

**MINUTES OF THE MEETING OF MAYOR AND COUNCIL OF  
THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING**

**July 19, 2022**

\*\*\*\*\*

The meeting was called to order by Mayor Judith M. Davies-Dunhour

**ROLL CALL**

Judith M. Davies-Dunhour, Mayor  
Kim Stevenson, Borough Clerk  
Steve Morris, Solicitor  
Robert Smith, Borough Administrator  
James Craft CFO

**PRESENT**

Councilmembers  
Reese Moore  
Bunny Parzych  
Robin Casper  
Jennifer Gensemer  
Frank Dallahan  
Charles Krafczek

Mayor Davies-Dunhour announced that the meeting was now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and mailing a copy of same to the Press and the Cape May County Herald on January 5, 2022.

For the record this Council Meeting is being held via Video/Telephone Conference in a Zoom format.

**SALUTE TO THE FLAG**

**COMMUNICATIONS**

None

**MOTION CONCERNING THE MINUTES**

Upon motion of  
Seconded by

Councilmember Reese Moore  
Councilmember Jennifer Gensemer

Since all members of Council have been provided with a copy of the minutes of the Work Session and the Regular Meeting of July 5, 2022, if there are no additions or corrections, I move we dispense with the reading of the minutes and that they be approved.

Vote 6 Councilmembers AYE

**HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS & COMPLAINTS**

**Suzanne Walters, 115 92<sup>nd</sup> Street** – Comment on Assistant Administrator position. Ms. Walters is concerned only with the fact that the position was not advertised. She further noted that her concerns are not a personal attack on Ms. Marcolongo however it is no secret that she is related to the County Surrogate, the Mayor and her husband both work for the county, the Borough Administrator is a former Assemblyman and the Borough Solicitor is a former County Chairman and she is questioning this position in the interest of transparency and openness. Ms. Walters reviewed the history of the created position of Assistant Administrator.

Ms. Walters continued with concerns on the CRS Program which results in savings of Flood Insurance Premiums to borough property owners and would like to know the status and efforts that the Borough is doing to ensure that the Class 5 status remains.

Mayor Davies-Dunhour reviewed the credentials of Lisa Marcolongo and the details surrounding her hire and ensured the public that there was no underlying political gain by this hire. Mayor Davies-Dunhour stated that the services, expertise and education that Ms. Marcolongo can provide to the Borough of Stone Harbor would be extensive and she would be an amazing asset to the borough and residents.

Mayor Davies-Dunhour noted several changes have been made to elevate Stone Harbor. Hiring a Borough Administrator, an attorney and Manny Parada a Public Engineer, and now an opportunity to hire Lisa Marcolongo involved looking out for the best interest of the residents and the best use of tax dollars – \$30,000 savings in the Administration office.

Regular Meeting, July 19, 2022

A full report of the CRS program will be provided in two weeks. Each municipality has different criteria that results in the award of points for this program and Stone Harbor cannot be compared to other municipalities without reviewing the demographics.

Ms. Walters stated this was not a political attack however feels that all comments presented tonight should have been provided in open discussion prior to the hire for Assistant Administrator.

**ORDINANCE 1612 (Lot Grading)**

Upon motion of Councilmember Charles Krafczek  
Seconded by Councilmember Bunny Parzych

That Ordinance 1612 be taken up on second reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1612 on second reading.

The Public Hearing is now open.

No one spoke

The Public Hearing was closed.

Upon motion of Councilmember Charles Krafczek  
Seconded by Councilmember Jennifer Gensemer

That Ordinance 1612 be passed on second reading and advanced to third and final reading.

Vote 6 Councilmembers AYE

The Clerk read the title only of Ordinance 1612.

Upon motion of Councilmember Charles Krafczek  
Seconded by Councilmember Bunny Parzych

That Ordinance 1612 be passed on third and final reading, adopted and published according to law.

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-140(Refund Business registration late Fee – Harbor Outfitters)**

Upon motion of Councilmember Jennifer Gensemer  
Seconded by Councilmember Frank Dallahan

**WHEREAS**, Harbor Outfitters, a local business located at 354 96<sup>th</sup> Street, Stone Harbor, NJ 08247 submitted a payment check in the amount of \$150.00 for a Business Registration on July 1<sup>st</sup>, 2022 which included a late fee in the amount of \$50.00; and

**WHEREAS**, Chapter 204-5 of the General Code of the Borough of Stone Harbor states that a late fee shall be applied if payment is received after July 1, 2022; and

**WHEREAS**, the Clerk's office is requesting a refund of \$50.00 to Harbor Outfitters since payment was received on July 1<sup>st</sup>, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Stone Harbor as follows:

1. That the sum of \$ 50.00 for a Business Registration late fee be refunded to Loco Kayaks Inc. DBA Harbor Outfitters, 354 96<sup>th</sup> Street, Stone Harbor NJ 08247
2. That the Chief Financial Officer shall take any and all steps necessary to effectuate such refund and shall make the proper adjustments to the financial records of the Borough.

Regular Meeting, July 19, 2022

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-141** (Authorize Private Handicap Space – Capozzoli)

Upon motion of Councilmember Robin Casper  
Seconded by Councilmember Bunny Parzych

**WHEREAS**, under RGO 520-29, as authorized by New Jersey State Statute 39:4-197.6, the Borough of Stone Harbor is empowered to designate private, handicapped parking spaces for drivers who have obtained the proper documentation allowing for access to such parking spaces; and

**WHEREAS**, Joseph Capozzoli, with a property located at 8825 Sunset Drive has applied for such a parking space; and

**WHEREAS**, Joseph Capozzoli holds a valid handicapped placard; and

**WHEREAS**, New Jersey State Statute 39:4-204.7, calls for New Jersey municipalities allowing private, handicapped parking spaces to grant reciprocity to valid out-of-state placards.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey, duly assembled in public session this 19<sup>th</sup> day of July, 2022, that a private, handicapped parking space be and hereby is approved for installation and designated for the use of Mr. Joseph Capozzoli at 8825 Sunset Drive, in Stone Harbor.

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-142** (FY2022 NJDOT Reconstruction of 122<sup>nd</sup> Street)

Upon motion of Councilmember Charles Krafczek  
Seconded by Councilmember Reese Moore

**WHEREAS**, DeBlasio & Associates. Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal (copy attached) to provide **for** professional engineering and construction phase services for the **FY 2022 NJDOT Municipal Aid Reconstruction of 122<sup>nd</sup> Street - Second Avenue to Third Avenue.**

**Total Estimated Project Costs**

- **Estimated Construction Cost:** \$675,000.00
- **Engineering and Design Phase Cost:** \$ 55,000.00
  - Survey & Base Mapping
  - Design Plans and Specifications
  - Public Bidding Procurement
  - NJDOT Grant Administration
- **Construction Phase Cost:** \$ 35,000.00
  - Full Time Construction Observation
  - Contract Administration
  - Completion of As Built Plans in GIS Format
  - Project Close Out

**Total Estimated Project Costs: \$765,000.00**

Regular Meeting, July 19, 2022

**WHEREAS**, it is the intention of Council to approve this proposal as presented, upon final approval of Borough Solicitor and Borough Administrator.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough Council approves the attached Proposal for professional engineering and construction phase services for the **FY2022 NJDOT Municipal Aid Reconstruction of 122<sup>nd</sup> Street - Second Avenue to Third Avenue** as presented on this 19th day of July, 2022.

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-143** (Authorize Public Works Underground Storage Tank Site Investigation Proposal)

Upon motion of Councilmember Reese Moore  
Seconded by Councilmember Frank Dallahan

**WHEREAS**, DeBlasio & Associates. Borough Engineer, 4701 New Jersey Avenue, Wildwood, N.J. 08260 has prepared a Proposal (copy attached) to provide environmental consulting services in connection with a Site Investigation (SI) to be conducted at the Public Works Department in Stone Harbor, Cape May County, New Jersey.

The purpose of this scope of work is to investigate a regulated Underground Storage Tank (UST), designated as Area of Concern-1 (AOC-1). The purpose of this limited Site Investigation (SI) is to collect soil and ground water sample(s) for laboratory analysis in order to determine if the samples are reported by the laboratory above the New Jersey Department of Environmental Protection (NJDEP) standards.

**Scope of services includes the following:**

**Site Investigation: Determine location of UST,** advance borings around the UST to a terminal depth of ten (10) feet, if applicable, determine presence of Volatile Organic Compounds (VOCs) and complete necessary laboratory testing, if applicable, document all findings.

**NJDEP Tank Coordination:** Our LSRP will notify the NJDEP regarding the de-commissioning of the existing tanks and completing updated UST registration forms

**Letter Report:** A letter report summarizing D&A's observations and findings of the limited SI will be prepared and submitted to the Borough for review.

**FEES, TERMS, AND GENERAL CONDITIONS:** D&A will conduct the above-described Scope of Services for **\$8,500.00**.

**WHEREAS**, it is the intention of Council to approve this proposal as presented, upon final approval of Borough Solicitor and Borough Administrator.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor in the County of Cape May and State of New Jersey that the Borough Council approves the attached Proposal for Engineering Services Public Works Department Underground Storage Tank Removal - Limited Site Investigation as presented on this 19th day of July, 2022.

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-144** (Third Avenue Sanitary Sewer Emergency Replacement – Final Change Order)

Upon motion of Councilmember Bunny Parzych  
Seconded by Councilmember Reese Moore

**WHEREAS**, The Borough of Stone Harbor authorized an Emergency Contract with Asphalt Paving Systems for the repair of a sewer collapse – 103<sup>rd</sup> and 104<sup>th</sup> street and Third Avenue; and

**WHEREAS**, it is the recommendation of the Borough’s Engineer, Marc DeBlasio to authorize Change Order No. 1 – As-Built Quantity Adjustments; and

**WHEREAS**, Change Order No. 1 – *Final* will result in a decrease of \$165.00 from the original contract amount of \$134,680.00 to an amended contract amount of \$134,515.00.

**NOW, THEREFORE, BE IT RESOLVED**, this 19th day of July by the Borough Council of the Borough of Stone Harbor, in the County of Cape May, and the State of New Jersey, that the preamble of this Resolution is hereby incorporated by reference and that the aforementioned Change Order No. 1- *Final* be and hereby is authorized;

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk be and hereby are authorized to execute Change Order No. 1 - *Final*.

Vote 6 Councilmembers AYE

**RESOLUTION 2022-S-145** (Authorizing Addition of a Rule and Regulation to Borough Code 156-6(A) Governing Access to Paid Beaches Within the Borough of Stone Harbor)

Upon motion of Councilmember Frank Dallahan  
Seconded by Councilmember Jennifer Gensemer

**WHEREAS**, the governing body of the Borough of Stone Harbor, in response to concerns over increased boat landing(s), mooring(s) and swimming at The Point, has reviewed the Borough Code governing the conduct at beaches within the Borough.

**WHEREAS**, Borough Code Section 156-6(A) provides that the Borough may adopt additional rules and regulations by Ordinance as necessary to govern the conduct at paid beaches for the health, safety and welfare of the community

**WHEREAS**, the governing Body of the Borough of Stone Harbor deems it to be in the best interest of the Borough to amend and supplement said section as set forth herein; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Stone Harbor, duly assembled in public session this 19th day of July, 2022, as follows:

1. The following language shall be and is hereby added as Section 156-6(A)(23): “Access the beaches of the Borough Stone Harbor from the ocean, bay, waterway or any other body of water adjacent to or abutting the beaches of the Borough of Stone Harbor whether by way of boat, power driven or otherwise, except as specifically provided herein. Access to the beach(es) shall be in the manner and location(s) as set forth herein.”
2. That the Borough Council, the governing body of the Borough of Stone Harbor, hereby approves this resolution.
3. That the Mayor and Municipal Clerk are hereby authorized and directed to sign said Resolution; and

Regular Meeting, July 19, 2022

4. That all appropriate municipal officials and employees are hereby empowered to undertake the necessary actions to further the enforcement of the provisions adopted pursuant to this Resolution.
5. That notice of this Resolution shall be published according to law.

Vote 6 Councilmembers AYE

**MOTION** – Approve Special Event Application- Brown Family Sand Castle Build (discussed in Work Session July 19<sup>th</sup>, 2022).

Upon Motion of Councilmember Jennifer Gensemer  
Seconded by Councilmember Frank Dallahan

VOTE 6 Councilmembers AYE

**DISCUSSION:**

None

**MOTION**

Upon motion of Councilmember Reese Moore  
Seconded by Councilmember Jennifer Gensemer

To approve the bills list and authorize CFO to pay the bills when the funds are available and the vouchers properly endorsed.

Vote 6 Councilmembers AYE

55829	07/22/22	ACELE	ATLANTIC CITY ELECTRIC CO.	21,826.79	
55830	07/22/22	ACESEWER	ATLANTIC CITY ELECTRIC	1,313.56	
55831	07/22/22	ACESTLIG	ATLANTIC CITY ELECTRIC	2,697.52	
55832	07/22/22	ACEWATER	ATLANTIC CITY ELECTRIC	20,994.83	
55833	07/22/22	ALLEGGRAM	ALLEGRA MARKETING, PRINT, MAIL	1,140.00	
55834	07/22/22	ALLIANOB	ALIANO BROS. GENERAL CONTRACT	316,996.91	
55835	07/22/22	AMERI020	AMERICAN AED	3,022.00	
55836	07/22/22	APCERTES	A.P. CERTIFIED TESTING, LLC	260.00	
55837	07/22/22	ASPHA	ASPHALT PAVING SYSTEMS, INC.	26,265.00	
55838	07/22/22	BALDINIP	PAUL BALDINI, P.A.	1,065.75	
55839	07/22/22	BLAKARAV	BLANEY & DONOHUE, PC	28.00	
55840	07/22/22	C3TEC005	C-3 TECHNOLOGIES, LLC	1,339.90	
55841	07/22/22	CASAP	CASA PAYROLL SERVICES	522.70	
55842	07/22/22	CASHMERE	CATHERINE CASHMERE	250.00	
55843	07/22/22	CMCTO	C.M.C. TREASURER'S OFFICE	67,250.00	
55844	07/22/22	COMCA	COMCAST	306.17	
55845	07/22/22	COMCA1ST	COMCAST	8.55	
55846	07/22/22	COMCAST	COMCAST	804.58	
55847	07/22/22	CORNICK	CORNICK	17,124.97	
55848	07/22/22	COYNE	COYNE CHEMICAL	2,575.00	
55849	07/22/22	CRAFTSNA	NANCY C. CRAFTS	270.00	
55850	07/22/22	DEBLASIO	DEBLASIO & ASSOCIATES	0.00	07/22/22
55851	07/22/22	DEBLASIO	DEBLASIO & ASSOCIATES	50,292.35	
55852	07/22/22	DELLC	DELL MARKETING L.P.	6,801.96	
55853	07/22/22	DISCOHYD	DISCOUNT HYDRAULICS	58.95	
55854	07/22/22	DOVETAIL	DOVETAIL PRESENTATIONS	350.00	
55855	07/22/22	EDMUN	EDMUNDS & ASSOCIATES, INC.	815.00	

Regular Meeting, July 19, 2022

55856	07/22/22	ELDON005	ELDON BUILDERS	6,800.00
55857	07/22/22	FORDS	FORD, SCOTT & ASSOCIATES, LLC	5,000.00
55858	07/22/22	FREDM005	FRED M. SCHIAVONE CONST INC	100,654.77
55859	07/22/22	GARDS	GARDEN STATE HWY. PRODUCTS	716.69
55860	07/22/22	HERAL	SEAWAVE CORPORATION	47.80
55861	07/22/22	INTEGRAT	INTEGRATED TECHNICAL SYSTEMS	1,530.00
55862	07/22/22	JERC1	JERSEY CAPE	11,283.00
55863	07/22/22	JERSC	JERSEY CAPE DOOR	8,171.00
55864	07/22/22	JOHN1	JOHNSON & TOWERS	1,958.51
55865	07/22/22	JORDA005	JORDAN HICKMAN	250.00
55866	07/22/22	JUSTR005	JUST RIGHT TV	1,200.00
55867	07/22/22	LAURYHEA	LAURY HEATING	360.00
55868	07/22/22	MISIN	MUNICIPAL INFORMATION SYSTEMS	1,350.00
55869	07/22/22	NAPASEAV	NAPA AUTO PARTS - SEAVILLE	7.86
55870	07/22/22	NATIO020	NATIONWIDE SCREENING SERVICES	560.00
55871	07/22/22	NEOPOSTM	Quadient	351.32
55872	07/22/22	OTISE	OTIS ELEVATOR COMPANY	10,826.16
55873	07/22/22	PARKE005	PARKER MCCAY	518.00
55874	07/22/22	PEDRO	PEDRONI FUEL COMPANY	10,419.25
55875	07/22/22	PRESSASR	PRESS OF ATLANTIC CITY	564.80
55876	07/22/22	PRINC010	PRINCIPAL PROPERTY SOLUTIONS	13,500.00
55877	07/22/22	QUADIENT	QUADIENT FINANCE USA, INC.	5,000.00
55878	07/22/22	RAYMONDP	RAYMOND PAGOTTO	2,800.00
55879	07/22/22	SEASHACE	SEASHORE ACE #10926	658.37
55880	07/22/22	SEASHASP	SEASHORE ASPHALT CORP.	280.25
55881	07/22/22	SERV1	SERVICE TIRE TRUCK CENTERS	1,960.00
55882	07/22/22	SJGAS	SOUTH JERSEY GAS COMPANY	836.73
55883	07/22/22	TAPCO	Tapco Parking & Traffic Contol	6,780.00
55884	07/22/22	THEBLUE	THE BLUE MOOSE LANDSCAPING	320.00
55885	07/22/22	TREA3	TREASURER, STATE OF NEW JERSEY	425.00
55886	07/22/22	TUCKA	TUCKAHOE SAND & GRAVEL CO.	3,599.03
55887	07/22/22	USABL005	USA BLUE BOOK	259.27
55888	07/22/22	VERI1	VERIZON WIRELESS	692.27
55889	07/22/22	VERIZFIR	VERIZON WIRELESS	173.76
55890	07/22/22	VERKIOSK	VERIZON WIRELESS	752.48

---

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	61	1	744,986.81	0.00

Totals by Year-Fund

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
<hr/>					
CURRENT FUND	1-01	17,124.97	0.00	0.00	17,124.97
	1-03	<u>272.32</u>	<u>0.00</u>	<u>0.00</u>	<u>272.32</u>
	Year Total:	17,397.29	0.00	0.00	17,397.29
CURRENT FUND	2-01	182,215.72	0.00	0.00	182,215.72
	2-03	23,965.53	0.00	0.00	23,965.53
WATER/SEWER FUND	2-09	<u>28,301.59</u>	<u>0.00</u>	<u>0.00</u>	<u>28,301.59</u>
	Year Total:	234,482.84	0.00	0.00	234,482.84
GENERAL CAPITAL	C-04	354,334.41	0.00	0.00	354,334.41
UTILITY CAPITAL	U-08	138,772.27	0.00	0.00	138,772.27
<hr/>					
	Total Of All Funds:	744,986.81	0.00	0.00	744,986.81

Regular Meeting, July 19, 2022

At this time we are about to consider a Resolution to go into private session. We would appreciate it if you would all remain seated until the Resolution has been acted upon. At the conclusion of the private session we will come back into public session for the purpose of either taking action as a result of our discussion in private session or to simply adjourn.

**RESOLUTION 2022-S-146 (Closed Session)**

Upon motion of  
Seconded by

Councilmember Robin Casper  
Councilmember Frank Dallahan

**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. *Attorney/Client Privilege*
2. *Potential Litigation*

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stone Harbor, assembled in public session on August 2, 2022 that an Executive Session closed to the public shall be held on August 2, 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.

Vote 6 Councilmembers AYE

**MOTION** - To Return to Open session

Upon motion  
Seconded by

Councilmember Frank Dallahan  
Councilmember Reese Moore

Vote 6 Councilmembers AYE

**MOTION** – Authorizing the Solicitor to file a motion to intervene regarding opposition which has been filed by the County of Cape May to a petition filed by Ocean wind currently before the Board of Public Utilities Specifically relating to condemnation and easements on public property to construct of an offshore wind generating farm.

Upon Motion  
Seconded by

Councilmember Frank Dallahan  
Councilmember Charles Krafczek

Vote 6 Councilmembers AYE



Regular Meeting, July 19, 2022

**MOTION** – Authorizing the Administrator to consult multiple Appraisers to help determine fair market value for the lot located at 112<sup>th</sup> Street and the beach.

Vote 6 Councilmembers AYE

**HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS & COMPLAINTS**

None

**MOTION TO ADJOURN**

Upon motion of Councilmember Frank Dallahan  
Seconded by Councilmember Robin Casper

That the Regular Meeting of Mayor and Council be adjourned at 7:09 p.m.

Vote 6 Councilmembers AYE

APPROVED \_\_\_\_\_, 2022

 \_\_\_\_\_, Mayor

ATTEST: \_\_\_\_\_, Borough Clerk