 10-46.2 Line of authority.

A. The following line of authority shall exist within the Police Department:

- (1)** Chief of Police.
- (2)** Captain.
- (3)** Sergeant.
- (4)** Officer.
- (5)** Special officer.

B. Each rank/position shall be subordinate to all higher ranks as illustrated above.

C.

Civilian employees shall report to their assigned supervisor or designee.

APPROVED:

Judith M. Davies-Dunhour, Mayor

ATTEST:

Suzanne C. Stanford, Borough Clerk

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(2)

RESOLUTION

WHEREAS, the American Legion Stephen C. Ludlam Post 331 made application on January 19, 2022 for a Raffle License; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval to American Legion Stephen C. Ludlam Post 331 for holding of said Raffle (11/11/2022);

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey this 1st day of February, 2022, as follows:

1. That the Borough Council issue to the American Legion Stephen C. Ludlam Post 331 a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council for an application made by said American Legion Stephen C. Ludlam Post 331; and
2. That the Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the American Legion Stephen C. Ludlam Post 331 in accordance with the application made therefor.

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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

.....
Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(3)

RESOLUTION

WHEREAS, the American Legion Stephen C. Ludlam Post 331 made application on January 19, 2022 for a Raffle License; and

WHEREAS, it is the desire of the Borough Council of the Borough of Stone Harbor to issue a Certificate of Approval to American Legion Stephen C. Ludlam Post 331 for holding of said Raffle of Electric Bike (value \$3,300) ;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, State of New Jersey this 1st day of February, 2022, as follows:

1. That the Borough Council issue to the American Legion Stephen C. Ludlam Post 331 a Certificate of Findings and Determination to be signed by the proper officer of said Borough Council for an application made by said American Legion Stephen C. Ludlam Post 331; and
2. That the Municipal Clerk of the Borough of Stone Harbor be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the American Legion Stephen C. Ludlam Post 331 in accordance with the application made therefor.

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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

(4)

RESOLUTION

**RESOLUTION APPROVING THE SPECIAL EVENTS ON
PUBLIC LANDS APPLICATION
AND SETTING NEW PERMIT FEES**

WHEREAS, pursuant to Chapter 275 of the Revised General Ordinances of 1982 of the Borough of Stone Harbor, Section 275.2, a permit is required to conduct any special event within the Borough; and

WHEREAS, also pursuant to Chapter 275 of the Revised General Ordinances of 1982 of the Borough of Stone Harbor, Section 275.2, the fee for processing the application, and any other costs or fees related to the event, shall be set by resolution of Borough Council.

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 1st day of February, 2022 as follows:

1. That the preamble of this Resolution is hereby incorporated by reference as if set forth here at length;
2. That the attached Special Events on Public Lands Application be approved; and
3. That the fees set forth in the attached Special Events on Public Lands Application 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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor



Borough of Stone Harbor 2022 Special Event Application

Name of Event: _____

Date of Event: _____ Time of Event: _____

Type of Event: Festival 1K / 5K / Athletic / Bike Race / Marathon Other _____

The Borough of Stone Harbor requires all organizations, corporations, and/or individuals planning to stage an event to file an official application with the Clerk's Office. No Person shall conduct a special event on public lands owned or leased by the Borough of Stone Harbor unless authorized to do so by the Borough of Stone Harbor Municipal Code: Chapter 275. A non-refundable application review fee shall be paid to the Borough Clerk when the application is filed. There shall be a fee charged to each organization operating a special event. A contract will then be executed stating the terms and conditions in which both parties will adhere to. Sanction of the event is contingent upon approval from the Borough and its officials. Special events sponsored solely by the Borough of Stone Harbor are exempt from the payment of the fee for special event permit. Such special events shall be governed by applicable Borough policies. Borough Council retains the discretion to waive any provision of this chapter where deemed appropriate in the sole discretion of the Borough Council.

APPLICANT INFORMATION

1) Name of Organization: _____

2) Address of Organization: _____

3) Contact Person: _____ Phone: _____

4) Email: _____

5) Is your organization tax exempt? _____ Tax ID # _____

6) Is this a non-profit event? _____ NJ Registered Charitable Organization # _____

CERTIFICATE OF INSURANCE

Events are required to provide the Borough of Stone Harbor with a Certificate of Insurance indicating the continuation of insurance coverage and designating the Borough of Stone Harbor as an "Additional Insured." A copy of the Additional Insured Endorsement page(s) must be provided with the certificate. The policy must be current and not expire before or on the dates of the event.

REQUIREMENTS

I. LOW HAZARD *Indoor/outdoor meetings, picnics & social gatherings (no alcohol)*

A. Commercial General Liability \$ 100,000

* If a private and/or non-profit group is sponsoring the event, a \$100,000 policy will suffice or evidence of a homeowners insurance policy.

B. Municipality to be named as "Additional Insured"

II. MODERATE HAZARD *Dances, animal shows, parades, rallies, family concerts*

A. Commercial General Liability \$ 1,000,000

B. Automobile Liability \$ 1,000,000

C. Workers Compensation Statutory

D. Municipality to be named as "Additional Insured"

III. HIGH HAZARD *Team sporting events, circuses and carnivals with rides*

A. Commercial General Liability \$ 1,000,000

B. Automobile Liability \$ 1,000,000

C. Workers Compensation Statutory

D. Municipality to be named as "Additional Insured"

IV. SPECIAL HAZARDS *Rock concerts, professional sports, rodeos, vehicle races, fireworks, crowds over 25,000 and all functions where alcohol is served.*

Due to variable factors such as crowd size, potential hazards, availability and cost of insurance coverage, the Borough of Stone Harbor must consult with our municipal attorney. Please complete the application for consideration.

HOLD HARMLESS

To the fullest extent permitted by law, _____, agrees to defend, pay on behalf of, indemnify, and hold harmless the Borough of Stone Harbor, its elected and appointed officials, its agents, employees and volunteers and others working on behalf of the Borough of Stone Harbor against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Borough of Stone Harbor, its elected and appointed officials, its agents, employees, volunteers or others working on behalf of the Borough of Stone Harbor, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with the use of or is in any way connected or associated with the use of the Borough of Stone Harbor public lands during the event.

SIGNATURE OF APPLICANT: _____

1K / 5K / ATHLETIC / BIKE RACE / MARATHON

- 1) Name of Race: _____
- 2) Location of Event: _____
- 3) Setup Time: _____ am / pm Start Time: _____ am / pm End Time: _____ am / pm
- 4) Purpose of Event: _____
- 5) Beneficiary: _____
- 6) Race Distance: _____ Number of Participants Expected: _____ Fee Charged: \$ _____
- 7) Do participants complete a registration form (Please include a registration form with application): Yes No
- 8) Proposed Route (include turn-by-turn directions): _____

- 9) Location(s) of barricades, street closings or signage (identify on site-plan): _____

- 10) Location(s) of water stations (identify on site-plan): _____

- 11) Location(s) and size/type of tent(s) (eg) first aid, registration, etc - identify on site-plan):
Special Note: Client must provide/rent required tents, tables, chairs, PA system, ice or generators needed to execute the event. All 501c 3 organizations requesting use of Borough amenities requesting any items listed above, must do so in writing on this application. _____

- 12) Location(s) and number of trash receptacles and recycling cans requested (identify on site-plan):
Trash: _____ Recycling: _____
- 13) Location(s) of Borough electrical services (identify on site-plan): *Special Note: If existing Borough electrical outlets are not sufficient for your event, client must provide their own source of power. Use of generators or compressors must be approved by the Fire Official.* _____

- 14) Location(s) of Portable Toilet(s) (identify on site-plan): _____

PLEASE NOTE: Applicant must contract a company to setup and remove restrooms. An appropriate number of these toilets should be handicap accessible. Number of restrooms should double if expecting 50% of females.

PLEASE CONTINUE TO PAGE 5 TO COMPLETE APPLICABLE ITEMS BEFORE COMPLETING PUBLIC SAFETY PORTION

~~FESTIVAL & OTHER SPECIAL EVENTS~~

- 1) Name of Event: _____
- 2) Address of Event: _____
- 3) Setup Time: _____ am / pm Start Time: _____ am / pm End Time: _____ am / pm
- 4) Purpose of Event: _____
- 5) Beneficiary: _____
- 6) Number of Attendees Expected: _____ Entrance Fee Charged: \$ _____
- 7) Location(s) of barricades, street closings or signage (identify on site-plan): _____

- 8) Number of Non-Food Vendor Spaces: _____ Number of Food Vendor Spaces: _____
Attach a list of Vendors and Contact Numbers – fully updated list must be turned in two weeks prior to event.
All Vendors must cover storm drains with felt or other approved material. No dumping of any water is permitted in the storm drain. This is a direct violation of the Department of Environmental Protection.

All vendors are required to comply with Stone Harbor Ordinance 1524 and Ordinance 1536 which pertain to environmentally acceptable packaging and product. Single-use plastic is not permitted and violators of this ordinance are subject to the applicable fines.

Open Flame – Barbeque – Permit Fees

The Uniform Fire Code States: Permits shall be required and obtained from the local enforcing agency for activities pursuant to N.J.A.C. 5:70-2.7(a). Permits are \$54.00. Applications for a permit are on file in the Borough Clerk's Office or online at www.SHNJ.org

Permit #:

Application for a permit required by this code shall be made to the fire official in such form and detail as the fire official shall prescribe. Applications for permits shall be accompanied by plans or drawings as required by the fire official for evaluation of the application.

Food Festival Events – Cape May County Department of Health

All food vendors are subject to regulation in Chapter XII N.J.A.C. 8:24-8 and 9 in order to operate. The filing fee for a Food Festival Event is \$25.00 and must be filed with the County Health Department at least fourteen (14) days before the event involving five (5) or fewer booths and thirty (30) days prior to an event involving more than five (5) booths. Applications are on file in the Borough Clerk's Office.

- 9) Location(s) and size/type of tent(s) (eg, first aid, registration, etc - identify on site-plan):
Special Note: Client must provide/rent required tents, tables, chairs, PA system, ice or generators needed to execute the event. All 501c 3 organizations requesting use of Borough amenities requesting any items listed above, must do so in writing on this application.
- 10) Type of Entertainment /Location of Stages or Performance Areas (identify on site plan)
(Attach copy of program schedule (may submit draft version); final version must be turned in two weeks prior to event)
- 11) Location(s) of Borough electrical services (identify on site-plan): *Special Note: If existing Borough electrical outlets are not sufficient for your event, client must provide their own source of power. Use of generators or compressors must be approved by the Fire*

FOR OFFICIAL USE ONLY

PUBLIC WORKS DIRECTOR

Comments:

Signature _____

Date _____

Projected Departmental Costs for this event: _____

SAFETY OFFICER

Comments

Signature _____

Date _____

CHIEF OF POLICE

Comments

Signature _____

Date _____

Projected Departmental Costs for this event: _____

FIRE OFFICIAL

Comments

Signature _____

Date _____

Projected Departmental Costs for this event: _____

BOROUGH ADMINISTRATOR REVIEW

Comments

Signature _____

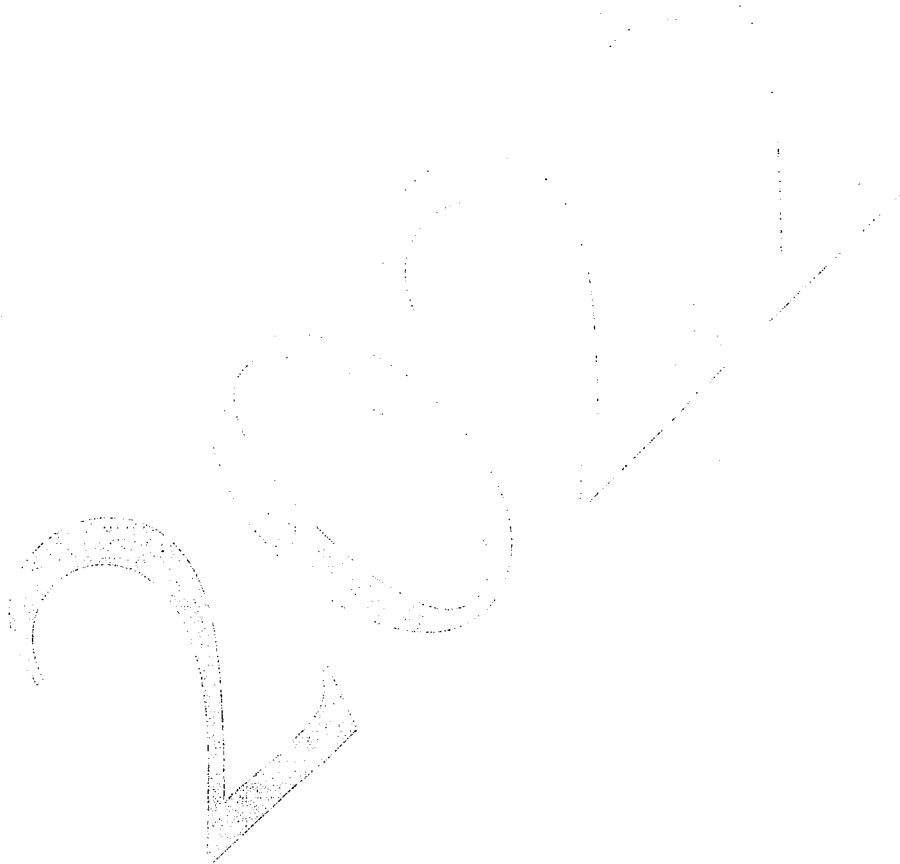
Date _____

BEACH, RECREATION, TOURISM COMMITTEE CHAIR

Comments

Signature

Date



(5)

BOROUGH OF STONE HARBOR

CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

AUTHORIZING THE AWARD FOR PROFESSIONAL SERVICES CONTRACT FOR BEACH RENOURISHMENT AND COASTAL ENGINEERING AND PLANNING CONSULTANT

WHEREAS, the Borough of Stone Harbor is given authority by N.J.S.A. 40A:11 *et seq.* to enter into contracts for "Professional Services," without competitive bidding, where the need arises and so long as the award of such contract is made public by a Resolution of the Governing Body; and

WHEREAS, the Borough of Stone Harbor required specialized expert services in connection with Beach Re-nourishment and Coastal Engineering; and

WHEREAS, Douglas Gaffney, P.E. of Mott MacDonald, 211 Bayberry Drive, Cape May Court House, N.J. 08210 submitted the attach Proposal and Statement of Qualifications; and

WHEREAS, the contract is non-fair and open in accordance with NJSA 19:44A-20.5 and the Business Entity Disclosure was received and there are no reportable contributions; and

WHEREAS, the cost of these services is covered in a Cost Proposal as part of the contract; and

WHEREAS, funds are available for award and payment of this contract to Douglas Gaffney, P.E. of Mott MacDonald as evidenced by the Chief Financial Officers certification of funds attached hereto;

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, duly assembled in public session this 1st day of February 2022, that Douglas Gaffney, P.E. is hereby authorized to perform as the Coastal Engineering and Planning Consultant for the Borough of Stone Harbor according to the Agreement for Professional Services contained in the Contract.

BE IT FURTHER RESOLVED that the notice of letting of the award of this contract be published in accordance with law.

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, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor

(8)

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. *Matters related to the sale, acquisition or lease of real property*
- 2. *Personnel Matters – Borough Employment Relationships, 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 public session on February 1, 2022 that an Executive Session closed to the public shall be held on February 1, 2022 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 the day of, 2022

The above resolution approved this day of....., 2022

Borough Clerk

Mayor