#### MINUTES OF THE MEETING OF MAYOR AND COUNCIL OF THE BOROUGH OF STONE HARBOR HELD IN THE MUNICIPAL BUILDING July 5, 2022

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

#### **ROLL CALL**

Judith M. Davies-Dunhour, Mayor Suzanne C. Stanford, Borough Clerk Marc Karavan, Solicitor Robert Smith, Borough Administrator James Craft CFO – Absent

#### PRESENT

Councilmembers
Reese Moore
Bunny Parzych
Robin Casper
Jennifer Gensemer
Frank Dallahan

Charles Krafczek - Absent

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

## **Dock Hearing: 8311 Sunset Drive – Andrew Stitzinger**

Andrew Stitzinger appeared before council and was sworn in by Solicitor, Marcus Karavan.

Property was purchased by his father and uncle in 1971. Mr. Stitzinger has recently purchased the property from the family and found that the dock is non-compliant and wishes to complete proper permitting and construction to have the dock be conforming to the current regulations. No questions from Council.

Mayor asked if anyone was here to speak for or against the application.

No one spoke

Upon motion of Seconded by

Councilmember Frank Dallahan Councilmember Reese Moore

To approve the dock permit as presented.

Vote

6 Councilmembers AYE

#### **COMMUNICATIONS**

None

#### MOTION CONCERNING THE MINUTES

Upon motion of Seconded by

Councilmember Reese Moore Councilmember Frank Dallahan

Since all members of Council have been provided with a copy of the minutes of the Work Session and the Regular Meeting of June 21, 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

**Geoffrey Woolery – SHPOA** – Comment on 93<sup>rd</sup> Street Pump Station regarding the discussion at the meeting held on June 21, 2022 specific to peer review. Mr. Woolery gave his background on peer review specific to his work history. He explained that a peer review looks at projects and gives an outsider view of the project. A reviewer looks at all details associated with the project which is standard operating procedure on any engineered project. Critical to get the skill sets to review the project based on the details. Understands that there are time constraints on this project however critical to have a peer review based on the increase in cost of over 8 million dollars. SHPOA feels if a peer review is acted on quickly, it can be completed without delay.

Mr. Woolery also thanked the Public Works Department for the work completed at the point access on the beach.

**Justine Herzog-10215 Sunrise Drive** - 93<sup>rd</sup> Street Pump Station – Agrees with Mr. Woolery's comments and also presented her work history as an engineer and her experience overseeing projects. Ms. Herzog said there should be three specific phases on any project. Phase one is determining the project; phase two involves estimates and decisions on particulars; phase three involves final project estimate with 10% plus or minus cost. Urges council to complete a peer review on this project.

Councilmember Gensemer asked Ms. Herzog what would be a feasible timeline for a per review on this project. Ms. Herzog explains that there are many factors to consider.

Geoffrey Woolery spoke again regarding the timeline. He stated that once a team is engaged, and all experts are involved, a peer review could be completed in approximately two months if project details are in place.

**Terry Candor-262 98<sup>th</sup> Street**: Comments on beach block of 98<sup>th</sup> Street. A public parking space was taken away and she would like to know why. In addition, she is concerned with safety regarding truck deliveries on 98<sup>th</sup> Street to local restaurants/businesses. Mayor Davies-Dunhour stated that the borough will review deliveries on 98<sup>th</sup> Street with Police Chief and will also review the reason for removal of parking space.

**Joan Piotrowski-256 98<sup>th</sup> Street**: Ms. Piotrowski stated that the borough is fortunate to have the comments regarding the 93<sup>rd</sup> Street Pump Station and that council should take note of the importance of this information. Ms. Piotrowsi reviewed safety concerns of the truck deliveries on 98<sup>th</sup> Street and agrees with comments from Ms. Candor.

Sister Mary Ellen-111<sup>th</sup> Street & First Avenue: Commented on vacant land at beachfront on 112<sup>th</sup> owned by the Borough. Sister mentioned the Borough's desire to have the vacant land used for future development. IHM hired Mike Lucey to complete a feasibility study of this land to determine if it was suitable for residential development. Key findings of the review by Mr. Lucey determined that the sliver of land does represent the dune and a CAFRA Permit would likely be denied. The subject area is also defined as a critical wildlife habitat. Sister Mary Ellen is also asking that Mr. Lucey's report be included as a public document and Solicitor Marcus Karavan noted that it will be entered into the minutes of this meeting.

Joan Piotrowsi spoke and applauded the Sister's on hiring Mr. Lucey who is most familiar with this area and can make good decisions regarding the parcel of vacant land.

Suzanne Walters- 115 92<sup>nd</sup> Street: Appointment of Assistant Administrator on the agenda this evening: need for this position, qualifications, advertisement of the position, salary, applications received. Administrator Smith responded.

The need for the position was discussed in closed session and a motion directing the Borough Administrator on the appointment of this position was made at the June 21, 2022 council meeting. The responsibilities of this position are outlined in the Borough Ordinance. Qualifications are similar to an administrator's responsibilities. The application for this individual was received when advertising for another position. There will be no budgetary impact for the salary of this position.

#### **ORDINANCE 1610** (Bond Ordinance)

Upon motion of Seconded by

Councilmember Reese Moore Councilmember Jennifer Gensemer

That Ordinance 1610 be taken up on second reading.

Vote

5 Councilmembers AYE

The Clerk read the title only of Ordinance 1610 on second reading.

The Public Hearing is now open.

No one spoke

The Public Hearing was closed.

Upon motion of Seconded by

Councilmember Reese Moore Councilmember Jennifer Gensemer

That Ordinance 1610 be passed on second reading and advanced to third and final reading.

Vote

5 Councilmembers AYE

Will the Clerk read the title only of Ordinance 1610.

Upon motion of Seconded by

Councilmember Reese Moore Councilmember Jennifer Gensemer

That Ordinance 1610 be passed on third and final reading, adopted and published according to law.

Vote

5 Councilmembers AYE

#### **ORDINANCE 1611** (Beach Vehicle Permit Changes)

Upon motion of Seconded by

Councilmember Robin Casper Councilmember Bunny Parzych

That Ordinance 1611 be taken up on second reading.

Vote

5 Councilmembers AYE

The Clerk read the title only of Ordinance 1611 on second reading.

The Public Hearing is now open.

No one spoke

The Public Hearing was closed.

Upon motion of Seconded by

Councilmember Robin Casper Councilmember Bunny Parzych

That Ordinance 1611 be passed on second reading and advanced to third and final reading.

Vote

5 Councilmembers AYE

Will the Clerk read the title only of Ordinance 1611.

Upon motion of Seconded by

Councilmember Robin Casper Councilmember Bunny Parzych

That Ordinance 1611 be passed on third and final reading, adopted and published according to law.

Vote

5 Councilmembers AYE

## RESOLUTION 2022-S-134 (Authorizing Disposal of Surplus)

Upon motion of Seconded by

Councilmember Reese Moore Councilmember Robin Casper

**WHEREAS**, the Borough of Stone Harbor is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Stone Harbor, Cape May County, on this 5<sup>th</sup> day of July 2022 as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Public Works Department of the Borough.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached.
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Stone Harbor reserves the right to accept or reject any bid submitted. List Attached: July 5, 2022

One Lot of 40+ Bicycles (Confiscated or abandoned)

Vote

5 Councilmembers AYE

**RESOLUTION 2022-S-135** (Authorizing a Private Handicap Space – Sparks)

Upon motion of Seconded by

Councilmember Robin Casper Councilmember Frank Dallahan

**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, William Sparks, with a property located at 8307 Sunset Drive has applied for such a parking spot; and

WHEREAS, William Sparks holds a valid handicapped placard; and

**WHEREAS**, New Jersey 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 5<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. William Sparks at 8307 Sunset Drive, in Stone Harbor.

**RESOLUTION 2022-S-136** (Emergency Appropriation – Beach Patrol After Hours)

Upon motion of Seconded by

Councilmember Frank Dallahan Councilmember Jennifer Gensemer

WHEREAS, an emergency has arisen with respect to the payment of Lifeguard Salaries and Wages due to the need for a Beach Patrol After Hours Program which offers rapid response in a water emergency. The 2022 budget does not contain an adequate appropriation to pay the Lifeguard Salaries for this program. NJS40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$25,000.00 and three (3) percent of the total operating appropriations in the budget for 2022 is \$427,666.66 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2022,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

- 1. An emergency appropriation is here by made for the Lifeguard Salaries and Wages in the amount of \$25,000.00
- 2. That said emergency appropriation shall be provided for in full in the 2023 budget
- 3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

Vote

5 Councilmembers AYE

### RESOLUTION 2022-S-137 (Authorize Food Truck Festival and Fees)

Upon motion of Seconded by

Councilmember Jennifer Gensemer Councilmember Frank Dallahan

**WHEREAS**, the Borough of Stone Harbor will hold a Food Truck Festival on Saturday, July 30, 2022 from 7:00pm to 10:00pm at the 81st Street Marina Lot in Stone Harbor; and

WHEREAS, the Food Truck Festival will provide safe and convenient access for Borough residents and visitors to view the Stone Harbor Yacht Club Festival of Lights Boat Parade; and

WHEREAS, all vendors must complete the an application to participate, abide by the rules & regulations established and return completed form and payment check along with photocopies of appropriate permits, insurance certificates and licenses to the Borough before they will be allowed to participate in the Food Truck Festival event.

WHEREAS, it has been recommended that the fee for the Food Truck Festival be set at \$100.00 per truck or 10' X 10' tent and \$50.00 for vendors that also participate in the Stone Harbor Farmers Market.

**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 5<sup>th</sup> day of July, 2022 that this Resolution is hereby approved.

Vote

5 Councilmembers AYE

**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 5<sup>th</sup> day of July, 2022 that this Resolution is hereby approved.

Vote

5 Councilmembers AYE

#### RESOLUTION 2022-S-138 (Appoint Deputy Clerk)

Upon motion of Councilmember Reese Moore Seconded by Councilmember Jennifer Gensemer

Vote 5 Councilmembers AYE

**WHEREAS**, pursuant to N.J.S.A. 40A:9-135, the governing body of any municipality may provide for the appointment of a Deputy Municipal Clerk; and

**WHEREAS**, there exists a need for the appointment of a Deputy Municipal Clerk for the Borough of Stone Harbor, County of Cape May, State of New Jersey, for the purpose of providing the Borough with the duties, tasks and services for the residents.

**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 Megan Brown be and is hereby appointed, Deputy Municipal Clerk of the Borough of Stone Harbor commencing on July 5, 2022.

ADOPTED, at the Regular Meeting of the Borough of Stone Harbor, on July 5, 2022.

#### **RESOLUTION 2022-S-139** (Appoint Assistant Administrator)

Upon motion of Councilmember Reese Moore Seconded by Councilmember Frank Dallahan

**WHEREAS**, the Mayor and Council of the Borough of Stone Harbor have determined that there is a need to appoint an Assistant Administrator; and

**WHEREAS**, the Code of the Borough of Stone Harbor, Article V, Section 67, Chapter 19 provides for the Appointment of an Assistant Administrator; and

WHEREAS, the Assistant Administrator shall perform the duties at the direction of the Administrator, said duties including, but not limited to: Management of personnel, inventories and equipment; Budget preparation (current & capital improvement); Procurement; Planning and control; Preparation and implementation of general operating procedures; Information dissemination and such other duties, as assigned by the Administrator, in various departments of the Borough; and

**WHEREAS**, the Borough of Stone Harbor finds and determines that Lisa Marcolongo meets and exceeds all qualification requirements for appointment to said position; and

**WHEREAS**, based on the foregoing, the governing body of the Borough of Stone Harbor has determined that Lisa Marcolongo is qualified to serve as the Assistant Administrator of the Borough of Stone Harbor and will be able to perform the duties of Assistant Administrator.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Stone Harbor that Lisa Marcolongo is hereby appointed Assistant Administrator.

Vote 3 Councilmembers AYE

Gensemer NAY Dallahan NAY

Councilmember Jennifer Gensemer noted that she will be voting no for Resolution #2022-S-139. She indicated that this position was created, wants to control out of control spending and lack of plans to make a long term plan.

Councilmember Parzych clarified the details of this position. Councilmember Dallahan stated that he does not recall the vote at the last council meeting regarding this appointment. Mayor Davies-Dunhour reviewed the discussion in closed session on June 21, 2022.

**MOTION** – Approve Special Event Application- Seashore Ace Outdoor Furniture Tent Sale (presented at Work Session, June 21, 2022).

Mayor Davies-Dunhour clarified the question presented at last council meeting regarding events on public property. Council has the authority to allow.

Upon Motion ofCouncilmember Jennifer GensemerSeconded byCouncilmember Frank Dallahan

VOTE 5 Councilmembers AYE

#### **DISCUSSION:**

None

#### **MOTION**

Upon motion of Councilmember Frank Dallahan Seconded by Councilmember Reese Moore

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

Vote	5 Councilmembers AYE

55754 07/08/22	BAILEYJA JAMES E. BAILEY	1,320.00
55755 07/08/22	BOSACCOD DAVID C. BOSACCO	200.00
55756 07/08/22	CORSONJE JEREMIAH CORSON	900.00
55757 07/08/22	DONOFRIO LEWIS T. DONOFRIO, JR.	500.00
55758 07/08/22	GAYCHRIS CHRISTOPHER GAY	124.00
55759 07/08/22	KRISTI S KRISTI-STARR SMITH	110.00
55760 07/08/22	KRUGERSE SEAN KRUGER	860.00
55761 07/08/22	LOEFFLAD JACOB LOEFFLAD	110.00
55762 07/08/22	MARRIII CHARLES MARRINER III	850.00
55763 07/08/22	MCCLURER ROBERT C. MCCLURE	550.00
55764 07/08/22	POUDRIER RAYMOND POUDRIER	200.00
55765 07/08/22	SACCOTIN CHRISTINA LYNN SACCO	550.00
55766 07/08/22	STANCODY CODY STANFORD	630.00
55767 07/08/22	STANFORD ROGER W. STANFORD	880.00
55768 07/08/22	VANDENJG JOHN G. VANDENBRAAK JR.	1,320.00
55769 07/08/22	VAULFRAN FRANK VAUL	200.00
55770 07/08/22	ACMJI A.C.M.J.I.F.	82,967.00
55771 07/08/22	ACTIUNIF ACTION UNIFORM COMPANY	2,821.00
55772 07/08/22	ALBRE005 ALBRECHT INDUSTRIES, INC	248.00
55773 07/08/22	AMELE AMERICAN LEGION POST 331	2,112.13
55774 07/08/22	AVAPR AVALON PRINTING & PROMOTIONS	2,143.38
55775 07/08/22	BOATHOUS BOATHOUSE ROW SPORTS, LTD	8,458.05
55776 07/08/22	CAPEMINI CAPE MINING & RECYCLING, LLC	219.54
55777 07/08/22	CASAP CASA PAYROLL SERVICES	548.20
55778 07/08/22	CINTA005 CINTAS CORPORATION #100	3,391.56

55779 07/08/22	COMCASTF COMCAST	245.17
55780 07/08/22	COOPERTR TRAVIS COOPER	770.00
55781 07/08/22	CRIPPSWM WILLIAM J. CRIPPS	810.00
55782 07/08/22	DEBLASIO DEBLASIO & ASSOCIATES	3,952.12
55783 07/08/22	DEERF005 DEERFIELD ELECTRIC CONST. INC	9,914.61
55784 07/08/22	EAGLE EAGLE POINT GUN	4,089.62
55785 07/08/22	FIRE FIRE & SAFETY SERVICES, LTD	1,922.06
55786 07/08/22	FOREVERL FOREVER LAWN OF SOUTH JERSEY	5,000.00
55787 07/08/22	FREDM005 FRED M. SCHIAVONE CONST INC	80,654.77
55788 07/08/22	GARDE005 GARDEN STATE LABORATORIES, INC	400.00
55789 07/08/22	GIFTJOHN JOHN GIFT	75.98
55790 07/08/22	GOLFCART GOLF CART SALES LLC	1,295.55
55791 07/08/22	HIGHTECH HIGH-TECH COPIERS & FAX, LLC	116.00
55792 07/08/22	HOMED HOME DEPOT CREDIT SERVICES	80.83
55793 07/08/22	JAMES010 James McCabe	69.83
55794 07/08/22	JORDA005 JORDAN HICKMAN	300.00
55795 07/08/22	KARAV005 KARAVAN & MORRIS	7,069.41
55796 07/08/22	LAURYHEA LAURY HEATING	1,192.20
55797 07/08/22	LAWMENSU MUNICIPAL EMERGENCY SVCS	4,500.00
	LEONA A.M.LEONARD INC.	230.18
	MIXNERST STEPHEN E. MIXNER	300.00
55800 07/08/22	MONMO005 MONMOUTH TELECOM	1,786.83
55801 07/08/22	NAPASEAV NAPA AUTO PARTS - SEAVILLE	414.41
55802 07/08/22	NEWBENEF New Benefits, Ltd.	181.74
55803 07/08/22	NJSACOP1 NJ STATE ASSO.CHIEFS OF POLICE	1,333.00
55804 07/08/22	OAKLEYL OAKLEY, LEVIN	39.97
55805 07/08/22	ORZECHED EDWARD ORZECH	550.00
55806 07/08/22	PHILA PHILADELPHIA BUSINESS FORMS CO	469.44
55807 07/08/22	PHOENIXA PHOENIX ADVISORS, LLC	1,050.00
55808 07/08/22	RIGGI RIGGINS, INC.	11,359.97
55809 07/08/22	RIOSUPPL RIO SUPPLY, INC	3,876.00
55810 07/08/22	RUTGE005 RUTGERS CENTER FOR GOV SERVICE	500.00
55811 07/08/22	RYDIN RYDIN DECAL	225.87
55812 07/08/22	SEASHACE SEASHORE ACE #10926	683.46
55813 07/08/22	SHEERANG GREGORY W. SHEERAN	550.00
55814 07/08/22		950.00
55815 07/08/22	STAPLEBU STAPLES BUSINESS ADVANTAGE	835.60
<b>55816</b> 07/08/22	STARR005 STARR GENERAL CONTRACTING	353.00
<b>55817</b> 07/08/22	STNOT STATE TREASURER	50.00
55818 07/08/22	STOCK STOCKTON UNIVERSITY	23,305.27
<b>55819</b> 07/08/22	TREA2 TREASURER, STATE OF NEW JERSEY	4,441.00
55820 07/08/22	TREASNJ8 TREASURER, STATE OF NEW JERSEY	19,870.00
55821 07/08/22	TRICO GT MIDATLANTIC	154.76
55822 07/08/22	USTREASU UNITED STATES TREASURY	209.25
	VANDENGE GERALD A. VANDENBRAAK	740.00
	VERKIOSK VERIZON WIRELESS	419.60
	VERWIRPD VERIZON WIRELESS	440.79
	WBMASONI W.B. MASON	572.99
	MARAS005 TRION-MMA	370.50
J J G L I 0 1/0 0/22	MANAGOOD TRIOTY-IMMA	570.50
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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue 7	otal	G/L Total	Total
CURRENT FUND	1-01	14,296.64	0.00	0.00	14,296.64	
	1-03 _	<u>364.6</u> 4	0.00_	<u>0.00</u>	<u>364.</u> 64	
	Year Total:	14,661.28	0.00	0.00	14,661.28	
CURRENT FUND	2-01	147,450.48	0.00	0.00	147,450.48	
	2-03	8,683.48	0.00	0.00	8,683.48	

WATER/SEWER FUND	2-09	13,567.81	0.00	<u>0.00</u>	13,567.81
	Year Total:	169,701.77	0.00	0.00	169,701.77
GENERAL CAPITAL	C-04	71,942.73	0.00	0.00	71,942.73
FEDERAL/STATE/PRIV	ATE GRANTSG-02	2,472.40	0.00	0.00	2,472.40
UTILITY CAPITAL	U-08	52,156.46	0.00	0.00	52,156.46
	Total Of All Funds:	310,934.64	0.00	0.00	310,934.64

## $\frac{\text{HEARING OF THE PUBLIC ON MEMORIALS, RESOLUTIONS, PETITIONS \& }{\text{COMPLAINTS}}$

**Joselyn Rich, Sunset Drive** – Clarification on vote in closed session. Mayor Davies-Dunhour confirmed that there was no vote in closed session proceedings. Mrs. Rich also requested details on the After Hours Beach Patrol program and how that information is being disseminated. She also questioned any liability for this program and it was explained that it will do the exact opposite – only allows for quick response in an emergency.

#### **MOTION TO ADJOURN**

Upon motion of Seconded by

Councilmember Frank Dallahan Councilmember Reese Moore

That the Regular Meeting of Mayor and Council be adjourned at 5:55 p.m.

Vote	5 Councilmembers AYE
APPROVED 7919	, 2022
hald the Ceasins C	Mayor , Mayor
ATTEST: Tyn Olivoon	, Borough Clerk