

BOROUGH OF OCEAN GATE

COUNCIL MEETING

AGENDA

April 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

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

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 3 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.

CORRESPONDENCE

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 open public hearing for ord. 691-24: _____ Second: _____

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

Motion to close public hearing for ord. 691-24: _____ Second: _____

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

Motion to adopt ord. 691-24: _____ Second: _____

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

ORDINANCE 692-24 AN ORDINANCE TO AMEND AND REPEAL ORDINANCE 677-23 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. 692-24: _____ Second: _____

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

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)

Motion to introduce ord. 693-24: _____ Second: _____

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

RESOLUTION 2024-126 2024 Municipal Budget

Motion to approve resolution 2024-126: _____ 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 2024-127 Approving Vendor’s License
RESOLUTION 2024-128 Authorizing Award of Contract for Alt. Municipal Prosecutor

Motion: _____ Second: _____

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

RESOLUTION 2024-129 Payment of Bills

Motion: _____ Second: _____

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

Motion to adjourn:

Motion: _____ Second: _____

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

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

ORDINANCE ~~677 692-2423~~

AN ORDINANCE TO AMEND AND REPEAL ORDINANCE ~~667-23~~ 677-23
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
Fiscal Officer	\$ 13,000.00	\$ 50,000.00
Finance/Tax Clerk	\$ 13,000.00	\$ 50,000.00
Borough Clerk	\$ 23,000.00	\$ 70,000.00
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	\$ 125,000.00 100,000.00
Patrolman	\$ 30,000.00	\$ 105,000.00 95,000.00
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
Borough Foreman	\$ 18,000.00	\$ 60,000.00
Personnel Director	\$ 1.00	\$ 8,000.00
Insurance Administrator	\$ 1.00	\$ 8,000.00
Safety Administrator/Coordinator	\$ 1.00	\$ 5,000.00
Affirmative Action Officer	\$ 1.00	\$ 5,000.00
Deputy ADA Coordinator	\$ 1.00	\$ 8,000.00
Animal License Clerk	\$ 1.00	\$ 5,000.00
Deputy 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 —\$1.00
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 17.00
Recreation Director	\$ 10.00	\$ 15.00
Assistant Recreation Director	\$ 10.00	\$ 15.00
Recreation Aide	\$ 10.00	\$ 15.00
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 ~~May 24, 2023~~ April 24, 2024 and will come on second reading, public hearing and final passage on ~~June 14, 2023~~ May 22, 2024 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: ~~May 24, 2023~~

Adopted: ~~June 14, 2023~~

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

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)**

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 1% 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 April 24, 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 May 22, 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., C.M.R.
Municipal Clerk

Robert Curtin, Mayor

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Borough of Ocean Gate, County of Ocean for the Fiscal Year 2024

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024.

Be it Further Resolved, that said Budget be published in the Star Ledger Issue of May 1, 2024 ,

The Governing Body of The Borough of Ocean Gate does hereby approve the following Budget for the year 2024:

	((Abstained	(
Recorded	(((
Vote	Ayes	Nays		(
(Last Names)	(((
	((Absent	(Haug
	(((

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Ocean Gate, County of Ocean on April 24, 2024.

A hearing on the Budget and Tax Resolution will be held on June 12, 2024 at 7:00pm at which time and place objections to said Budget and Tax Resolution for 202 may be presented by taxpayers or other interested persons.

RESOLUTION 2024-127

APPROVING VENDOR'S LICENSE

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Vendor's License 2024-5 Health and Wellness Pilates 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 April 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-128

**AUTHORIZING THE AWARD OF CONTRACT FOR
ALTERNATE MUNICIPAL PROSECUTORS**

WHEREAS, there exists a need for Legal Services as Municipal Prosecutor for the Borough of Ocean Gate; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set in the 2024 Municipal Budget for professional services; and

WHEREAS, funds are, or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law N.J.S.A.40A:11-1 et seq., requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be made available for public inspection,

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

1. That, John Ferna Esq., is hereby appointed as Alternate Municipal Prosecutor from April 24, 2024 and ending December 31, 2024.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because it is for services to be performed by a person authorized by law to practice a recognized profession.
4. A notice of this action shall be printed once in the Official newspapers of the Borough of Ocean Gate.

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

1. John Ferna, Esq.
2. Kristen Hudnut, Acting Chief Financial Officer

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 April 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2024-129

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 \$776,694.45 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 \$776,694.45 the same are hereby authorized to be paid on April 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 April 24, 2024.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd	Date	Chk/Void	Date	Invoice	1099
S2065	SHORE SECURITY SOLUTIONS, INC.	24-00265	04/05/24	Wildwood Ave Pavilion			600.00	4-01-26-300-299	B	Miscellaneous	R	04/05/24	04/18/24		012075			N
	1 Monitoring/Maintenance						600.00											
	Vendor Total:						600.00											
S2045	SPECTROTEL	24-00297	04/19/24	Monthly Phone Bill- Fax			37.45	4-01-31-437-341	B	Telephone	R	04/19/24	04/19/24					N
	1 Monthly Phone Bill- Fax						37.44	4-05-55-500-253	B	Telephone	R	04/19/24	04/19/24					N
	2 Water Split						37.44	4-07-55-501-271	B	Telephone	R	04/19/24	04/19/24					N
	3 Sewer Split						112.33											
	Vendor Total:						112.33											
VANCL005	Van Cleef Engineering	24-00255	04/01/24	Engineering Services			257.50	4-01-20-165-221	B	Professional Services	R	04/01/24	04/18/24		24018.00-1			N
	1 Engineering Services-General						3,047.98	4-05-55-500-307	B	Engineering	R	04/01/24	04/18/24		23169.00-5			N
	2 Water Meter Replacement						438.00	4-01-20-165-221	B	Professional Services	R	04/01/24	04/18/24		24010.00-1			N
	3 Flood Plain Management						3,743.48											
	Vendor Total:						3,743.48											

Total Purchase Orders:	31	Total P.O. Line Items:	54	Total List Amount:	221,270.78	Total Void Amount:	0.00
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Totals by Year-Fund									
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total		
CURRENT FUND BUDGET	3-01	5,801.79	0.00	5,801.79	0.00	0.00	5,801.79		
CURRENT FUND BUDGET	4-01	196,604.82	0.00	196,604.82	0.00	0.00	196,604.82		
WATER OPERATING BUDGET	4-05	5,403.66	0.00	5,403.66	0.00	0.00	5,403.66		
SEWER UTILITY BUDGET	4-07	4,203.52	0.00	4,203.52	0.00	0.00	4,203.52		
	Year Total:	206,212.00	0.00	206,212.00	0.00	0.00	206,212.00		
GENERAL CAPITAL IMPROVEMENTS	C-04	5,386.49	0.00	5,386.49	0.00	0.00	5,386.49		
GRANT FUND BUDGET	G-02	3,323.69	0.00	3,323.69	0.00	0.00	3,323.69		
SPECIAL TRUST	T-15	546.81	0.00	546.81	0.00	0.00	546.81		
Total of All Funds:		221,270.78	0.00	221,270.78	0.00	0.00	221,270.78		

Borough of Ocean Gate
 Bill List
 Processed Payments

Total Of All Funds					\$221,270.78
FP Mailing Solutions (Postage)					\$3,291.00
NJMVC (Titles for Hummers)					\$120.00
State of NJ- Water					\$170.95
4/11 Payroll					\$76,928.65
State of NJ Pensions&Benefits					\$51,053.07
State of NJ Pensions&Benefits-Annual Employer Appropriations					\$423,860.00
Total Bill List					<u>\$776,694.45</u>