

# BOROUGH OF OCEAN GATE

## COUNCIL WORKSHOP MEETING MINUTES

June 12, 2024

Minutes of a Council Meeting of the Borough of Ocean Gate held on the above date at the Municipal Building, 801 Ocean Gate Avenue, Ocean Gate, N.J.

The Mayor Curtin called the meeting to order at 1:00 pm and announced that in compliance with the "OPEN PUBLIC MEETING LAW" P.L. 1975 C231 notice of this meeting had been advertised in the Star Ledger issue of September 20, 2023 posted in the Municipal Office Building, Adrian Hall and the Ocean Gate Post Office.

Following a salute to the flag roll call was taken with the following members present; Curtin, McGrath, Nicastro, Haug, Cox, Fry, Zieser.

Verification that all members received copies of the following minutes and notes of any errors or omissions: and Council Meeting of May 22, 2024. Executive Session Minutes of April 24, 2024 and May 22, 2024.

**A motion was made by Councilman Cox to approve minutes. Second to the motion made by Council President McGrath. All in Favor. Motion Approved.**

Mayor Curtin explained that several "No Parking" signs within the municipality need to be updated as they have old and repealed ordinance numbers, he suggested ordering stickers that will cover the ordinance number and instead give the enforcement dates. Councilwoman Nicastro is also interested in updating the Ocean Gate Day, Town Wide Yard Sale and the 2 signs along the beach need to be updated to read "Swim at your own Risk".

**A motion was made by Councilman Cox to purchase stickers to update the above-mentioned signs. Second to the motion made by Councilman Fry. All in Favor. Motion Approved.**

Mayor Curtin updated the governing body and the public on the bike path reconstruction project and explained that the workout stations have 3 basic themes one of which is ADA compliant, therefore he suggested next years CDBG money be used to complete that section of the bike path.

**A motion was made by Councilman Cox to apply CDBG funds to add ADA Compliant theme to the Bike Path. Second to the motion made by Council President McGrath. All in Favor. Motion Approved.**

Lastly, the mayor was made aware that the west end of the boardwalk is becoming dangerous as the stringers have corroded causing the boards to lift. The area should be closed off till further notice.

**A motion was made by Councilman Cox to close that section of the boardwalk. Second to the motion made by Council President McGrath. All in Favor. Motion Approved.**

**ORDINANCE 693-24 CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**A motion was made by Councilman Cox to open public hearing for ord. 693-24. Second to the motion made by Councilman Fry. All in Favor. Motion Approved.**

**A motion was made by Councilman Cox to close public hearing for ord. 693-24. Second to the motion made by Councilman Fry. All in Favor. Motion Approved.**

**A motion was made by Councilman Cox to approve ord. 693-24. Second to the motion made by Councilman Fry. Roll Call Vote Ayes: McGrath, Nicastro, Haug, Cox, Fry, Zieser. Motion Approved.**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 445.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to I unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Ocean Gate in the County of Ocean finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$78,274.75 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Ocean Gate, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Ocean Gate shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1 .0%, amounting to \$31,309.90 and that the CY 2024 municipal budget for the Borough of Ocean Gate be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

## **NOTICE**

**PUBLIC NOTICE** is hereby given that the foregoing ordinance was introduced and passed on first reading of the Borough Council of Ocean Gate, in the County of Ocean, State of New Jersey, held on May 8, 2024 and will come on for a second reading, public hearing and final passage at a regular meeting of said Borough Council to be held on June 12, 2024, at Borough Council Chambers, 801 Ocean Gate Avenue, Ocean Gate, New Jersey, at 7:00 P.M., or as soon thereafter as the matter can be reached, at which last mentioned date, hour and place any person desiring to be heard either for or against the adoption of the within ordinance will be given an opportunity to be so heard.

## **CONSENT AGENDA**

**The items listed below are considered to be routine by the Borough of Ocean Gate and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.**

**A motion was made by Councilman Cox to approve the Consent Agenda. Second to the motion made by Councilman Fry. Roll Call Vote Ayes: McGrath, Nicastro, Haug, Cox, Fry, Zieser. Motion Approved.**

### **RESOLUTION 2024-144    HIRING SEASONAL EMPLOYEES – LIFEGUARD/BADGE CHECKERS**

WHEREAS, the following persons have completed employment applications for the positions of Lifeguard/Badge Checkers in the Borough of Ocean Gate; and

BE IT NOW RESOLVED, by the Borough Council of the Borough of Ocean Gate that the hiring of the following seasonal employees is hereby approved effective June 15, 2024. All Lifeguard applicants are certified as lifeguards as well as First Aid and CPR.

<u>POSITION</u>	<u>NAME</u>	<u>HOURLY RATE OF PAY</u>
Badge Checkers	Cailyn Wenger	\$14.50
	Maycie Treney	\$14.50
Lifeguards	Samantha Boyle	\$17.00

BE IT ALSO RESOLVED, that the foregoing seasonal employees are not entitled to benefits, sick time or vacation time.

BE IT FURTHER RESOLVED, that the Clerk shall forward a certified copy of this resolution to the following:

1. Fred Ebenau, Chief Financial Officer
2. Personnel file
3. All applicants listed above

RESOLUTION 2024-145 FREE BEACH PASSES TO ACTIVE MEMBERS OF THE FIRE COMPANY

WHEREAS, the Borough of Ocean Gate is fortunate to have dedicated men and women serving as volunteers in the capacity of lifesaving emergency services; and

WHEREAS, the Borough Council of the Borough of Ocean Gate would like to demonstrate their appreciation to these dedicated citizens of our municipality.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that one (1) beach pass shall be given free of charge to each active member of the Ocean Gate Fire Company.

BE IT FURTHER RESLOVED, that a certified copy of this resolution be forwarded to the following:

1. Fred Ebenau Chief Financial Officer
2. Ocean Gate Fire Company

RESOLUTION 2024-146 AUTHORIZATION TO APPOINT SEASONAL PUBLIC WORKS LABORER

WHEREAS, it is the recommendation of the Public Works Committee that Denis Stagliano be appointed as a Part-Time laborer.

BE IT NOW RESOLVED, that Denis Stagliano is hereby appointed as a Seasonal Laborer for the public works department in the Borough of Ocean Gate at a rate of \$17.00 per hour, effective June 13, 2024; and

BE IT ALSO RESOLVED, that the foregoing employee is not entitled to benefits, sick or vacation time.

BE IT FURTHER RESOLVED, that the Clerk shall forward a certified copy of this resolution to the following:

1. Denis Stagliano
2. Fred Ebenau, Chief Financial Officer

RESOLUTION 2024-147 DESIGNATING OFFICERS AND EMPLOYEES TO SIGNCHECKS AND MAKE DEPOSITS

BE IT RESOLVED, by the Mayor and Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that Frederick Ebenau, CFO is hereby authorized to make, collect, discount, negotiate, endorse, assign and deposit in the Corporate name, all checks, drafts, notes and other negotiable paper payable to or by this Corporation, and that all checks of the Corporation signed as aforesaid, including checks drawn to cash bearer, or to the individual order of the officer signing said checks, shall be honored and paid by said bank/trust company designated by the Borough of Ocean Gate, without further inquiry, and charged to the Corporation's account, the Corporation hereby ratifying and approving all that said bank/trust company designated by the Borough of Ocean Gate may do or cause to be done by virtue hereof.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Ocean Gate that all payroll checks shall be signed by any two of the officials designated to sign

1. Frederick Ebenau, CFO

RESOLUTION 2024-148 AUTHORIZING MAYOR TO SIGN CONTRACT FOR “SUMMIT SOUNDS ENTERTAINMENT LLC”

WHEREAS, it is the recommendation of the Recreation Committee that “Summit Soundz” be hired on July 13, 2024 at the Wildwood Ave. Beach and July 27, 2024 at the Anglesea Ave. Beach for a fee of \$1,599.00 per event.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Ocean Gate hereby approves the hiring of “Summit Soundz” for the above dates.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign the contract, and for the Municipal Clerk to attest to same.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the following:

1. Fred Ebenau, Chief Financial Officer
2. Summit Soundz Entertainment LLC

RESOLUTION 2024-149 AUTHORIZING THE AWARD OF CONTRACT TO METERTEK UTILITY SERVICES, INC

WHEREAS, the Borough of Ocean Gate (hereinafter the “Borough”), County of Ocean, State of New Jersey, advertised for bids in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., for the Removal and Replacement of Portable Water Meters Project; and

WHEREAS, one (1) bid was received and opened by the Borough on May 2, 2024; and

WHEREAS, MeterTek Utility Services Inc. submitted a bid in the amount of \$763,180.00 for the base bid; and

WHEREAS, \$655,264.00 represents replacement of Meters, \$13,416.00 Annual Storage Hosting & Maintenance and \$94,500.00 for the replacement of existing fire hydrants; and

WHEREAS, the Borough Attorney and Municipal Engineer reviewed the bid and determined that MeterTek Utility Services, Inc., submitted the lowest responsible base bid in accordance with the solicitation; and

WHEREAS, the Borough Chief Financial Officer provided a copy of the certification of available funds to the Borough Council; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey that the contract for the Removal and Replacement of Potable Water Meters Project is hereby awarded to MeterTek utility Services, Inc. as the lowest responsible bid in the amount of \$763,180.00 for the base bid.

BE IT FURTHER RESOLVED, that the maximum dollar value for this project is \$763,180.00 for the base bid; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized and directed to execute a contract and any required supplemental documents on behalf of the Borough of Ocean Gate; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the following:

1. Mayor and Council;
2. Frederick C. Ebenau, C.F.O.;
3. Jean Cipriani, Esq., Borough Attorney;
4. Van Cleef, Municipal Engineer;
5. MeterTek Utility Services, Inc.

RESOLUTION 2024-150 RESOLUTION OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING DONATION OF PALM TREES FOR THE 2024 SUMMER SEASON

**A motion was made by Councilman Zieser to accept donation of palm trees. Second to the motion made by Councilman Fry. Roll Call Vote No: McGrath, Cox, Fry. Ayes: Haug, Nicastro, Zieser, Curtin. Motion Approved.**

WHEREAS, Denise Papiernik is the owner of real property located at 604 East Riviera Avenue, in the Borough of Ocean Gate (“Borough”); and

WHEREAS, Ms. Papiernik and her family members, Christopher S. Pulos and Eva M. Pulos (collectively the “Pulos Family”), requested the opportunity to donate palm trees to be planted on the Borough Beach along the Borough’s Boardwalk between the Newport Avenue bench and one hundred twenty-five feet (125’) east thereof on the north side of the Boardwalk; and

WHEREAS, the purpose of the donation is to enhance the beautification of the Borough Boardwalk and Beach; and

WHEREAS, the Borough Council believes said palm trees will enhance the beautification of the Borough Boardwalk and Beach during the 2024 Summer Season; and

WHEREAS, the Borough Council desires to accept the donation of palm trees provided the Pulos Family meets certain requirements, which are outlined below.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ocean Gate, County of Ocean, State of New Jersey, as follows:

1. The Borough accepts the donation of the palm trees from the Pulos family for the 2024 Summer Season limited to six (6) trees.
2. The Pulos family shall keep the palm trees in their original planter pots and said trees shall be installed between the Newport Avenue bench and one hundred twenty-five feet (125’) east thereof on the north side of the Boardwalk.

3. The Pulos family shall plant the palm trees a minimum of three feet (3 ft.) from the Borough's Boardwalk.
4. The Pulos family shall be responsible for all maintenance and upkeep of the palm trees.
5. The Pulos family shall hold the Borough harmless from any liability associated with the palm trees.
6. The Pulos family shall remove the palm trees on or before October 13, 2024.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the following:

6. Mayor and Council;
7. Christopher S. Pulos;
8. Eva M. Pulos;
9. Denise L. Papiernik; and

\*\*RESOLUTION 2024-151 RESOLUTION OF THE BOROUGH OF OCEAN GATE,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING DONATION OF JENGA  
BLOCKS FOR THE 2024 SUMMER SEASON\*\*

**A motion was made by Councilman Zieser to accept donation of Jenga. Second to the motion made by Councilman Fry. Roll Call Vote No: McGrath, Haug, Nicastro, Fry, Zieser. Motion Failed**

WHEREAS, Denise Papiernik is the owner of real property located at 604 East Riviera Avenue, in the Borough of Ocean Gate ("Borough"); and

WHEREAS, Ms. Papiernik and her family members, Christopher S. Pulos and Eva M. Pulos (collectively the "Pulos Family"), requested the opportunity to donate Jenga Blocks to be planted on the Borough Beach along the Borough's Boardwalk between the Newport Avenue bench and one hundred twenty-five feet (125') east thereof on the north side of the Boardwalk; and

WHEREAS, the purpose of the donation is to enhance the experience of beach goers of the Borough Boardwalk and Beach; and

WHEREAS, the Borough Council believes said Jenga Blocks will enhance the experience of the Borough Boardwalk and Beach during the 2024 Summer Season; and

WHEREAS, the Borough Council desires to accept the donation of Jenga Blocks provided the Pulos Family meets certain requirements, which are outlined below.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ocean Gate, County of Ocean, State of New Jersey, as follows:

7. The Borough accepts the donation of the Jenga Blocks from the Pulos family for the 2024 Summer Season.
8. The Pulos family shall be responsible for all maintenance and upkeep of the Jenga Blocks.

9. The Pulos family shall hold the Borough harmless from any liability associated with the Jenga Blocks.

10. The Pulos family shall remove the Jenga Blocks on or before October 13, 2024.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the following:

10. Mayor and Council;
11. Christopher S. Pulos;
12. Eva M. Pulos;
13. Denise L. Papiernik; and
14. All other parties interest.

RESOLUTION 2024-152 AUTHORIZATION FOR PAYMENT OF BILLS

**A motion was made by Councilman Cox to approve payment of bills. Second to the motion made by Councilman Fry. Roll Call Vote Ayes: McGrath, Haug, Nicastro, Fry, Zieser. Motion Approved.**

WHEREAS, the Borough Council has carefully examined all vouchers presented to the Borough for payment of claims; and

WHEREAS, after due consideration of said vouchers, the Borough Council has approved the payment of same; and

WHEREAS, the Chief Financial Officer has certified that the bill list has been audited and is in order for payment and funds totaling \$ 376,644.74 available in the respective accounts as set forth below;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Ocean Gate, County of Ocean, as follows:

1. The said approved 2024 vouchers amounting to the sum of \$ 376,644.74 the same are hereby authorized to be paid on June 12, 2024.

**Seeing no one else wishing to be heard the Mayor asked for a motion to adjourn. Motion was made by Councilman Cox. Second to the motion made by Councilman Fry. All in Favor. Motion Approved.**

Respectfully Submitted:

Ileana Vazquez-Gallipoli