

BOROUGH OF OCEAN GATE

COUNCIL MEETING

AGENDA

March 27, 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

Verification that all members received electronic copies of the following minutes and notes of any errors or omissions: Council Workshop of December 13, 2023 and Council Meeting of December 27, 2023. Executive Session minutes of December 13, 2023.

Motion to approve above mentioned minutes: _____ Second: _____

Roll call vote: McGrath, Haug, Nicastro, Cox, Fry, Zieser

Report of Jean Cipriani, Municipal Attorney

CORRESPONDENCE

PUBLIC COMMENT LIMITED TO 3 MINUTES (Agenda or Non-Agenda):

REPORT OF MAYOR CURTIN

REPORTS OF COUNCIL

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

ORDINANCE 691-24 AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING "GENERAL PENALTY"

Motion to introduce ord. 691-24: _____ 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

ORDINANCE 691-24

**AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN,
STATE OF NEW JERSEY, CREATING "GENERAL PENALTY"**

WHEREAS, the Borough of Ocean Gate has determined there is a need to establish a "General Penalty" for violations where no specific penalty is provided; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Ocean Gate as follows:

SECTION 1. The Borough Maximum Penalties.

For violations of any provision of the chapter or any other ordinance of the Borough where no specific penalty is provided regarding the section or sections violated, the maximum penalty shall, upon conviction for such violation, be one or more of the following:

- A. A fine not exceeding \$2,000.00 The minimum fine for violation of any particular ordinance is \$50.00.
- B. Imprisonment for a period not exceeding 90 days.
- C. A period of community service not exceeding 90 days.

SECTION 2. Separate Violation.

Except as otherwise provided, each and every day in which a violation of any provision of this ordinance or any ordinance of the Borough exists shall constitute separate violation.

SECTION 3. Appropriateness of Maximum Penalty.

The maximum penalty stated in this general penalty section is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or a particular violation.

SECTION 4. If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

This ordinance shall take effect in the time and manner prescribed 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 March 27, 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 April 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 2024-112

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Ocean Gate has determined that the personal property described below herein is no longer needed for public use; and

WHEREAS, the Borough of Ocean Gate intends to utilize the online auction services of GovDeals located at govdeals.com; and

WHEREAS, the surplus property to be sold is as follows:

1. Police & Fire Vehicle

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN Number</u>
1991	VMO	Hummer	114409
2004	VMO	Hummer	002024

2. 4 Kayaks

3. 2 Paddle Boats & Paddle board

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ocean Gate in the County of Ocean, State of New Jersey, that the Borough is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled govdeals.com and be it further

RESOLVED, that the terms and conditions of the agreement entered into between GovDeals and the Borough of Ocean Gate are available at govdeals.com and in the Borough Clerk's office; and be it further

RESOLVED, that a certified copy of the within Resolution be forwarded by the Borough Clerk to the following:

1. Chief of Police
2. Chief Financial 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 Meeting held on March 27, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-113

AWARDING A CONTRACT FOR THE BIKE PATH RECONSTRUCTION –
PHASE 3: STONE HARBOR AVENUE AND EAST ATLANTIC AVENUE
PROJECT TO PACIFIC CONTRACTING SERVICES, LLC.

WHEREAS, the Borough of Ocean Gate duly issued a request for quotations for the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project, consisting of remediation/reconstruction of the bike path from Asbury Avenue to Anglesea Avenue, a length of approximately 2,700 feet, as well as striping, ADA ramps, and installation of benches, bike racks and fitness station accommodations; and

WHEREAS, in response, three (3) quotations were received on March 20, 2024; and

WHEREAS, the quotations have been reviewed by the Borough Engineer and it has been determined that Pacific Contracting Services, LLC submitted the lowest responsible and responsive quotation in accordance with the specifications, said quotation being \$226,745.24; and

WHEREAS, it is the desire of the governing body to award a contract for the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project to Pacific Contracting Services, LLC.

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. Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project at \$226,745.24.
2. That the Mayor and the Borough Clerk are hereby authorized to execute a contract with Pacific Contracting Services, LLC, in accordance with the proposal submitted by Pacific Contracting Services, LLC.
3. That the governing body specifically approves the specifications, designs and plans prepared in connection with the construction of the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project.
4. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Chief Financial Officer, the Borough Engineer and Pacific Contracting Services, LLC.
5. That the governing body does hereby award a contract to Pacific Contracting Services, LLC, the lowest responsible and responsive proposer, for the Bike Path.

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 March 27, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-114

SUPPORTING THE SUMMER SHORE INITIATIVE 2024-COPS IN SHOPS

WHEREAS, the Division of Alcoholic Beverage Control (ABC) has accepted The Borough of Ocean Gate's application for grant funds to participate in Cops in Shops FFY 2024. This initiative is supported by FFY 2024 National Priority Safety Programs (CFDA No. 20.600) funding for the Department of Transportation, National Highway Traffic Safety Administration.

WHEREAS, this program is a cooperative effort between the Division of Highway Traffic Safety (HTS) and the Division of Alcoholic beverage Control (ABC); and

WHEREAS, it is the intent and spirit of the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to use the grant to assist local undercover law enforcement officers to join forces with local retail establishments to deter the sale of alcohol to underage individuals and to stop adults from attempting to purchase alcohol for people under the legal age; and

WHEREAS, it is the recommendation of the Borough of Ocean Gate's Police Department to accept this grant award in the amount of \$1,440.00; and

WHEREAS, it is the desire of the Borough Council to accept this SUBGRANT# ABC-14-24,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean and State of New Jersey; that

1. The Borough of Ocean Gate hereby accepts the grant award as set forth in the FFY 2024 Cops in Shops summer Shore Initiative SUBAWARD# ABC14-24 Program in the amount of \$1,440.00;
2. This figure is based on 2 officer teams conducting 4 hour details at the reimbursement rate of \$60.00 per hour per officer from May 22, 2024 through September 15, 2024.

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

1. Lisa Lowe, Office Manager Division of ABC
2. Chief Kuchta, Ocean Gate Police Dept
3. Kristen Hudnut, Acting CFO

RESOLUTION 2024-115

APPROVING VENDOR'S LICENSE

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Vendor's License 2024-3 "Reiki on the Beach" hereby approved for the 2024 Season.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Ocean Gate Police Department for their records.

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 March 27, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-116

APPROVING VENDOR'S LICENSE

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Vendor's License 2024-4 "Om Your Movement" Yoga on the beach is hereby approved for the 2024 Season.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Ocean Gate Police Department for their records.

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 March 27, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-117

AUTHORIZING THE BOROUGH OF OCEAN GATE TO APPLY FOR THE
2023 RECYCLING TONNAGE GRANT

WHEREAS, The mandatory source Separation and Recycling Act, P.L. 1987. C.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2023 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of Ocean Gate to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ocean Gate hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Rev. Oscar L. Cradle Sr. to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION 2024-118

AWARDING A CONTRACT FOR THE BIKE PATH RECONSTRUCTION –
PHASE 3: STONE HARBOR AVENUE AND EAST ATLANTIC AVENUE
PROJECT TO PACIFIC CONTRACTING SERVICES, LLC.

WHEREAS, the Borough of Ocean Gate duly issued a request for quotations for the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project, consisting of remediation/reconstruction of the bike path from Asbury Avenue to Anglesea Avenue, a length of approximately 2,700 feet, as well as striping, ADA ramps, and installation of benches, bike racks and fitness station accommodations; and

WHEREAS, in response, three (3) quotations were received on March 20, 2024; and

WHEREAS, the quotations have been reviewed by the Borough Engineer and it has been determined that Pacific Contracting Services, LLC submitted the lowest responsible and responsive quotation in accordance with the specifications, said quotation being \$226,745.24; and

WHEREAS, it is the desire of the governing body to award a contract for the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project to Pacific Contracting Services, LLC.

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. Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project at \$226,745.24.
2. That the Mayor and the Borough Clerk are hereby authorized to execute a contract with Pacific Contracting Services, LLC, in accordance with the proposal submitted by Pacific Contracting Services, LLC.
3. That the governing body specifically approves the specifications, designs and plans prepared in connection with the construction of the Bike Path Reconstruction- Phase 3: Stone Harbor Avenue and East Atlantic Avenue project.
4. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Chief Financial Officer, the Borough Engineer and Pacific Contracting Services, LLC.
5. That the governing body does hereby award a contract to Pacific Contracting Services, LLC, the lowest responsible and responsive proposer, for the Bike Path.

RESOLUTION 2024-118

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 \$501,404.18 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 \$ 501,404.18 the same are hereby authorized to be paid on March 27, 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 March 27, 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
F0657 FOSTER & COMPANY INC	24-00028 01/11/24 Public Work Supplies	1 Public Work Supplies	354.16	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
		2 Turbo Scrub Hand Soap 4X3	213.01	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
		3 Gloss Black High Solid MRO	176.44	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
		4 14"x.270 Black Heavy Duty Tie	189.92	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
		5 11.4"x.140 Black Standard CA	103.78	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
		6 Jumbo Roll X50 White 875/RL	168.76	4-01-26-310-218	B Materials	R	01/11/24 03/20/24			N
			<u>1,206.07</u>							
		Vendor Total:	1,206.07							
G0713 JCP&L	24-00234 03/22/24 Electric Bills	1 Street Lighting LED	242.19	4-01-31-435-322	B Street Lighting	R	03/22/24 03/22/24			N
		2 OAL Floodlight	42.00	4-01-31-435-322	B Street Lighting	R	03/22/24 03/22/24			N
			<u>284.19</u>							
		Vendor Total:	284.19							
L0210 LACEY CAR WASH & QUICK LUBE	24-00023 01/11/24 Car Washes	1 Car Washes	67.84	3-01-25-240-240	B Car Washes	R	01/11/24 03/20/24			N
		Vendor Total:	67.84							
LYNDA005 Lynda Doremus	24-00221 03/19/24 Garden Club Supplies reimburse	1 Garden Club Supplies	741.62	T-15-56-850-801	B RECREATION TRUST	R	03/19/24 03/20/24			N
		Vendor Total:	741.62							
ML374 MEADOWBROOK INDUSTRIES, LLC	24-00216 03/12/24 Monthly Trash Pick up	1 Monthly Trash Pickup #800	12,916.67	4-01-32-465-240	B PRIVATE GARBAGE COLLECTION	R	03/12/24 03/20/24		314808	N

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
M1374 MEADOWBROOK INDUSTRIES, LLC	24-00216 03/12/24 Monthly Trash Pick up	2 Monthly Trash Pickup #801	Continued 4,830.72 17,747.39	4-01-32-465-240	B PRIVATE GARBAGE COLLECTION	R	03/12/24 03/20/24		314809	N
	Vendor Total:		17,747.39							
MICRO005 Micro-Media Publications INC	24-00148 02/13/24 Classified Ad- Public Notice	1 Classified Ad- Public Notice	46.95	4-01-20-100-201	B Advertising	R	02/13/24 03/20/24		7443157	N
	Vendor Total:		46.95							
N1465 NJ ADVANCE MEDIA	24-00212 03/12/24 Public Notices 10836019	1 Public Notices 10836019	187.79	4-01-20-120-201	B Advertising	R	03/12/24 03/20/24			N
	Vendor Total:		187.79							
N1466 NJ DEPT. HEALTH & SENIOR SRVC	24-00231 03/20/24 2.24 Animal Report	1 2.24 Animal Report	16.20	T-12-56-850-801	B Reserve Animal Trust Expend.	R	03/20/24 03/20/24			N
	Vendor Total:		16.20							
O1513 OCEAN GATE BOARD OF EDUCATION	24-00228 03/19/24 3.24 Tax Levy	1 3.24 Tax Levy	174,728.42	4-01-55-905-010	B Local School Tax Payable	R	03/19/24 03/20/24			N
	Vendor Total:		174,728.42							
O1541 OCEAN PIPE WORKS, LLC	24-00213 03/12/24 Asphalt Removal	1 Asphalt Removal	850.25	4-01-26-310-299	B Miscellaneous	R	03/12/24 03/20/24		6347	N
	Vendor Total:		850.25							

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Charge Account	Amount	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	1099	
													Date	Date	Invoice	Excl

Total Purchase Orders: 29 Total P.O. Line Items: 63 Total List Amount: 459,364.34 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	67.84	0.00	67.84	0.00	0.00	0.00	67.84
WATER OPERATING BUDGET	3-05	10.01	0.00	10.01	0.00	0.00	0.00	10.01
Year Total:		77.85	0.00	77.85	0.00	0.00	0.00	77.85
CURRENT FUND BUDGET	4-01	451,266.68	0.00	451,266.68	0.00	0.00	0.00	451,266.68
WATER OPERATING BUDGET	4-05	2,095.36	0.00	2,095.36	0.00	0.00	0.00	2,095.36
SEWER UTILITY BUDGET	4-07	99.79	0.00	99.79	0.00	0.00	0.00	99.79
Year Total:		453,461.83	0.00	453,461.83	0.00	0.00	0.00	453,461.83
GRANT FUND BUDGET	G-02	2,537.69	0.00	2,537.69	0.00	0.00	0.00	2,537.69
ANIMAL CONTROL TRUST BUDGET	T-12	466.20	0.00	466.20	0.00	0.00	0.00	466.20
SPECIAL TRUST	T-15	2,820.77	0.00	2,820.77	0.00	0.00	0.00	2,820.77
Year Total:		3,286.97	0.00	3,286.97	0.00	0.00	0.00	3,286.97
Total of All Funds:		459,364.34	0.00	459,364.34	0.00	0.00	0.00	459,364.34

Borough of Ocean Gate
 Bill List
 Processed Payments

Total Of All Funds					\$459,364.34
Payroll 3/14					\$75,741.13.
State of NJ Pension&Benefits					\$42,039.84
Total Bill List					<u>\$501,404.18</u>