

BOROUGH OF OCEAN GATE

COUNCIL WORKSHOP MEETING

AGENDA

January 8, 2025

CALL TO ORDER:

SUNSHINE STATEMENT: Notice of this meeting was advertised in the Star Ledger issue of December 19, 2024 and posted in the Municipal Office Building, Adrian Hall and the Ocean Gate Post Office.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

ROLL CALL: Mayor Curtin, Council President McGrath, Councilman Haug, Councilwoman Nicastro, Councilman Fry, Councilman Zieser, Councilman Ernst

RESOLUTON 2025-67 AUTHORIZING THE HIRING OF A FULL TIME POLICE OFFICER

Motion: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

Oath of Office

Report of Municipal Attorney

CORRESPONDENCE

REPORT OF MAYOR CURTIN

COUNCIL COMMITTEE DISCUSSION

Council President McGrath
Councilman Haug
Councilwoman Nicastro
Councilman Ernst
Councilman Fry
Councilman Zieser

ORDINANCE 706-25 AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING FEES FOR VARIOUS ACTIVITIES, REGULATED BY ORDINANCE.

Motion to introduce ord. 706-25: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

ORDINANCE 707-25 ORDINANCE TO REPEAL AND REPLACE ORDINANCE No. 52, 284-85, 312-88, 336-90, 521-07 ENTITLED THE LICENSING AND USE OF ALCHOLIC BEVERAGES WITHIN THE BOROUGH OF OCEAN GATE

Motion to introduce ord. 707-25: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

ORDINANCE 708-25 AN ORDINANCE TO AMEND AND REPEAL ORDINANCE 695-24 ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AFFIXING AND DETERMING THE SALARIES, WAGES AND COMPENSATION OF THE OFFICIALS AND EMPLOYEES OF THE BOROUGH OF OCEAN GATE"

Motion to introduce ord. 708-25: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

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.

RESOLUTION 2025-68 Awarding Change Order/Metertek Utilities

RESOLUTION 2025-69 Extending First Qtr. Water/Sewer Payment

RESOLUTION 2025-70 Resolution to Amend Resolution 2025-30

Motion: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

RESOLUTION 2025-71 Executive Session

Motion: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

PUBLIC COMMENT

The Governing Body of the Borough of Ocean Gate offers members of the public an opportunity to address issues regarding the operation of the Borough. Individuals that take this opportunity need to state their name and address and limit their comments to 5 minutes. All comments will be considered, and a response will be forthcoming when appropriate. The Governing Body asks that members of the public be courteous when speaking.

Motion to adjourn:

Motion: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Fry, Zieser, Ernst

ORDINANCE 706-25

AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING FEES FOR VARIOUS ACTIVITIES, REGULATED BY ORDINANCE.

WHEREAS, the borough of Ocean Gate has determined there is a need to consolidate various administrative fees into a single ordinance for ease of review and update.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, as follows:

SECTION 1

The following ordinances will be amended by this ordinance.

Ordinances 685-24, 544-10, 641-21, 595-15, 687-24, 668-23, 553-11, 690-24, 250, 659-22, 532-08, 344, 91, 552, 11, 545-10, 521-07, 52, 349, 703-24.

The amount of the fee in this ordinance will supersede the amount in previous ordinances. The amount in previous ordinances will be replaced with "cost of the fee will be listed in the fees ordinance" during the review of the codification ordinance. If a fee is not listed here, but is in another ordinance, that ordinance will be used.

SECTION 2. Seasonal Parking Decals for permit streets and Borough parking lots

- a. Jan 1 – June 14 Five (\$5.00) Dollars
- b. June 15 – Labor Day Ten (\$10.00) Dollars

SECTION 3. Beach & Recreation Fees

- a. Beach Badge Daily
 - a. **\$8.00** (~~\$6.00~~)
- b. Beach Seasonal
 - a. \$22.00
- c. Beach Senior
 - a. \$10.00
- d. Splash Park Seasonal
 - a. Jan 1 – June 15th - \$20.00
 - b. June 16th – Labor Day - \$25.00
- e. Beach Rental Fee Private Event
 - a. **\$100.00** (~~\$75.00~~)
- f. Beach Rental Fee Re-occurring activity
 - a. **\$200.00**
- g. Recreation Badge
 - a. Resident - \$10.00
 - b. Non-Resident - \$20.00
- h. Recreation Permit
 - a. Resident - \$25.00
 - b. Non-Resident - \$50.00
- i. Competitions, Clinics & Events
 - a. \$5.00 - \$50.00

SECTION 3. BOAT FEES

- a. Boat Mooring Fee -
 - a. **\$30.00 - \$3.00 per ft** (~~\$20.00 - \$2.00/ft~~)

SECTION 4. MISCELLANEOUS

- a. Adrian Hall Rental
 - a. Refundable Deposit \$250.00
 - b. Rental fee \$375.00
- b. Buy a Board Fee
 - a. \$250
- c. Buy a Bench
 - a. \$500.00
- d. Vendor/Peddler License Fee
 - a. **\$250.00** (~~\$100.00~~)
- e. Event Vendor Fees
 - a. Craft Vendor **Full Day (5 + hours) \$50.00** (~~\$35.00~~) **Half Day (less than 5 hours) \$25.00**
 - b. Food Vendor **Full Day (5 hours +) \$150.00** (~~\$125.00~~) **Half Day (less than 5 hours) \$75.00**
- f. Tire Pickup Fee
 - a. **\$10.00** (~~\$5.00~~)
- g. Yard Sale Permit Fee
 - a. **\$10.00** (~~\$5.00~~)
- h. Dog / Cat License Fee
 - a. Dogs
 - i. Dogs Neutered \$10.00
 - ii. Dogs not neutered \$13.00
 - iii. Dogs 3-year License \$25.00
 - iv. Dogs not neutered \$35.00
 - b. Cats
 - i. Cats neutered \$8.00
 - ii. Cats not neutered \$11.00
 - iii. Cats 3-year license **\$20.00** (~~\$11.00~~)
 - iv. Cats 3 year not neutered **\$28.00** (~~\$13.00~~)
 - c. Late charge for any license \$5.00
- i. 2025 Towing Permit
 - a. Application Fee - \$220.00
 - b. License Fee - \$455.00
 - c. Fees change by \$10 & \$15 respectively every other year starting in 2010

SECTION 5. ADMINISTRATIVE

- a. Assessment Search Fee - \$10.00 set by State of New Jersey
- b. Certified Copy Fee - \$15.00

- c. Copy Fee / OPRA - \$.05 / letter page, \$.07 / legal page set by state of New Jersey
- d. Death Certificate - \$15.00
- e. Liquor License Fee, Borough
 - a. Plenary Retail License - \$2,400 (see state schedule)
 - b. Retail Distribution \$2,400**
 - c. Club \$180.00
- f. Marriage License Fee –State - \$25.00 set by State of New Jersey
- g. Marriage License Fee – Borough - \$3.00 set by State of New Jersey
- h. Raffle Permit State - \$20.00 Set by State of New Jersey
- i. Raffle Permit Borough - \$3.00 Set by the State of New Jersey
- j. Recording Fee - \$8.00 Set by the State of New Jersey
- k. Returned Check Fee
 - a. **\$50.00** (~~\$20.00~~)
- l. Tax Search Fee - \$10.00 Set by the State of new jersey
- m. Notary Fee -**
 - a. Free to residents/taxpayers**
 - b. Nonresidents/taxpayers**
 - i. Administering oaths, taking affidavits, taking proof of a deed, and taking acknowledgements, \$2.50 per act.**
 - ii. Administering oaths, taking affidavits, taking proof of a deed, and taking acknowledgements of the grantors in the transfer of real estate, regardless of the number of such services performed in a single transaction to transfer real estate. \$15.00**
 - iii. Administering oaths, taking affidavits, and taking acknowledgements of the mortgagors in the financing of real estate, regardless of the number of such services performed in a single transaction to finance real estate. \$25.00**

SECTION 6. UTILITIES

- a. Sewer
 - a. \$460.00 annual rate billed quarterly (\$115.00)
 - b. Late payments delinquency fee of 8% per annum on the unpaid balance.
- b. Water
 - a. \$400 annual rate billed quarterly, includes 10,000 gallons per unit per quarter
 - b. Excess over 10,000 gallons per quarter is \$4.50 for each 1,000 gallons or any part thereof.

- c. Borough rental of each fire hydrant - \$150.00.
- d. Service call for frozen meter and/or pipes - \$350.00
- e. Turn off or turn on service charge
 - i. Regular business hours - \$50.00
 - ii. Non regular hours - \$75.00
- f. Construction Water charges \$100. plus \$2.00 per 1000 gallons used or any part thereof.
- g. Late payments delinquency fee of 8% per annum on the unpaid balance.

SECTION 7

This ordinance shall take effect immediately upon its final adoption, approval and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed on first reading at a Council Meeting of the Borough Council of the Borough of Ocean Gate, in the County of Ocean held on January 8, 2025, and will come on second reading, public hearing and final passage at a Council Meeting of the Ocean Gate Borough Council to be held on February 12, 2025, at the Municipal Complex, 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 for or against the adoption of the within Ordinance will be given a chance to be so heard.

Ileana Vazquez-Gallipoli, RMC, CMC
Municipal Clerk

ORDINANCE 707-25

ORDINANCE TO REPEAL AND REPLACE ORDINANCE No. 52, 284-85, 312-88, 336-90, 521-07 ENTITLED THE LICENSING AND USE OF ALCHOLIC BEVERAGES WITHIN THE BOROUGH OF OCEAN GATE

SECTION 1 PURPOSE

This ordinance is enacted to regulate the sale and transportation of alcoholic beverages in the Borough of Ocean Gate in accordance with the provisions of N.J.S.A. 33:1-1 et seq., and in accordance with the Rules and Regulations of the State Director of Alcoholic Beverage Control.

SECTION 2 DEFINITIONS

For the purpose of this ordinance, the words and phrases herein shall have the same meaning as N.J.S.A. 33:1-1 et seq., and the Rules and Regulations of the Division of Alcoholic Beverage Control unless otherwise defined in this ordinance.

SECTION 3 LICENSES

3.1 ISSUING AUTHORITY

All licenses required by this ordinance shall be issued by the Governing Body of the Borough of Ocean Gate, which shall also administer the provisions of this ordinance.

3.2 LICENSES REQUIRED

No person shall sell or distribute alcoholic beverages within the Borough of Ocean Gate without having obtained a license in accordance with the provisions of this ordinance, except in those cases provided by law where the licenses in question are issued by the director of the Division of Alcoholic Beverage Control.

3.3 CONDITIONS TO ISSUANCE OF LICENSE

Subject to rules and regulations, the Borough may impose any condition or conditions to the issuance of any license deemed necessary and proper to accomplish the objects of this ordinance and secure compliance with the provisions hereof, subject to the approval of the Division of Alcoholic Beverage Control. All such licenses shall become effective only upon compliance with the conditions so stated and shall be revocable for subsequent violation thereof.

3.4 LICENSE FEES; MAXIMUM NUMBER

- a. License Fees

Class of License	Annual License Fee	Maximum Number
Plenary Retail Consumption License	\$2,400	2
Plenary Retail Distribution License	\$2,400	1
Club License	\$188	1

b. Term

All licenses shall be for a term of one year and all fees shall be paid in advance upon presentation of an application. License duration is July 1 through June 30 of each year. A license holder must submit all required forms and documentation at least 30 days prior to the July meeting of the Borough if seeking a renewal.

- c. The provisions of this subsection with respect to the limitation on the number licenses shall not apply to the renewal or transfer of licenses presently issued.

SECTION 4 REGULATION OF LICENSES

4.1 HOURS OF OPERATION FOR SALE OF PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSES AND CLUB ALCOHOLIC BEVERAGE CONSUMPTION LICENSES

No alcoholic beverages shall be sold or consumed within any establishment holding a plenary retail alcoholic beverage consumption license or a club alcoholic beverage license between the hours of 2:00am and 7:00am on any day of the year.

4.2 HOURS OF OPERATION FOR SALE OF PLENARY RETAIL ALCOHOLIC BEVERAGE DISTRIBUTION LICENSES

No alcoholic beverage shall be sold within the Borough by the holder of a plenary retail distribution license between the hours of 10:00pm and 9:00am except on the first of January,

4.3 CLOSING PROVISIONS

During the hours that the sale of alcoholic beverages are prohibited, the entire licensed premises shall be closed and no person shall be admitted or permitted to remain therein except the licensee or *bona fide* employees of the licensee. This requirement for the closing of the premises shall not apply to *bona fide* hotels or restaurants as defined in N.J.S.A. 33:1-1(t) and to clubs licensed under N.J.S.A. 33:11-12(5) and to other establishments where the principal business is other than the sale of alcoholic beverages. The “closing of the licensed premises” shall be defined as having all person who are not employees off the premises.

SECTION 5 SUSPENSION, REVOCATION OF LICENSE N.J.S.A. 33:1-32

ALCOHOLIC BEVERAGE CONTROL

Upon conviction, after a hearing conducted by the Borough, of any violation of any provision of this chapter or any statute, rule or regulation relating to liquor licenses, any license issued by the Borough may be suspended or revoked in accordance with rules and regulations as promulgated by the Division of Alcoholic Beverage Control. Upon conviction, as stated above, the governing body of the Borough may also assess against the person, persons, firm, partnership or corporation so convicted the reasonable costs which the Borough has expended in preparing and presenting the case, including, but not limited to, preparing the charges, subpoena fees for witnesses, stenographer's fees and attorney's fees.

SECTION 6 PERSONS UNDER THE LEGAL AGE

6.1 INDIVIDUALS AT THE AGE OF MAJORITY ONLY.

No person under the legal age of 21 years shall be allowed in any premises where alcoholic beverages are sold or served for consumption on the premises unless accompanied by his or her parent or guardian.

6.2 PROHIBITION OF PURCHASE OF ALCOHOLIC BEVERAGES FOR OR BY PERSONS UNDER THE LEGAL AGE

No person shall purchase or attempt to purchase alcoholic beverages for any person under the legal age of 21 years. It shall be unlawful for any person to induce or attempt to induce any licensee or any employee of a licensee to sell, serve or deliver alcoholic beverages to a person under the legal age of 21 years.

6.3 MISSTATING AGE

No person shall misrepresent his/her age or the age of another person for the purpose of inducing any licensee or his employee to sell, serve or deliver any alcoholic beverage to a person under the legal age of 21 years, or to permit a person under the legal age of 21 years to remain on premises.

6.4 PRESUMPTION

Any parent or guardian who accompanies any person under 21 years of age to a premises where alcoholic beverages are served, and who permits a person under 21 years of age to possess or consume alcoholic beverages shall be presumed to have misrepresented the age of the person who is under the legal age of 21 years.

6.5 POSSESSION

No person under 21 years of age shall possess, serve, sell or consume any alcoholic

beverage in any public place within the Borough. This includes consumption of an alcoholic beverage on private property.

6.6 VIOLATIONS AND PENALTIES FOR PERSON UNDER THE LEGAL AGE

It shall be unlawful for:

- a. A person under the legal age for purchasing alcoholic beverages to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or having served or delivered to him or her, any alcoholic beverage; or
- b. A person under the legal age for purchasing alcoholic beverages to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages, or to purchase, attempt to purchase or have another purchase for him/her any alcoholic beverage; or
- c. Any person to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or to purchase alcoholic beverages for another person who does not because of his age have the right purchase and consume alcoholic beverages. Any person who shall violate any of the provisions of this section shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by a fine of not less than \$500. In addition, the court shall suspend the person's license to operate a motor vehicle for six months or prohibit the person from obtaining a license to operate a motor vehicle in the state for six months beginning on the date he becomes eligible to obtain a license or on the date of conviction, whichever is later. In addition to the general penalty prescribed for an offense the court may require any person under the legal age to purchase alcoholic beverages who violates N.J.S.A. 33:1-81 to participate in an alcohol education or treatment program authorized by the Department of Health for a period not to exceed the maximum period of confinement prescribed by law for the offense for which the individual has been convicted. (N.J.S.A. 33:1-81)

6.7 VIOLATIONS AND PENALTIES

- a. Any person found guilty of violating the terms of this article shall be subject to a fine or not less than \$500 nor more than \$1,000. In addition, the court may upon a finding of guilt, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privileges of the defendant. Upon the conviction of any person and the suspension or postponement of that person's drivers license, the court shall forward a report to the Motor Vehicle Commission state the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years. If the defendant

at the time of the imposition of the sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the Motor Vehicle Commission along with the report. If for some reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color and sex of the person as well as the first and last date of the license suspension period imposed by the court.

- b. The court shall inform the person orally and in writing that if the person is convicted or operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. The defendant shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense of a subsequent charge or a violation of N.J.S.A. 39:3-40.
- c. If the person convicted under this article is not a New Jersey Resident, the court shall suspend or postpone as appropriate the nonresident driving privilege of the person based on the age of the person and submit to the division the required report. The court shall not collect the license of a nonresident convicted under this article. Upon receipt of a report by the court, the division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

6.8 EXCEPTIONS

- a. This article shall not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.
- b. This article shall not prohibit the possession of alcoholic beverages by underaged person while actually engaged in the performance of employment by a person who was licensed under Title 33 of the revised statutes or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post-secondary penalty under this section, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

SECTION 7 CONSUMPTION IN PUBLIC PLACES AND MOTOR VEHICLES

7.1 DEFINITIONS

The following terms shall have the following meanings as contained in this article:

INDOOR PUBLIC PLACE

A structurally enclosed place of business, commerce or other service related activity whether publicly or privately owned or operated on a for-profit or nonprofit basis, which is generally accessible to the public, including, but not limited to: a commercial or other office building; office or building owned, leased or rented by the state or by a county or municipal government; theater or concert hall; public library; museum or art gallery; bar; restaurant or other establishment where the principal business is the sale of food for consumption on the premises, including the bar area of the establishment; garage or parking facility; any public conveyance operated on land or water, or in the air, and passenger waiting rooms and platform areas in any stations or terminals thereof; health care facility; patient waiting room of the office of a health care provider; childcare center; race track facility; facility used for the holding of sporting events; ambulatory recreational facility; shopping mall or retail store; hotel, motel or other lodging establishment; apartment building lobby or other public area in an otherwise private building; or a passenger elevator in a building other than a single-family dwelling.

MOTOR VEHICLE

Includes all vehicles propelled otherwise than by muscular power, except such vehicles as run only upon rails or tracks.

OPEN CONTAINER

Include any container containing an alcoholic beverage where the original seal thereon has been broken, whether or not any portion of the alcoholic beverage has been consumed from the container.

PUBLIC PLACE

Includes any public street, lane, roadway, avenue, sidewalk, public parking lot or place, park, playground, public school, recreation area, beach, shoreline, lake or pond, any land or building occupied by the Borough of Ocean Gate, public conveyance and any other public or quasi-public location where the public is generally admitted without restriction; provided, however, that nothing herein shall be construed to prohibit the consumption or sale of alcoholic beverages within premises licensed as plenary retail consumption distribution or any other establishment holding a valid liquor license.

7.2 CONSUMPTION AND POSSESSION IN PUBLIC PLACES PROHIBITED

1. Alcoholic beverages

- a. No person shall consume any alcoholic beverage in or upon any public place or in any public or private motor vehicle while the same is in motion or parked in any public place
- b. No person shall possess an open container of alcoholic beverage in any public place or in any public or private motor vehicle while the same is in motion or parked in any public place.

7.3 EXCEPTIONS

The Mayor and Council of the Borough of Ocean Gate may, by resolution duly adopted, permit the possession and consumption of alcoholic beverages in a designated park, recreation area or other public place at a designated time or times in connection with a special event, series of events or observance which has been authorized by the Mayor and Council prior thereto and which possession or consumption of alcoholic beverages shall comply with all applicable laws, ordinances and regulations. Under no circumstances shall a liquor license granted by the Borough be issued an extension onto a public street.

7.4 UNDERAGE CONSUMPTION AND POSSESSION IN PUBLIC PLACES AND MOTOR VEHICLES PROHIBITED

1. No person under the legal age for consumption or purchase of alcoholic beverages shall possess any open or closed container of alcoholic beverage in any public place or in any public or private motor vehicle.
2. No person under the legal age for consumption or purchase of alcoholic beverages shall consume any alcoholic beverage in or upon:
 - a. Any public place
 - b. Any public or private motor vehicle

7.5 VIOLATIONS AND PENALTIES

1. Any person violating and failing to comply with any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of no less than \$100 and no more than \$1,250 by imprisonment not to exceed 90 days or by community service of not more than 90 days or any combination of fine, imprisonment and community service as determined in the discretion of the municipal court judge. The continuation of such violation for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.
2. The violation of any provision of this article shall be subject to abatement summarily by restraining order or injunction issued by a court of competent jurisdiction.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed on first reading at a Council Meeting of the Borough Council of the Borough of Ocean Gate, in the County of Ocean held on January 8, 2025, and will come on second reading, public hearing and final passage at a Council Meeting of the Ocean Gate Borough Council to be held on February 12, 2025, at the Municipal Complex, 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 for or against the adoption of the within Ordinance will be given a chance to be so heard.

Ileana Vazquez-Gallipoli, RMC, CMC
Municipal Clerk

ORDINANCE 708-25

AN ORDINANCE TO AMEND AND REPEAL ORDINANCE 695-24 ENTITLED
“AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AFFIXING AND DETERMING THE
SALARIES, WAGES AND COMPENSATION OF THE OFFICIALS AND
EMPLOYEES OF THE BOROUGH OF OCEAN GATE”

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Ocean Gate in the County of Ocean and the State of New Jersey as follows:

The following annual salary and wage range of the officials and employees enumerated below shall be as follows:

<u>OFFICE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Borough Administrator	\$ 1.00	\$ 50,000.00
Administrative Assistant	\$ 1.00	\$ 40,000.00
Senior Administrative Assistant	\$ 1.00	\$ 45,000.00
Chief Financial Officer	\$ 15,000.00	\$ 90,000.00
Treasurer	\$ 45,000.00	\$ 72,000.00
Fiscal Officer	\$ 50,000.00	\$ 72,000.00
Finance/Tax Clerk	\$ 13,000.00	\$ 50,000.00
Borough Clerk	\$ 23,000.00	\$ 70,000.00
**Deputy Borough Clerk	\$ 5,000.00	\$ 15,000.00
Tax Collector	\$ 5,000.00	\$ 65,000.00
Deputy Tax Collector	\$ 2,000.00	\$ 5,000.00
Water & Sewer Collector	\$ 1.00	\$ 15,000.00
Tax Assessor	\$ 5,000.00	\$ 20,000.00
Chief of Police	\$ 52,000.00	\$ 170,000.00
Lieutenant	\$ 50,000.00	\$ 125,000.00
Sergeant	\$ 45,000.00	\$ 125,000.00
Patrolman	\$ 30,000.00	\$ 105,000.00
Detective	\$ 30,000.00	\$ 120,000.00
Superintendent of Public Works	\$ 30,000.00	\$ 75,000.00
Public Works Supervisor	\$ 5,000.00	\$ 65,000.00
Recycling Coordinator	\$ 2,500.00	\$ 10,000.00
Animal License Clerk	\$ 1.00	\$ 5,000.00
Assessment Search Officer	\$ 1.00	\$ 5,000.00
Registrar of Vital Statistics	\$ 1.00	\$ 11,000.00
Deputy Registrar of Vital Statistics	\$ 1.00	\$ 5,000.00
Local Assistance Director-Workfirst NJ	\$ 1.00	\$ 5,000.00
Local Board of Health Secretary	\$ 1.00	\$ 5,000.00
Control Clerk-Ocean Co. Construction Insp.	\$ 1.00	\$ 5,000.00
Tax Search Officer	\$ 500.00	\$ 1,000.00
Purchasing Agent	\$ 3,000.00	\$ 10,000.00

Zoning Officer	\$ 1,000.00	\$ 8,000.00
Code Enforcement Officer	\$ 1,000.00	\$ 20,000.00
Building Sub-Code Official	\$ 1,000.00	\$ 9,000.00
Fire Protection Sub-Code Official	\$ 1,000.00	\$ 9,000.00
Construction Official	\$ 1,000.00	\$ 39,000.00
Fire Official	\$ 500.00	\$ 3,500.00
Fire Inspector	\$ 500.00	\$ 3,500.00
Flood Plan Manager	\$ 1.00	\$ 15,000.00
Judge Municipal Court	\$ 5,000.00	\$ 15,000.00
Municipal Court Administrator	\$ 5,000.00	\$ 30,000.00
Mayor	\$ 1.00	\$ 5,000.00
Council Member	\$ 1.00	\$ 2,000.00
Public Defender	\$ 1.00	\$ 7,500.00

SECTION 3. The hourly wage of the employees enumerated below shall be as follows:

<u>OFFICE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Equipment Operator/Mechanic	\$ 10.00	\$ 25.00
Public Works Laborer	\$ 10.00	\$ 25.00
Public Works/Seasonal	\$ 10.00	\$ 20.00
Beach Supervisor	\$ 10.00	\$ 20.00
Badge Checkers	\$ 10.00	\$ 17.00
Lifeguards	\$ 10.00	\$ 20.00
Tax Clerk	\$ 10.00	\$ 18.00
Clerical	\$ 10.00	\$ 15.00
Clerk-Typist	\$ 10.00	\$ 15.00
Deputy Court Administrator	\$ 10.00	\$ 17.00
Special Police Officer	\$ 10.00	\$ 22.00
Part-Time Regular Patrolman	\$ 10.00	\$ 17.00
Boardwalk Guards	\$ 10.00	\$ 17.00
School Crossing Guard	\$ 10.00	\$ 17.00
Rental Inspector	\$ 10.00	\$ 20.00
Deputy Code Enforcement Officer	\$ 13.00	\$ 20.00
Deputy Zoning Officer	\$ 13.00	\$ 20.00

All ordinances or parts of ordinances of this municipality inconsistent herewith are hereby repealed to the extent of such inconsistency.

This ordinance shall take effect immediately upon its final passage, approval and publication, as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced and passed on first reading at a Council Meeting of the Borough Council of the Borough of Ocean Gate, in the County of Ocean held on January 8, 2025 and will come on second

reading, public hearing and final passage on February 12, 2025 at a Council Meeting of the Ocean Gate Borough Council to be held on January at the Municipal Complex, 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 for or against the adoption of the within Ordinance will be given a chance to be so heard.

Introduced:

Adopted:

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTON 2025-67

AUTHORIZING THE HIRING OF A FULL TIME POLICE OFFICER

WHEREAS, the Borough of Ocean Gate is in need of a full time regular police office for the protection, health, welfare, safety and benefit of the community and its citizens; and

WHEREAS, Police Chief Michael Kuchta has recommended that the Borough of Ocean Gate hire Brandon Waters as a full-time regular police officer.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Ocean Gate, County of Ocean, State of New Jersey, that Brandon Waters is hereby appointed as a full time patrolman effective January 8, 2025 for the Borough of Ocean Gate at an annual salary of \$ \$38,029.00 in accordance with Step I of article XVII of the PBA #352 contract;

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall attach hereto certification of the availability of funds for this position.

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

1. Officer Waters
2. Mike Kuchta, Chief
3. Fred Ebenau, Chief Financial Officer
4. Kristen Hudnut, Fiscal Officer
5. Personnel File

CERTIFICATION

I, Ileana Vazquez-Gallipoli, Municipal Clerk of the Borough of Ocean Gate, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted a Council Workshop Meeting held on January 8, 2025.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2025-68

AWARDING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE BOROUGH OF OCEAN GATE METERTEK UTILITY SERVICES, INC

WHEREAS, the Borough of Ocean Gate and Metertek Utility Services, Inc. entered into contract in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. for the replacement of potable water meters; and

WHEREAS, pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and materials and all the work necessary to accomplish the following described work:

Revise Bid item 2 quantities from 116 to 961 and Bid item 3 quantities from 845 to 0. Note that since Bid item 2 and 3 have the same unit price, there will be no increase in the overall contract amount.

WHEREAS, the Engineer has recommended approval of the change orders as reasonable, necessary and permissible under the Public Contracts Law,

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that change order #1 Revise Bid item 2 quantities from 116 to 961 and Bid item 3 quantities from 845 to 0. Note that since Bid item 2 and 3 have the same unit price, there will be no increase in the overall contract amount.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized and directed to execute any such change orders or other required supplemental documents on behalf of the Borough of Ocean Gate; and

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

1. Jean Cipriani, Borough Attorney
2. Nicholas Brown, Van Cleef Engineering
3. Fred Ebenau, CFO
4. Kristen Hudnut, Fiscal Officer

CERTIFICATION

I, Ileana Vazquez-Gallipoli, Municipal Clerk of the Borough of Ocean Gate, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted at a Council Workshop Meeting held on August 14, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2025-69

**EXTENDING THE FIRST QUARTER WATER/SEWER PAYMENT
UNTIL FEBRUARY 5, 2025**

WHEREAS, due to the late mailing of the water and sewer bills the Governing Body desires to grant an extension of time for the grace period of the first quarter amount due for water and sewer until February 5, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Ocean Gate, that the grace period for first quarter water and sewer is extended to February 5, 2025, however, if the first quarter property water and sewer are not received in the Tax Office within this grace period, interest will be calculated as of the January 2, 2025, due date.

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

1. Kammie Verdolina, Tax/Utility Collector
2. Fred Ebenau, Chief Financial Officer
3. Kristen Hudnut, Fiscal Officer

CERTIFICATION

I, Ileana Vazquez- Gallipoli, Municipal Clerk of the Borough of Ocean Gate, hereby certify that the forgoing resolution is a true and correct copy of a resolution adopted at a Council Workshop Meeting held on January 8, 2025.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2025-70

**RESOLUTION TO AMEND RESOLUTION 2025-30 APPOINTMENT OF OFFICIALS
AND EMPLOYEES FOR THE OFFICE OF EMERGENCY MANEGMENT**

WHEREAS, the Borough of Ocean Gate is in need of a Coordinator and Resource Manager for the Office of Emergency Management for the protection, health, welfare, safety and benefit of the community and its citizens; and

WHEREAS, Council President McGrath has recommended that the Borough of Ocean Gate appoint a Coordinator and Resource Manager.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that Resolution 2025-30 be amended as follows:

EMERGENCY MANAGEMENT PLANNING COUNCIL

**Chief Kuchta	Coordinator	12/31/25
**George Kempker	Resource Management	12/31/25

CERTIFICATION

I, Ileana Vazquez-Gallipoli, Municipal Clerk of the Borough of Ocean Gate, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true copy of a resolution adopted at a reorganization meeting held on January 8, 2025.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2025-71

TO ENTER INTO EXECUTIVE SESSION

WHEREAS, the Mayor and Council of the Borough of Ocean Gate, have determined that in accordance with the provisions of N.J.S.A. 10:4-12b, closed session to discuss pending litigation, contract negotiations and matters of personnel.

NOW THEREFORE BE IT RESOLVED, that said Mayor and Council close the open session and enter executive session to discuss matters of personnel and contract negotiations.

CERTIFICATION

I, Ileana Vazquez-Gallipoli, Municipal Clerk of the Borough of Ocean Gate, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted during a Council Workshop Meeting on January 8, 2025.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk