

BOROUGH OF OCEAN GATE

COUNCIL MEETING AGENDA

July 12, 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 7:15 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 December 30, 2016 posted in the Municipal Office Building, Adrian Hall and the Ocean Gate Post Office.

Mayor Kennedy asked that we keep in our prayers the Knyff family due to the recent passing of Mr. John Knyff. He was a life long member of the Ocean Gate Volunteer Fire Company and worked as our Code Official some years ago, he will be missed.

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

PRIVILEGE OF THE FLOOR (AGENDA OR NON AGENDA ITEMS):

Mrs. Golda 11 E. Long Branch Ave. She asked for clarification regarding the municipal parking lot used for the Anglesea Avenue beach, "Those assigned parking spots for homeowners in the parking lot, they have a sign but no ordinance number, if I have a parking sticker and park in one of those spots, can I get a ticket"? Mayor Kennedy explained that those signs are posted as a courtesy to the homeowners on that street, "No ticket will be given unless you don't have a parking sticker".

Mr. O'Neill 400 Stone Harbor Ave. He thanked the mayor for responding and letting him know that the engineer was not going to be available at tonight's meeting. He also thanked the mayor for acknowledging that this is an important item and will be discussed at a public meeting in the future. Mayor Kennedy explained that he is currently coordinating with the borough engineer, FEMA, Army Corp of Engineers, the state OEM, DEP and the Stevens institute, all who have worked on this proposed project, "They are the professionals and have worked back and forth with each other, so I want them all to come in and explain everything". Residents will be able to ask whatever questions they may have, "This wouldn't be a council meeting, its going to be a special meeting", and currently he is looking at September 13 or 27th. Mr. O'Neill appreciates the effort but is concerned that many of the summer residents will already be gone by that time, "We need to know early". Mayor Kennedy, "If we have to send a notice out we will".

Mr. Transue 139 E. Longport Ave. He thanked the governing body for the first reading of ordinance 610-17 and urges its adoption, "Daily parkers are looking for our street to avoid paying for parking".

Mr. Chernego 509 E Bayview Ave. He commented that the resolution should be updated to include wording that the company should come out once a month after the remediation process, "The one they did at the First Aid is starting to grow again". "Every 6 months is not going to do it". Councilwoman Nicastro asked if they came out and ripped up the ground. Mr. Chernego, "Yes, they tour everything up and left it that way for about a week, but we still have issues". Mayor Kennedy commented that the contracted can be updated to allow the monthly maintenance until the problem is completely remediate. Councilman Cox comments, "The borough should contact the bank and let them know they need to come back more frequently".

Ms. Alonzo 155 W Barnegat Ave. Louise Squeri, longtime member of the First Aid Aux, she moved away from Ocean Gate several years ago, but Ms. Alonzo received a call that she had recently passed away. She just wanted to make the governing body aware.

Mr. Cronheim 500 Stone Harbor Ave. He has also noticed bamboo growing on the eastern side of Stone Harbor between Atlantic and Cape May and its coming onto borough property.

Ms. Novellino 315 E Cape May Ave. She thanked the governing body for approving the first Relay for Life in Ocean Gate. She believes everyone knows someone who has cancer or has passed from cancer and she thought Ocean Gate would be a great spot to host this event. She knows Ocean Gate is a "Town of generations", and she is hoping to get towns people exposed to the walk, "We have such successful events in this little town, we are a small town but when we do things we do them right". She is very excited and hopes more teams will form and come out to support this very worthy cause. Mayor Kennedy asked the governing body to approve waiving the parking ordinance for this event.

Report of James Gluck, Municipal Attorney, He commented that the bamboo ordinance should be corrected to read (W. Long Branch Ave. not Longport Avenue). The permanency evaluation for one of the workmen compensation cases will be rescheduled as the claimant had car troubles and was unable to attend the evaluation. He clarified for the record that the only changes made by ordinance 610-17 was the change to

Anglesea Ave. prohibiting parking on both sides from the boardwalk to Longport year round and the change on E. Longport from Asbury to Wildwood is parking by sticker only. He continues to work on the codification and personnel policy. He will have some personnel issues to discuss at the next meeting.

REPORT OF MAYOR KENNEDY During the last council meeting discussion was had regarding the portable library at the beach, they wanted to make it a more permanent structure by installing a large cabinet to hold the books. The mayor looked at the cabinet and doesn't think it will survive the elements on the beach, so suggested having it placed in the municipal building. He will take pictures of it and send it to the governing body. The governing body received an anonymous letter listing several complaints, some of the items in the letter had already been fixed, some (in his opinion) don't actually exist, "As far as I'm concerned if you don't leave your name or number I can't call you back, most times they are not legitimate". Councilwoman Nicastro, "I'm highly insulted that anyone would attempt to say or accuse us of retaliation and the fact that they didn't sign it, like we are some kind of mob that are going to form a vendetta". Mayor Kennedy, "This letter, in my opinion is somehow political in nature because the letter says that the reputation of this town has plummeted in the last 10 years. They must be blind, because this town has never looked better. I don't get it, it was sent to attack me and those of us sitting here".

Mayor then asked for a motion to change the curfew from 11:00pm to 10:00pm due to the juvenile issues on the boardwalk.

A motion was made by Councilman Cox to change the curfew. Second to the motion made by Councilman Martinez. All in Favor. Motion Approved. Absent: Haug

The mayor believes this will help control some of the problems at the beach. Currently the code/construction office has issued 83 mooring permits, 10 violations and discovered 5 vessels not registered.

On June 24, 2017 Adrian Hall was rented for a birthday party, unfortunately the air conditioning system was not working and the water fountain leaked, needless to say this put a damper on the party and the person asked if any type of refund could be made.

Councilman Serpica made a motion to refund \$200 due to the inconvenience. Second to the motion made by Councilman Martinez. Roll Call Ayes: Kendrick, Nicastro, Serpica, Martinez, Cox. Motion Approved. Absent: Haug.

The mayor asked for a motion to waive the parking at Wildwood Ave. on September 9, 2017 from 4:00pm to 7:00pm for a wedding on the beach.

A motion was made by Councilman Serpica to waive parking. Second to the motion made by Council President Kendrick. All in Favor. Motion Approved. Absent: Haug

REPORTS OF COUNCIL

Council President Kendrick- He asked that everyone come out and support the Ocean Gate Volunteer Fire Department on July 15 at its annual Roast Beef Dinner. He was saddened to hear the news about Mr. Knyff, "It's definitely a big loss. He gave outstanding service to our country, to the police department and our volunteer Fire Company". He brought generations of service to the borough, "His son and his son are all members".

Councilwoman Nicastro- The 4th of July parade was wonderful, they got a lot of nice comments and good feedback on how we can do things better next year. One suggestion was from those who bring in the classic cars, they would like a section near the beach to park the cars so that everyone can come and look at them after the parade. She thanked all involved in the parade, "Everyone lent and hand to make it a success". She asked if the borough could do anything for Beachwood, "They are celebrating 100 years, as a neighboring town we should do something to congratulate them".

Councilman Serpica- The 4th of July was outstanding, Joella worked very hard on that event. Youtube has a fantastic video of the parade and events on the 4th, "It's a popular event, something we are known for". The beach is doing well so far; beach badge sales are up, "Our town is not a secret anymore". He will begin mapping out Ocean Gate day soon. He commented, "We lost a fantastic guy (Knyff) he guided me through my first few years, the roast beef dinner was my first event many years ago and he saw me with the dear in the headlights look and guided me from that day on".

Councilman Haug- Absent

Councilman Martinez- He spoke with Maria from JCP&L after the last meeting and they are working on setting up a time and date to have come in and discuss the new LED Lights and see how we can save some money. He has noticed more people on the beach than he has ever seen, the recreation department and

employees are doing a great job. During his drives around town he has noticed several vacant homes that have been cleaned up and he thanked Councilman Cox for that, "If not for the ordinance he pushed we would not be seeing these small advances in the borough". The turbines will be undergoing their regular maintenance soon. Lastly he commended the Police Department's newest recruits, "I hear nothing but great reviews".

Councilman Cox He thanked all involved for a great parade, "I know I had fun". He thanked the borough for a new flag at the 9/11 Memorial Park. He has scheduled a Spaghetti Dinner on August 19; we will have two time slots, one at 5pm and one at 7:00pm, "All the money will go towards Adrian Hall". His family designs a T-Shirt for the 4th of July Parade every year, this year he will be selling the T-Shirts and proceeds will go to Adrian Hall. He may have caused a stir in the neighborhood the last few days regarding ordinance 610-17, The way the ordinance currently reads we do not allow parking at anytime on Anglesea Ave., however we have signs that say parking by permit only, "We are going to have to put signs up and take signs down". He will be getting together with the construction official regarding some information he received, but needs clarification on. He is not as satisfied as Councilman Martinez with the progress of cleaning up several abandoned properties in the borough, "Properties are in disarray in town", "When I say disarray I'm not talking about properties that are abandoned, we have properties that have 3,4 or 5 junk cars, cars that haven't been moved in years, boats, bikes, when you see a pile of laundry in the front yard, to me that is unacceptable, tickets should be written". He announced the upcoming shredding event on July 22. He also commented on the bill list, the bill for PS&S is not on the list, but we need to pay this bill as the punch-list was finally completed. On the bill list is the ez-pass violation, that was corrected therefore that should be removed from the bill list. Lastly he forwarded a report to the mayor 48 hours in advance of the meeting, "As a courtesy".

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"

Mayor Kennedy again explained that most of the items on this ordinance have been in existence since 1998, "We are only adding the items that Mr. Gluck explained.

A motion was made by Council President Kendrick to open the public hearing for ordinance #610-17. Second to the motion made by Councilman Martinez. All in Favor. Motion Approved. Absent: Haug.

Councilman Cox 600 Monmouth Ave He understands why we are making these changes, however he does think this ordinance has to be cleaned up. Signs are in the wrong place, "The ordinance is wrong. If anyone can tell me when there was a parking lot at the end of Narragansett? I've been here 50 years, I've never seen a parking lot there, but it's in this ordinance and you can't park in that parking lot. We need to clean this ordinance up".

Mr. Fry 444 E. Longport Ave. He believes clarification language needs to be accomplished, "We have too many signs on these streets that are confusing". If proper signs are not up and someone gets a ticket, they can fight it and we would lose in court because things are not clear, "It's a waste of time and money".

Mayor Kennedy agrees that several items within this ordinance need to be corrected, but the main reason for this ordinance today was for the beach parking concerns expressed by the resident on Longport Ave.

Mr. Healy 547 E Pt. Pleasant Ave.- He comments that the signs at the 2nd Pier Parking lot are misleading, "The designated parking spaces, residents have taken that as a rule and its not rule. We need to inform the residents that they are not designated spaces. It's annoying to have these people come tell you that this parking spot is theirs, I'm a resident, where is my spot". The mayor explained that those signs were posted as a courtesy to those residents because a few years ago people were antagonizing those homeowners and purposely parking in front of those homes, "We did it as a courtesy, we don't enforce in that area". Mr. Healy says tickets have been issued. The mayor was not aware of that, "Unless they didn't a parking sticker". Mr. Healy, "The ticket was written because they were parked in a designated parking space". Lieutenant Kuchta was never made aware of that but will look into it. Councilman Cox knows that tickets have been issued and comments that the reason those parking spots were designated was because the street in front of the house is closed for the safety of the children, "If we closed your street we would give you a parking spot too". Mr. Healy, "There is a pile of stone that has been there for 2 weeks already, how many spaces do they want? You also eliminated 2 spots because an old man couldn't get out of the parking spot". Councilman Cox, "I know where you're talking about, that area was restricted for emergency vehicle access, otherwise we would have to get through the bikes and kids on the other side". Mr. Healy doesn't understand why that street is blocked off to begin with, "It's not a playground, it doesn't make sense, you can't even walk down the sidewalk. Open the street up, let them park on the street. Why should it be a playground, you have a beach and playground, don't be too lazy to take your kid to the playground". Councilman Martinez, "Kids play on the street, I did as a kid and I'm sure you did too. As long as I can

remember kids have been playing in that area, we complain so much about kids sitting inside playing video games and now we are going to tell them to go back inside? This is a joke. It's a closed street". Mr. Healy, "It doesn't have to be". Councilman Martinez, "Our ordinance says it does, if you open that street up to parking a fire truck is not getting down the street". Councilwoman Nicastro, "As long as I can remember the street (Anglesea) has always been closed".

Mr. Fry 444 E. Longport Ave. He agrees with the purpose of this ordinance for the Longport Ave. issue, but suggested passing a resolution now for that area, clean the ordinance up and then pass it. "I think an easy solution is a resolution now and an ordinance later".

Mayor Kennedy agrees with Councilwoman Nicastro, "That Street (Anglesea) has always been closed. Councilwoman Nicastro understands the reason for updating the Longport Ave. area because many residents on that street do not have driveways, but she believes if this ordinance passes that a grace period needs to be given before tickets are issued, "Let people get used to the new rule, I just can't see people getting ticketed right away on a brand new ordinance, people need time". Mayor Kennedy explained that since the summer began we have already had between 15 and 20 calls regarding people blocking driveways on that street, "Even if its by permit only they think they can park in the driveway".

Mr. Transue 139 E. Longport Ave. He explained that this conversation about permit parking on Longport began in April of 2016, the mayor pushed for the county to restrict parking for residents, but the county said no, "Now we are midway through the summer and we are talking about a grace period? These are out of town daily parkers who do not want to support our infrastructure; they are not paying to park". Councilwoman Nicastro, "I just feel that the neighborly thing to do is give it a little time before you start to issue tickets, Facebook will blow up otherwise". Mr. Transue, "Respectfully, those people are not Ocean Gate residents, if they were they would have parking passes, they have had a grace period, 6 weeks of parking for free". Councilman Cox, "I was elected by the residents of Ocean Gate and I don't care about the residents out of town, they can buy the parking pass if they don't like it, all they need to do is buy a parking pass". "I don't care about those people, I care about the people that live in town and pay taxes in this town. When the signs go up it should be a ticket". Mayor Kennedy can have public works put the signs up tomorrow. Mr. Gluck commented that the ordinance has to be published in the newspaper before the police department can enforce. It will be in the Asbury Park Press on Saturday morning, if the ordinance passes tonight.

Mrs. Golda 11 E. Long Branch Ave "I just want to support this ordinance, I hope there is no grace period and I hope it passes".

A motion was made by Councilman Martinez to close the public hearing for ordinance 610-17. Second to the motion made by Councilman Serpica. All in Favor. Motion Approved. Absent: Haug.

A motion was made by Councilman Martinez to adopt ordinance 610-17. Second to the motion made by Councilman Serpica. Roll Call Vote Ayes: Kendrick, Nicastro, Serpica, Martinez, Cox Motion Approved. Absent: Haug.

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:

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

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:

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

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:

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

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.

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: Motion Approved. Absent: Haug. (Councilman Serpica abstained from check #17-00413. Corrections originally stated by Councilman Cox)

RESOLUTION 2017-141 AWARDED A CONTRACT TO EARLE ASPHALT CO. FOR RECONSTRUCTION OF ASBURY AVENUE PHASE 2

WHEREAS, the Borough of Ocean Gate County of Ocean, State of New Jersey advertised for bids in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. for the Reconstruction of Asbury Avenue Phase 2 Project; and

WHEREAS, four (4) bids were received and opened by the Borough on May 25, 2017; and

WHEREAS, Earle Asphalt Company, P.O. Box 556, Farmingdale, New Jersey 07727, submitted the low bid in the amount of \$168,013.13; and

WHEREAS, three (3) other bids were received that ranged from \$171,004.75 to \$174,476.18; and

WHEREAS, the Borough Attorney and Municipal Engineer reviewed the bids and determined that Earle Asphalt Company, P.O. Box 556, Farmingdale, New Jersey 07727, submitted the lowest responsible bid in accordance with the solicitation; and

WHEREAS, the Borough Council was provided with a copy of the certification of available funds, which is attached hereto and incorporated by reference; and

WHEREAS, the Borough Council reviewed the certification of available funds and recommendations made by the Borough Attorney and Municipal Engineer on said bid; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the contract for the Reconstruction of Asbury Avenue Phase 2 is hereby awarded to Earle Asphalt Company as the lowest responsible bid, in the amount of \$168,013.13.

BE IT FURTHER RESOLVED, that award of this contract is to be allocated from the Grant Fund Appropriated Reserve account known as NJ Transportations Trust Fund – Asbury Avenue; and

BE IT FURTHER RESOLVED, that the maximum dollar value for this project is \$168,013.13; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized and directed to execute a contract and any required supplemental documents on behalf of the Borough of Ocean Gate; and

BE IT FURTHER RESOLVED, that award of this contract is contingent upon written approval and authorization by the New Jersey Department of Transportation; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to immediately return the certified checks or bid bonds of the following unsuccessful bidders:

1. Johnson Baran Company

And, upon receipt of a fully executed contract and any other required documents, the return of the certified checks or bid bonds to:

1. Earle Asphalt Company;
2. L & L Paving Company; and
3. Johnson Baran Company.

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

1. Mayor and Council
2. Earle Asphalt Co.
3. James J. Gluck, Esq.
4. Remington, Vernick & Vena, Project Engineers
5. All other parties interest.

RESOLUTION 2017-142 AMENDING RESOLUTION 2017-128 HIRING SEASONAL EMPLOYEES – LIFEGUARD/BADGE CHECKERS

WHEREAS, Gabriel Gimeiner was hired as a Badge Checker for the Summer 2017 season at an hourly rate of \$8.50 hr.,

WHEREAS, since said appointment Gabriel Gimeiner has obtained Lifeguard Certification.

WHEREAS, the Borough of Ocean Gate is in need of additional Lifeguards for the 2017 Summer season;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Gabriel Gimeiner be hired as a Lifeguard for the Summer 2017 Season at an hourly rate of \$9.00.

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. Gabriel Gimeiner

RESOLUTION 2017-143 AMENDING RESOLUTION 2017-128 HIRING SEASONAL EMPLOYEES – LIFEGUARD/BADGE CHECKERS

WHEREAS, Tiffany McCoy was hired as a Lifeguard for the Summer 2017 season at an hourly rate of \$9.00,

WHEREAS, said appointment should have been at an hourly rate of \$10.00,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate that Tiffany McCoy be hired as a Lifeguard for the Summer 2017 Season at an hourly rate of \$10.00.

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. Tiffany McCoy

RESOLUTION 2017-144 AUTHORIZING MAYOR TO SIGN PROFESSIONAL SERVICES CONTRACT FOR “THE JOE DALTON BAND”

WHEREAS, there exists a need for the services of a professional band for the Borough of Ocean Gate; and

WHEREAS, it is the recommendation of the Recreation Committee that “Foggy Mornings” be hired to perform on Sunday, September 3, 2017, from 7:00 PM to 10:00 PM for a fee of \$400.00 per event at the Wildwood Avenue Pier.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Ocean Gate hereby approves the hiring of “The Joe Dalton Band” for the above date.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign the professional services contract, and for the Municipal Clerk to attest to same.

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

1. Ed Simone, Chief Financial Officer
2. Joe Dalton, Joe Dalton Band

RESOLUTION 2017-145 OEM DEPUTY COORDINATOR RESIGNATION

WHEREAS, On January 1, 2017 Reece Fisher was appointed as Deputy Coordinator to the Borough of Ocean Gate Office of Emergency Management;

WHEREAS, Mr. Fisher has submitted a letter of resignation for said position;

NOW THEREFORE BE IT RESOLVED, the Borough of Ocean Gate does hereby accept the resignation of Reece Fisher as OEM Deputy Coordinator as stated by the notarized letter he submitted to the OEM Coordinator on May 5, 2017.

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

Reece Fisher
Tom Fitzgerald, OEM Coordinator

RESOLUTION 2017-146 URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS, salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Ocean Gate urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Assembly Representatives, State Senator, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey, The New Jersey Conference of Mayors and the League of Municipalities.

RESOLUTION 2017-147 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 \$298,268.92 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 \$298,268.92 and the same are hereby authorized to be paid on July 12, 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.

RESOLUTION 2017-148 AWARDING A CONTRACT TO NEW JERSEY BAMBOO LANDSCAPING, LLC FOR BAMBOO REMEDIATION ON THE PROPERTY LOCATED AT 125 W. LONG BRANCH

AVENUE, OCEAN GATE, NEW JERSEY AND AUTHORIZING THE PLACEMENT OF MUNICIPAL TAX LIEN ON SAID PROPERTY PURSUANT TO ORDINANCE 596-15

WHEREAS, the Borough of Ocean Gate (hereinafter the “Borough”), County of Ocean, State of New Jersey, enacted Ordinance No. 596-15 for the purpose of protecting and promoting the public health, safety, and welfare through the control of the growth of invasive plant species; and

WHEREAS, pursuant to the Ordinance, where an owner fails to remove an invasive plant species, the Borough is entitled to remove said plants and recover the costs of such removal from the owner of the property by placing a lien against the property;

WHEREAS, the owner of the property located at 125 West Longport Avenue, Ocean Gate, New Jersey, (“Premises”) received violations for failing to contain and remove bamboo on the Premises; and

WHEREAS, the property has not been remediated despite receiving the aforesaid violations and thirty days have passed since the issuance of same; and

WHEREAS, the Borough Council finds it in the best interest of the Borough to remove the bamboo from the Premises and place a lien against the Premises for the cost of the removal; and

WHEREAS, the Borough solicited three competitive quotations in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., for the Bamboo Remediation Project at the Premises; and

WHEREAS, two (2) quotations were received by the Borough and one company Precision Companies did not respond; and

WHEREAS, New Jersey Bamboo Landscaping, LLC, 1 Sentry Lane #533, Chester, New Jersey 07930, submitted the low quotation in the amount of \$5,403.50; and

WHEREAS, one (1) other quotation was received from Bamboo Removal.com in the amount of \$4,000.00, but the scope of work did not include removal of bamboo rhizomes presently located within the property, which was an extra charge; and

WHEREAS, the Municipal Administrator reviewed the quotations and determined that New Jersey Bamboo Landscaping, LLC, 1 Sentry Lane #533, Chester, New Jersey 07930, submitted the most advantageous solicitation considering price and other factors; and

WHEREAS, the Borough Council was provided a copy of the certification of available funds; and

WHEREAS, the Borough Council reviewed the certification of available funds and recommendations made by the Municipal Administrator on said quotations; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the Borough shall remove the bamboo from the Premises and place a lien against the Premises for the cost of said removal and the contract for the Bamboo Remediation Project is hereby awarded to New Jersey Bamboo Landscaping, LLC as the most advantageous quotation in the amount of \$5,403.50; and

BE IT FURTHER RESOLVED, that award of this contract is to be allocated from Current Fund budget account known as Administrative Other Expenses; and

BE IT FURTHER RESOLVED, that the maximum dollar value for this project is \$5,403.50; and

BE IT FURTHER RESOLVED, that the contract is conditioned upon the receipt of a valid New Jersey Business Registration Certificate from the vendor together with their insurance certificate in sufficient amounts acceptable to the Borough Attorney and naming the Borough of Ocean Gate as an additional insured; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized and directed to execute a contract and any required supplemental documents on behalf of the Borough of Ocean Gate; and

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

6. Mayor and Council
7. James J. Gluck, Esq.
8. New Jersey Bamboo Landscaping, LLC.
9. All other parties interest.

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. Absent: Haug

Meeting adjourned at 8:51 p.m.

Respectfully Submitted,

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk