

BOROUGH OF OCEAN GATE

COUNCIL MEETING

AGENDA

January 24, 2024

CALL TO ORDER:

CALL TO ORDER:

SUNSHINE STATEMENT: Notice of this meeting was advertised in the Star Ledger issue of September 20, 2023 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 Cox, Councilman Fry, Councilman Zieser

Report of Jean Cipriani, Municipal Attorney

CORRESPONDENCE

REPORT OF MAYOR CURTIN

REPORTS OF COUNCIL

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

ORDINANCE 687-24 AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING FEE FOR USE OF TENNIS/PICKLEBALL COURT, CREATING A RECREATION BADGE AND SETTING FEES FOR TENNIS/PICKLEBALL CLINICS AND EVENTS

Motion to open public hearing ord. 687-24: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Cox, Fry, Zieser

Motion to close public hearing ord. 687-24: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Cox, Fry, Zieser

Motion to adopt ord. 687-24: _____ Second: _____
Roll call vote: McGrath, Haug, Nicastro, Cox, Fry, Zieser

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 2024-70 Authorizing Cancellation of Utility Charges
- RESOLUTION 2024-71 Authorizing Shared Services Agreement/School Resource Officer
- RESOLUTION 2024-72 Accepting Annual Audit
- RESOLUTION 2024-73 Authorizing Agreement/HERA Property Registry LLC
- RESOLUTION 2024-74 Authorizing Shared Services Agreement/FAST

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

RESOLUTION 2024-75 Payment of Bills

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

PUBLIC COMMENT LIMITED TO 5 MINUTES (AGENDA ITEMS):

Motion to adjourn:

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

ORDINANCE 687-24

AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING FEE FOR USE OF TENNIS/PICKLEBALL COURT, CREATING A RECREATION BADGE AND SETTING FEES FOR TENNIS/PICKLEBALL CLINICS AND EVENTS

WHEREAS, the Borough of Ocean Gate has determined there is a need to establish a fee for the use of the Tennis/Pickleball Courts; and

WHEREAS, the Borough of Ocean Gate has determined that creating a Recreation Badge for use of the Tennis/Pickleball Courts is necessary; and

WHEREAS, the Borough of Ocean Gate has determined that Beach Badges can also be utilized for access to Tennis/Pickleball Courts within the Borough.

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

SECTION I

687-23.1 Purpose.

It is the purpose of this ordinance to establish a fee for the use of our Tennis and Pickleball Courts. The fee will take form in either our Beach Badge fee or Recreation Badge fee. Each Badge will allow its user access to the Tennis and Pickleball Courts located at East Atlantic Avenue in Ocean Gate. Recreation Badges are in effect from January 1 to December 31. Tennis and Pickleball Clinics or Events will require a permit.

687-23.2 Recreation Badge shall be \$10.00, per badge, per year for Borough of Ocean Gate residents; and \$20.00, per badge, per year for non-residents. The Recreation Badge is for the sole use of the Tennis/Pickleball Courts and any other designated event. Recreation badges cannot be purchased in lieu of beach badges for access to the beach.

687-23.2 The Tennis/Pickleball Clinic and Event Permit shall be \$25.00, per clinic or event, per day, per court used for Ocean Gate residents; and \$50.00 per clinic or event, per day, per court for non-residents. Only the event organizer needs to hold a valid Ocean Gate beach badge or recreation badge. All other participants need not purchase a badge. Any person, firm, corporation, or association desiring to use the Tennis/Pickleball courts for any clinic or event, shall first obtain and submit an application for a permit to the Municipal Clerk. As part of the permit application, a hold-harmless agreement, which includes a Certificate of Insurance, must be submitted. The permit application includes all the rules and regulations for the use of the facility. The governing body will then take up the matter of the application at one of its regularly scheduled Council Meetings.

687-23.3 Payment shall be made to the “Borough of Ocean Gate” and submitted with application to the finance office.

SECTION II

All ordinances or parts of ordinances inconsistent with the provision of this Ordinance are hereby repealed.

SECTION III

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION IV

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 of the Borough Council of Ocean Gate, in the County of Ocean, State of New Jersey, held on January 1, 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 January 24, 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.

INTRODUCED:

ADOPTED:

Ileana Vazquez-Gallipoli, R.M.C.
Municipal Clerk

Robert Curtin, Mayor

RESOLUTION 2024-70

AUTHORIZING THE TAX COLLECTOR TO CANCEL
UTILITY CHARGES DUE TO A DEMOLITION

WHEREAS, the property listed below has been in demolition and the water line has been cut and capped for over a year duration; and

WHEREAS, the property should then not be billed until the property is completed and hooked back up to the utilities,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ocean Gate, County of Ocean, and State of New Jersey that the Tax Collector is hereby authorized to cancel the following utility charges and any credits posted to the future payments unless a refund is requested:

<u>UTILITY</u>					
<u>NAME</u>	<u>ADDRESS</u>	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>REASON</u>	<u>CREDIT/ REFUND</u>
Donna Moomaw	429 E Bayview Ave	77200-0	\$400.00 Water(2023) \$400.00 Sewer (2023)	Cut & Cap ~ for all of 2023	Credit to acct: \$800.00

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 at a Council Meeting held on January 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-71

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE
BOROUGH OF OCEAN GATE AND THE OCEAN GATE BOARD OF EDUCATION**

WHEREAS, the Borough of Ocean Gate (“Borough”) and the Ocean Gate Board of Education (“Board”) are both Municipal Entities (collectively the “Entities”) serving the residents and taxpayers of their respective communities; and

WHEREAS, the parties now wish to enter into and memorialize a new agreement for the 2024/2025 School year; and

WHEREAS, it is deemed in the best interest of the public for these Entities to share such equipment, resources, and expertise in order to perform tasks in the most cost-effective way possible for the taxpayers; and

WHEREAS, the Uniform Shared Services and Consolidation Agreement Act, N.J.S.A. 40A:65-1 et seq. permits municipalities to enter into agreements for shared services;

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 Mayor is hereby authorized to execute and the Municipal Clerk to attest to a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Borough of Ocean Gate and the Ocean Gate Board of Education.

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

1. Mayor and Council;
2. Ocean Gate Board of Education;
3. All other parties in interest.

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 duly adopted by the Ocean Gate Borough Council Meeting held on January 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Borough Clerk

RESOLUTION 2024-72

ANNUAL AUDIT OF BOOKS

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

Auditor's Opinions
Schedule of Findings and Recommendations
General Comments

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Auditor's Opinions
Schedule of Findings and Recommendations
General Comments

As evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52 to wit:

R.S.52:27BB52 – A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Ocean Gate, hereby states that it has complied with the promulgation of the Local Finance

Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 duly adopted by the Ocean Gate Borough Council Meeting held on January 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Borough Clerk

RESOLUTION 2024-73

AUTHORIZING AGREEMENT BETWEEN THE BOROUGH AND HERA
PROPERTY REGISTRY, LLC

WHEREAS, because of an overwhelming number of mortgage foreclosures on residential and commercial properties that are in violation of Property Registration Ordinance 674-23 (the Ordinance) the care of neglected lawns and exterior maintenance of structures is becoming a health and welfare issue in the Borough; and

WHEREAS, in order to promptly and efficiently address the issues related to the maintenance of foreclosed residential and commercial properties; the Borough adopted the ordinance; and

WHEREAS, pursuant to the ordinance the Borough desires to enter into this agreement with PRC in order to provide services authorized pursuant to the ordinance, to register vacant, abandoned and foreclosed properties, so that the Borough can properly address violations of the Boroughs property maintenance codes; and

WHEREAS, HERA will also provide an electronic registration process that is cost-free and revenue neutral for the Borough;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor is hereby authorized to execute and the Municipal Clerk to attest an agreement with HERA Property Registry, LLC; and

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

1. HERA Property Registry, LLC
2. Jean Cipriani, Esq.
3. Kristen Hudnut, Acting CFO

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 Meeting held on January 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-74

**AUTHORIZING EXECUTION OF SHARED SERVICE
AGREEMENT WITH THE COUNTY OF OCEAN FOR
POLICE SERVICES – PROSECUTOR’S PROGRAM**

WHEREAS, the Ocean County Prosecutor’s Office routinely leads the state in traffic related fatalities. The Prosecutor’s Program, also known as Fatal Accident Support Team (F.A.S.T) is a program that is aimed at investigating traffic crashes that result in serious injuries and or fatalities in Ocean County; and

WHEREAS, During times where additional manpower is needed for investigations and training, members of the F.A.S.T. will be called upon to assist; officers will be paid by money in the Prosecutor’s Program fund; and

WHEREAS, the Borough of Ocean Gate wishes to enter into an agreement with the County for the provision of these services;

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

1. The Mayor and Municipal Clerk of the Borough of Ocean Gate are hereby authorized and directed to enter into and execute Shared Services Agreement with the County of Ocean for the FY 2024.
2. A copy of this agreement shall be kept on file and be available for public inspection at the Office of the Municipal Clerk.
3. This agreement shall take effect upon full execution by the parties and shall remain in full force and effect retroactive to January 1, 2024 through December 31, 2024.
4. A certified copy of this resolution shall be forwarded to:
 - a. Clerk of the Board of Freeholders
 - b. Comptroller, Ocean County Department of Finance
 - c. Kristen Hudnut, Acting Chief Financial Officer

CERTIFICATION

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

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-75

AUTHORIZATION FOR PAYMENT OF BILLS

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 \$214,916.87 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 \$214,916.87 the same are hereby authorized to be paid on January 24, 2024.

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 at a Council Meeting held on January 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice	1099 Excl
MASTE005 Mastercraft Auto + Tire Center	23-00868 12/12/23 011 Change 2020 Ford F-150	1 Oil Change 2020 Ford F-150	79.69		3-01-25-240-219	B Repair/Maintenance Vehicles	R	12/12/23 01/18/24			N
	24-00039 01/11/24 Vehicle Maintenance 2024	2 CALIPER- REMOVE/REPLACE	383.11	B	4-01-25-240-219	B Repair/Maintenance Vehicles	R	01/11/24 01/22/24		35589	N
		3 DISC ROTOR- REMOVE/REPLACE	1,485.50		4-01-25-240-219	B Repair/Maintenance Vehicles	R	01/11/24 01/22/24			N
			1,868.61								
		Vendor Total:	1,948.30								
ML374 MEADOWBROOK INDUSTRIES, LLC	24-00055 01/11/24 Monthly Trash Pick up	1 Monthly Trash Pickup #800	12,333.33		4-01-32-465-240	B PRIVATE GARBAGE COLLECTION	R	01/11/24 01/18/24			N
		2 Monthly Trash Pickup #801	6,120.77		4-01-32-465-240	B PRIVATE GARBAGE COLLECTION	R	01/11/24 01/18/24			N
		Vendor Total:	18,454.10								
ML444 NEW JERSEY FIRE EQUIPMENT	23-00612 08/29/23 FXR Firefighter Turnout Coat	1 FXR Firefighter Turnout Coat	14,295.60		G-02-41-797-301	B ARP Firefighter Grant	R	08/29/23 01/18/24			N
		Vendor Total:	14,295.60								
NICH0010 Nicholas Gallione	24-00060 01/17/24 Reimbursement for Treadmill	1 Reimbursement for Treadmill	999.99		T-15-56-850-813	B LAW ENFORCEMENT	R	01/17/24 01/18/24			N
		Vendor Total:	999.99								
ML465 NJ ADVANCE MEDIA	24-00061 01/17/24 Public Notices	1 Public Notice 10810759	115.24		4-01-20-120-201	B Advertising	R	01/17/24 01/18/24			N
		2 Public Notice 10810719	16.34		4-01-20-120-201	B Advertising	R	01/17/24 01/18/24			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	1099
								Date	Date	Date	EXC]
VANCL005	Van Cleef Engineering Services										
24-00054	01/11/24 Engineering Services										
1	Engineering Services	360.50	4-01-20-165-221			B Professional Services ENGINEER	R	01/11/24	01/18/24		N
2	CDBG Replacement Concrete	4,377.75	G-02-41-769-302			B CDBG Handicap Access IMP Narragansette	R	01/11/24	01/18/24		N
3	Water Meter Replacement	1,664.50	4-05-55-500-307			B Engineering	R	01/11/24	01/18/24		N
4	Water Meter Replacement	5,852.50	4-05-55-500-307			B Engineering	R	01/11/24	01/18/24		N
5	Floodplain Management	276.00	4-01-20-165-221			B Professional Services ENGINEER	R	01/11/24	01/18/24		N
		<u>12,531.25</u>									
Vendor Total:			12,531.25								
Total Purchase Orders:			28	Total P.O. Line Items:	45	Total List Amount:	96,070.64	Total void Amount:	0.00		

Totals by Year-Fund		Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description								
CURRENT FUND BUDGET	3-01	37,908.69	0.00	37,908.69	0.00	37,908.69	0.00	37,908.69
WATER OPERATING BUDGET	3-05	202.78	0.00	202.78	0.00	202.78	0.00	202.78
	Year Total:	38,111.47	0.00	38,111.47	0.00	38,111.47	0.00	38,111.47
CURRENT FUND BUDGET	4-01	27,068.73	0.00	27,068.73	0.00	27,068.73	0.00	27,068.73
WATER OPERATING BUDGET	4-05	8,017.05	0.00	8,017.05	0.00	8,017.05	0.00	8,017.05
SEWER UTILITY BUDGET	4-07	2,250.05	0.00	2,250.05	0.00	2,250.05	0.00	2,250.05
	Year Total:	37,335.83	0.00	37,335.83	0.00	37,335.83	0.00	37,335.83
GRANT FUND BUDGET	G-02	18,923.35	0.00	18,923.35	0.00	18,923.35	0.00	18,923.35
SPECIAL TRUST	T-15	1,699.99	0.00	1,699.99	0.00	1,699.99	0.00	1,699.99
	Total of All Funds:	96,070.64	0.00	96,070.64	0.00	96,070.64	0.00	96,070.64

Borough of Ocean Gate
Bill List
Processed Payments

Total Of All Funds					\$96,070.64
FP Mailing Solutions					\$3,270.00
1/18 Payroll					\$76,512.63
State of NJ Pension&Benefits					\$39,063.60
Total Bill List					\$214,916.87