

# BOROUGH OF OCEAN GATE

## COUNCIL MEETING AGENDA

June 15, 2017

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

Mayor Kennedy called the meeting to order at 7:00 pm and announced that in compliance with the "OPEN PUBLIC MEETING LAW" P.L. 1975 C231 notice of this meeting had been advertised in the Asbury Park Press issue of May 30, 2017 posted in the Municipal Office Building, Adrian Hall and the Ocean Gate Post Office.

Following a salute to the flag and a moment of silence roll call was taken with the following members present: Council President Kendrick, Councilwoman Nicasastro, Councilman Serpica, Councilman Haug, Councilman Cox. Absent: Kennedy, Martinez

Mr. Spano 319 Wildwood Ave.- Summer is just beginning and kids are already starting to crowd up and use foul language at the beach and pier, "its worst now than I have ever seen". He knows the mayor has helped to make many and changes and he appreciates those changes, "but it seems like everything has been reversed lately". Mayor Kennedy explains that he has met with Lieutenant Kuchta regarding this and several other issues; they know it's a problem. One issue they have determined is that many of the kids causing problems are actually from Berkeley not Ocean Gate. The curfew in Ocean Gate is 1 hour later than Berkeley that seems to be brining kids into our town later and causing issues. The police department will be taking care of it; we have bike cops starting over the weekend. Mr. Spano then asked what if anything can be done regarding the County Dispatch; several times he has called and was told that his concerns are not an emergency and treated rather rudely. He understands that police officers have bigger issues than bikes on the beach but doesn't know what the proper procedure should be when residents notice improper behavior and the office in the police department is closed, either way the county should not be responding in such a rude way. He explained that it's happened to him several times, "It seems like they have some animosity towards us". Councilman Cox has had several residents describe the same scenario to him during the community watch, "County dispatch just doesn't seem to want to bother with our issues, which is unacceptable because we pay county taxes too". He doesn't expect an officer to leave an event to attend to a "bike on the beach", but the county should be courteous with the caller and make arrangements for a response when they have a chance. Mayor Kennedy will put a call into the sheriff tomorrow regarding dispatchers, "I find it hard to believe that they would respond to anyone that way". Lieutenant Kuchta asked that anyone having this issue please note the time and date, he is in constant communication with the county and will be able to figure out who the dispatcher was.

Mr. Finucan 548 E. Riviera – Mr. Finucan has had the same issue this week with the sheriffs department, he called regarding a boat that came lose during a small storm, the girl that answered the phone was very nice but she was not able to forward the call because something was wrong with the phone system, "for a sheriffs office I find that unacceptable".

Mr. O'Neill 400 Stone Harbor- He commented that the bike ordinance just went into effect today, "outside of that bikes are allowed on the beach". He submitted a letter to the governing body last month regarding the proposed seawall, he was told it was at the very beginning stages. Since he wrote the letter he has had a chance to look at drawings and a CAFRA permit. He believes the beach and boardwalk is what makes this town prosper, "We have two small business' in town and those wouldn't exist without our beach and boardwalk". Residents need to know about projects like this, "If it does become a reality, who pays for it"? His personal opinion is that this is something the town can do without. Mayor Kennedy explains that the Borough has been approved for a \$95,000 grant for this project. Mr. O'Neill asked, "If the towns (residents) decide they don't want this project to move forward can it be stopped? I don't want to see us get into a slippery slope that says if we don't move on with the project we will owe Remington Vernick and Vena \$90,000 because FEMA isn't going to pay us because we didn't move forward with the project". Its also concerning to him that many residents and even council people didn't see the drawings, "The public needs to be made aware". Mayor Kennedy explained that he applied for this project about 4 years ago and has discussed it during council meetings in the past. He has heard rumors that the plan is for a 6 foot wall, "That is not what it is". The plans are public record and anyone can come in and look, "instead people decide to go on social media". Mayor Kennedy went on to say that these projects take time, "We had to start the process in order to move along". He has recently received a letter that this project won't be started until at least 2019. We will have a Q&A with the Engineer, ARMY Corp of engineers, DEP, governing body and residents and it will be published. This should help eliminate the rumors, "Come to the meeting and express your concerns". Mr. O'Neill believes a project of this size could have had a notice to each resident, "You could put it in with the water bill".

Mr. Cronheim 500 Stone Harbor- He asked when the boat regulations on the beach and waterways would be enforced. He has already noticed several problems along the beach, boats parked in front of the parking lot, "It's a problem". He has also had an issue with county dispatch, "I was cut off and told it was not

important". Mayor Kennedy will advise the code enforcement office of the possibility of violations along the beach.

Mr. Latt 519 E Cape May Ave. – He asked if the governing body could post a warning about the vicious dog on E. Cape May Ave. He lives next door to the dog that attacked another dog in the area, the vicious dog is still quarantined in the house, "If EMS or PD or any emergency personnel needs access to that house the will not be aware of the dog". He believes it would be helpful to put some kind of notice on the Borough website. Mayor Kennedy explained that the case is going to court next week and a vicious dog ordinance used in Berkeley will be forwarded to him for review; Mr. Latt's recommendation will be considered then.

#### REPORT OF MAYOR KENNEDY

At the last meeting a concern regarding Trinity Solar came up, he has contacted someone from Trinity Solar and they have confirmed that they are soliciting in the area, "They are legitimate and have been informed that they need to come see someone in the police department". He has not been persistent on the rule of each council member submitting a report to him 24 hours prior to the meeting, but would like to begin requiring this once again.

#### CORRESPONDENCE

Theresa Piscal submitted a request to hold Story Time on the Beach every Tuesday from 9:30am to 10:00am at the Wildwood Ave. Pier.

**A motion was made by Councilman Serpica to allow story time on the beach. Second to the motion made by councilman Martinez. All in Favor. Motion Approved.**

Mrs. Piscal would also like to invite Santa and Mrs. Clause to participate in the 4<sup>th</sup> of July Parade, they will be collecting toys for the Potters Pantry annual Christmas in July toy drive.

**A motion was made by Councilman Serpica to approve Christmas in July toy drive. Second to the motion made by Councilwoman Nicastro. All in Favor. Motion Approved.**

Mrs. Piscal is making the governing body aware that the book cart currently placed at the Wildwood Ave. Pier is at its capacity. She has an armoire that can be used to hold many more books and it can be closed at night rather than having the lifeguards move it in and out of the comfort station every day and night. For safety reasons it would be bolted to the building. After some discussion the governing body decided to hold off on this request.

The mayor was approached by a representative of the American Cancer Society regarding hosting a Relay For Life fund raiser in the Borough of Ocean Gate on August 18th through August 19th. They will walk the boardwalk through the night and all funds go to the American Cancer Society. Councilman Martinez asked how parking will be handled. Councilman Cox asked how residents who live along the boardwalk are going to feel about people walking the boardwalk all night long. Councilman Haug believes it will be similar to everything else, "Some people will not care others will complain". Councilwoman Nicastro suggested having a police officer on sight. Mayor Kennedy has already arranged to 2 police officers for the night and parking will be waived in the parking lots for the event. Councilwoman Nicastro is concerned with tents along the beach. Mayor Kennedy explained that the tents are used for support along the way, "They are not camping out, no cooking or sleeping in the tents". Councilman Martinez suggested limiting tents to the cross streets. Councilman Haug comments that they usually only bring in a few chairs and coolers; they are not going to want to venture too far from the cross streets anyway, "I have attended and can say that the following day you have no evidence of the relay". Councilwoman Nicastro asks that those participating understand that people live right on the boardwalk. Councilman Haug, "These people are walking for Cancer they are not going to a Van Halen Concert, I'm pretty sure they will be respectful". Council President Kendrick, "Lets try it for one year, see how it works out, it's a good cause".

**A motion was made by Councilman Martinez to approve Relay for Life on August 18/19. Second to the motion made by Councilman Serpica. Roll Call Vote: Ayes: Kendrick, Nicastro, Serpica, Haug, Martinez, Cox**

Mrs. Nieves-Martinez submitted a request for use of the Splash Park for a birthday party on August 27; they would like to set up a tent and table for drinks and snacks outside of the Splash Park.

**A motion was made by Councilman Serpica to approve the Splash Park Rental on August 27. Second to the motion made by Council President Kendrick. All in Favor. Motion Approved.**

## REPORTS OF COUNCIL

**Council President Kendrick-** Nothing to Report

**Councilwoman Nicastro-** Commented regarding the “vicious dog”, “I hope the police department stays on top of this, “I feel sorry for someone who has to live next door to this dog, nobody should have to live in fear. I’m an animal lover, but we should not live in fear”. The service man that came to repair the dish washer in Adrian Hall can not find the necessary parts, the machine is very old and no one has parts for it anymore. A new dishwasher will cost \$4,000, “for something that gets used 12 times a year”. Mayor Kennedy, “If someone will give me a W9 you will have another \$1,000”. He explained that he won \$1,000 to donate to his favorite charity and he decided to donate the money to Adrian Hall, he will need one of the non-profit organizations to submit a W9 before he can access the money. Councilwoman Nicastro believes discussion needs to be made before they decide on spending that much money on a new dishwasher. She agrees with Mr. Spano that something should be done about the awful behavior and language by teens at the beach, “We need it stopped, the language is awful and they are disrespectful”. The Art Guild has started the painting on the shed in the Splash Park, it is not complete but we have had residents in the area complaining about the painting and thought it should be stopped because in his words, “It was atrocious”. We discussed this painting for months before granting them permission to move forward, the project is not complete yet but many people are in favor of it; “We went to look at it and the Art Guild is doing a great job, it looks great”. She believes everything is on track for the 4<sup>th</sup> of July Parade, she asked if the Bagpipers would be hired again this year. The mayor has the contract on his desk, but it has not been approved by council yet; the fee for them to perform is \$1,000.

**A motion was made by Councilman Serpica to approve the contract for the Bagpipers to perform on the 4<sup>th</sup> of July. Second to the motion made by Councilman Martinez. Roll call Vote: Ayes: Kendrick, Nicastro, Serpica, Haug, Martinez, Cox**

Councilman Serpica- The Beach is officially open and we are completely staffed with badge checkers and lifeguards. The Splash Park is scheduled to open on Saturday at 11:00am. We are expecting another very active year; he is hopping for a good summer. A committee meeting has been scheduled to decide on a Grand Marshal. Work on Ocean Gate Day continues.

Councilman Haug- He received a thank you letter from the Girl Scouts. They are very appreciative of the Borough of Ocean Gate for allowing them access to our garage to distribute cookies to several different troops in the area.

Councilman Martinez- He announces that flushing is still on going; therefore residents should expect some discoloration in the water until the process is complete throughout the entire town. He reminded the audience that school is closed therefore, “We need to be more attentive on the road”. The New Recycling Center is open and it looks very nice. He asked that we all keep Mr. Schaffer’s family in our thoughts and prayers. He asked that the mayor as Administrator submit a report to the governing body prior to each council meeting.

Councilman Cox- He would like to change the Adrian Hall spaghetti dinner to August 19. He thanked the public works department for removing dead trees near the bike path. He has noticed items left on the beach over night and trees have been planted on the beach, “We need to nip this in the bud”. Channel 22 has been in “roll mode” for over 3 weeks, he has made 2 calls to correct the problem. In 3 weeks no one has called the borough to complain about channel 22 not working; therefore he believes the governing body should discuss keeping this system, “It cost about \$105 a month”. He asked that the Corrective Action Plan be removed from the agenda tonight as he requested at the last meeting that a person be assigned and a date given, “this was not done”. He apologized to the mayor for not getting a report to him prior to the meeting, “I never knew that was a requirement and I believe that has to work both ways”. “Two things on the agenda, that we (the governing body) didn’t know about in advance”. He asked what gets reported under correspondence. Mayor Kennedy explained that correspondence is reserved for items that the borough needs to take action on.

## ORDINANCE

ORDINANCE 610-17 AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ORDINANCE NO. 421-98 AND 457-01 ENTITLED “ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY REGULATING PARKING WITHIN THE BOROUGH OF OCEAN GATE

**A motion was made by Council President Kendrick to introduce ord. 610-17. Second to the motion made by Councilman Cox. Roll Call Vote: Ayes Roll call vote: Kendrick, Nicastro, Serpica, Haug, Martinez, Cox**

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

SECTION I. That ARTICLE II of Ordinance No. 421-98 be and hereby is amended and supplemented to read as follows:

D. PARKING PROHIBITED AT ALL TIMES: No person shall park a vehicle at any time upon any streets or parts thereof indicated below:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
<u>Anglesea Avenue</u>	<u>Both</u>	<u>From East Longport Avenue to the Boardwalk</u>
<u>Arverne Avenue</u>	<u>North</u>	<u>From Wildwood Avenue to Stone Harbor Avenue</u>
<u>East Bayview Avenue</u>	<u>Both</u>	<u>From Wildwood Avenue to Stone Harbor Avenue</u>
<u>Stone Harbor Avenue</u>	<u>West</u>	<u>From East Cape May Avenue to East Arverne Avenue</u>

SECTION II. That ARTICLE II of Ordinance No. 421-98 be and hereby is amended and supplemented to read as follows:

c. SEASONAL PARKING LIMITATIONS: From May 15 to September 15 of each year, no person shall park a vehicle on the streets or parts thereof indicated below:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
<u>Asbury Avenue</u>	<u>Both</u>	<u>Within 100 feet of the Boardwalk</u>
<u>East Avalon Avenue</u>	<u>Both</u>	<u>Within 100 feet of the Boardwalk</u>
<u>East Chelsea Avenue</u>	<u>Both</u>	<u>Within 100 feet of the Boardwalk</u>
<u>Beach Place (also known as East Riviera</u>	<u>Both</u>	<u>From Narragansette Avenue to the easterly line of the Borough</u>
<u>Narragansette Avenue</u>	<u>Both</u>	<u>Within 100 feet of the Boardwalk</u>
<u>Wildwood Avenue</u>	<u>Both</u>	<u>From East Longport Avenue to the Boardwalk</u>

SECTION III. That SECTION II of Ordinance No. 457-01 amending ARTICLE VI of Ordinance No. 421-98 be and hereby is amended and supplemented to read as follows:

A. From May 15 to September 15 of each year, no person shall park a vehicle on Borough Property or on the streets or parts thereof without a Seasonal Parking Decal as follows:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
<u>East Chelsea Avenue</u>	<u>Both</u>	<u>From Asbury Avenue to East Riviera</u>
<u>East Longport Avenue</u>	<u>Both</u>	<u>From Anglesea Avenue to East Riviera</u>
<u>East Longport Avenue</u>	<u>Both</u>	<u>From Asbury Avenue to Wildwood Avenue</u>
<u>Monmouth Avenue</u>	<u>Both</u>	<u>From East Bayview to the Boardwalk</u>
<u>Narragansette Avenue</u>	<u>Both</u>	<u>From East Longport Avenue to a point 100 feet from the Boardwalk southwest corner parking lot</u>
<u>Newport Avenue</u>	<u>Both</u>	<u>From East Longport Avenue to the Boardwalk</u>
<u>Stone Harbor Avenue</u>	<u>Both</u>	<u>From the East Bayview Avenue to the Boardwalk</u>
<u>Parking Lot on East Bayview Avenue</u>		<u>250 feet east of Wildwood Avenue adjacent to East Riviera parking lot 100 feet west of Anglesea Avenue adjacent to East Riviera parking lot</u>
<u>Parking Lot on East Longport Avenue and Wildwood Avenue</u>		

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

SECTION V. 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 VI. This Ordinance shall take effect immediately upon its final adoption, approval and publication as required by law.

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 June 15, 2017 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 July 12, 2017, 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 hear

#### CONSENT AGENDA

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

**A motion was made by Councilman Martinez to approve the consent agenda. Second to the motion made by Councilman Serpica. Roll Call Vote: Ayes: Kendrick, Nicastro, Serpica, Haug, Martinez, Cox. Resolution 135-17 and 138-17 were removed from the consent agenda.**

#### RESOLUTION 2017-132 RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM (“NFIP”)

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program (“NFIP”); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Borough of Ocean Gate Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Ocean Gate hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Borough of Ocean Gate Federal Legislators and Representatives.

RESOLUTION 2017-133 OCEAN GATE BEACH CHANGE FUND

WHEREAS, Ed Simone, Chief Financial Officer for the Borough of Ocean Gate has been advised that there is a need to establish the Ocean Gate Beach Change Fund.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the Ocean Gate Beach Change Fund be established at \$100.00.

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

- 1). Ed Simone, Chief Financial Officer
- 2). Elizabeth Barger, Tax Collector
- 3). John Serpica, Recreation Committee Chair
- 4). Division of Local Government Services

RESOLUTION 2017-134 AMENDING RESOLUTION 2017-128 HIRING SEASONAL EMPLOYEES – LIFEGUARD/BADGE CHECKERS

WHEREAS, Brian Fisher was hired as Beach Supervisor for the Summer 2017 season at an hourly rate of \$14.00,

WHEREAS, said appointment should have been at an hourly rate of \$14.50,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Brian Fisher be hired as Beach Supervisor for the Summer 2017 Season at an hourly rate of \$14.50.

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

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

1. Ed Simone, Chief Financial Officer
2. Personnel file
3. Brian Fisher

\*\*\*TABLED\*\*\*RESOLUTION 2017-135 CORRECTIVE ACTION PLAN

RESOLUTION 2017-136 HIRING SEASONAL EMPLOYEES – LIFEGUARD

WHEREAS, the Julian Giglio has completed an employment application for the position of Lifeguard in the Borough of Ocean Gate; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Julian Giglio is hereby hired at a rate of \$10.00 an hour effective June 15, 2017. All Lifeguard applicants are certified as lifeguards as well as First Aid and CPR.

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

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

3. Ed Simone, Chief Financial Officer
4. Personnel file
4. Julian Giglio

RESOLUTION 2017-137 RENEWAL OF ALCOHOLIC BEVERAGE LICENSES

WHEREAS, the following applications have been received for renewal:

Golda's Anchor Inn, 400 Ocean Gate Ave. – License #1521-33-003-001 (Plenary Retail Consumption License); Yolandas River House Inc. 401 Monmouth Ave. – License #1521-33-002-010

WHEREAS, the submitted application forms were complete in all respects, including the Tax Clearance Certificates, and the applicants are qualified to be licensed according to all statutory, regulatory and local governmental laws and regulations; and

WHEREAS, the applicants have disclosed that no additional financing has been obtained in the previous license period for use in the licensed business; and

WHEREAS, no complaints have been received protesting issuance by the Borough or the Alcoholic Beverage Control of this renewal license;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the renewal of the foregoing licenses are hereby approved for the period of July 1, 2017 to June 30, 2018.

BE IT FURTHER RESOLVED, that the foregoing licenses are subject to the following “special conditions”, which shall run for the term of the renewal licenses;

- a. No “Go-Go Girls” shall be permitted at anytime. For the purpose of this resolution, a “Go-Go Girl” is defined as a scantily clad person or persons, who performs in a suggestive, lascivious, wanton and salacious manner:
- b. No “Male Fantasies” or “Go-Go Males” shall be permitted at any time. For the purposes of this resolution, a ”Male Fantasy” or “Go-Go Male” is defined as a scantily clad person or persons, who performs in a suggestive, lascivious, wanton and salacious manner.
- c. The parking lots and building areas must be properly illuminated during business hours.

BE IT ALSO RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the licenses as received from the Alcoholic Beverage Control to the aforesaid licensees.

\*\*\*\*TABLED\*\*\*\* RESOLUTION 2017-138 RESOLUTION OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO EARLE ASPHALT CO. AS THE LOWEST BIDDER FOR THE RECONSTRUCTION OF ASBURY AVENUE PHASE 2

RESOLUTION 2017-139 AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF THE MAINTENANCE BOND FOR SHORELAND CONSTRUCTION, INC. FOR THE NEW COMMUNITY RECYCLING CENTER

WHEREAS, Shorelands Construction, Inc., 7 Columbus Drive, Monmouth Beach, New Jersey 07750, was awarded a contract with the Borough of Ocean Gate, County of Ocean, State of New Jersey (“Borough”), in the amount of \$59,900.00 for the New Community Recycling Center Project; and

WHEREAS, Change Order No. 1 has been submitted for approval by the Borough Council to reduce the contract amount by \$3,350.75 due to a deduction for unused quantities; and

WHEREAS, Shorelands Construction, Inc. had posted a bond to guarantee the Borough the proper performance of the required improvements for the project; and

WHEREAS, the Borough Engineer, Pamela A. Hilla, PE, CFM of Remington, Vernick & Vena Engineers certified that the project is complete and recommended the release of the Performance Bond and acceptance of the Maintenance Bond produced by Shorelands Construction, Inc. in the amount of \$56,549.25 with an expiration date of May 9, 2019; and

WHEREAS, Municipal Attorney, James J. Gluck, Esq., found the maintenance bond to be acceptable in both legal form and content.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the Performance Bond for the New Community Recycling Center Project is hereby released and the Maintenance Bond in the amount of \$56,549.25 is accepted as proposed. The Municipal Clerk and Chief Financial Officer are hereby directed to return the Performance Bond to Shorelands Construction, Inc.

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

1. Pamela A. Hilla, PE, CFM

2. James J. Gluck, Esq.
3. Shorelands Construction, Inc.
4. Selective Insurance Company of America

RESOLUTION 2017-140 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 \$211,700.83 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 2017 vouchers amounting to the sum of \$211,700.83 and the same are hereby authorized to be paid on June 15, 2017.

BE IT FURTHER RESOLVED, that the Municipal Clerk be, and is hereby directed to file the bill list in the Municipal Clerk's Office.

Report of James Gluck- Mr. Gluck explained that the within the last 10 days laws contract laws changed and as a result resolution 2017-138 needs to be updated to accommodate the new law. The law regarding issuing a RICE Notice has also recently been updated. Mayor Kennedy asked for clarification regarding the new RICE Notice new rules, "If a council member has a discussion with another governing body member about an employee, will that need a RICE Notice"? Mr. Gluck explained that council members are not to speak of any employee during a meeting of any kind.

Maria, NJ Power and Light- She invited the governing body and residents to attend the dispatch tour of the new JCPL facility. She informed the governing body that JCP&L is in the process of a pilot program to begin the switch to LED Lights for municipal street lights, she asked if the borough is interested she can obtain LED Lights and forward them to the borough. Mr. Finucan asked Maria why JCP&L requires residents to have a set of steps solely for the purpose of reading the meter. She explained that the reason for the steps is not to read the meter, rather to assure the safety of the technician when a meter needs to be maintained or replaced they need proper access. He doesn't understand why those steps need to be on his property just in case they have a problem some day, "Can't they bring a ladder".

Mr. McDowell 341 E Bayview Ave.- "Thank you for using the microphones today". He was also very glad they approved the Relay For Life event, "I would like to see it every year", but understands that many residents homes are on the boardwalk and we need to be respectful of those individuals.

**Seeing no one else wishing to be heard the mayor asked for a motion to adjourn. Motion made by Council President Kendrick. Second to the motion made by Councilman Martinez. All in Favor. Motion Approved.**

Meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Ileana Vazquez-Gallipoli, RMC, CMR  
Municipal Clerk