

BOROUGH OF OCEAN GATE

COUNCIL WORKSHOP AGENDA

May 6, 2020

CALL TO ORDER:

SUNSHINE STATEMENT: Notice of this meeting was advertised in the Asbury Park Press issue of April 25, 2020 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 Kennedy, Council President Kendrick, Councilwoman Nicastro, Councilman Haug, Councilman Martinez, Councilwoman Padham-Iaria, Councilman Livingston.

Report of James Gluck, Municipal Attorney

REPORT OF MAYOR KENNEDY

CORRESPONDENCE

REPORTS OF COUNCIL

Council President Kendrick
Councilwoman Nicastro
Councilman Haug
Councilman Martinez
Councilwoman Padham-Iaria
Councilman Livingston

PRIVILEGE OF THE FLOOR (AGENDA ITEMS ONLY):

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.

Motion: _____ Second: _____

Roll call vote: Kendrick, Nicastro, Haug, Martinez, Padham-Iaria, Livingston

- RESOLUTION 2020-103 Authorizing the Re-appointment of Tax Assessor
- RESOLUTION 2020-104 Authorization to Expunge Water & Sewer Charges
- RESOLUTION 2020-105 Authorizing Extension of the Grace Period
- RESOLUTION 2020-106 Authorizing Settlement
- RESOLUTION 2020-107 Amending 2020-91 Supporting Cops in Shops
- RESOLUTION 2020-108 Approval of Membership in the OGVFD
- RESOLUTION 2020-109 Authorizing Tax Collector to Prepare and Mail Estimated Taxes

Motion to adjourn:

Motion: _____ Second: _____

Roll call vote: Kendrick, Nicastro, Haug, Martinez, Padham-Iaria, Livingston

RESOLUTION 2020-103

AUTHORIZING THE APPOINTMENT OF TAX ASSESSOR

WHEREAS, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

WHEREAS, the current Tax Assessor is being re-appointed to their position; and

WHEREAS, IT IS THE DESIRE OF THE Mayor and Council of The Borough of Ocean Gate to re-appoint Eric Zanetti for the term of office starting on July 1, 2020, which will grant the assessor tenure in his/her position, pursuant to N.J.S.A. 40A:9-146; and

WHEREAS, the assessor will hold public office hours on Monday from 4:30pm to 6:30pm;

NOW THEREFORE BE IT RESOLVED, Resolution 2020-103 was duly adopted by the Municipal council at a public meeting held on May 6, 2020 to re-appoint a part time Tax Assessor; and

BE IT FURTHER RESOLVED THAT, certified copies of said Resolution shall be forwarded to the following:

1. Director, Division of Taxation
2. Administrator, Board of Taxation
3. Mayor Kennedy
4. Frederick Ebenau
5. Eric Zanetti

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 Workshop held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-104

AUTHORIZATION TO EXPUNGE WATER & SEWER CHARGES

WHEREAS, Elizabeth V. Barger, Tax Collector for the Borough of Ocean Gate, has been notified by The Mayor that the following home (rear house) had their water and sewer lines cut and capped in 2019 and I was not aware;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that the Tax Collector is hereby authorized to expunge the following water & sewer charges for 2019,

<u>Block/lot</u>	<u>Address</u>	<u>Name</u>	<u>Amount to be expunged</u>
54-4	426 E Pt. Pl.(rear)	Doebel	\$400.00-2019 sewer
54-4	426 E Pt. Pl.(rear)	Doebel	\$400.00-2019 water

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

- 1) Elizabeth V. Barger, Tax/Utility Collector
- 2) Harold Doebel

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 Workshop held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-105

AUTHORIZING AN EXTENSION OF THE GRACE PERIOD FOR PAYMENT OF TAXES

WHEREAS, New Jersey Governor Philip Murphy issued Executive Order No. 130 on April 28, 2020 to allow the extension of the grace period for payment of taxes; and

WHEREAS, in accordance with N.J.S.A. 54:4-68(a) second-quarter taxes are due on May 1, 2020; and

WHEREAS, property taxpayers throughout the State may be suffering from one or more financial hardships caused by or related to COVID-19 pandemic, including but not limited to loss or drop in income and additional expenses such as those related to healthcare; and

WHEREAS, it is the desire of the Borough of Ocean Gate to take necessary action to minimize and mitigate additional hardships, losses, or suffering by residents due to the COVID-19 pandemic; and

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 May 1, 2020 deadline for tax payments be extended to June 1, 2020.

BE IT FURTHER RESOLVED, that a copy of within Resolution be forwarded by the Township Clerk to the following:

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Ocean Gate, in the County of Ocean, State of New Jersey, that the May 1, 2020 deadline for tax payments be extended to June 1, 2020 and interest charges revert back to May 1, 2020 for any payments not made by June 1, 2020.

1. Chief Financial Officer
2. Tax Collector
3. Director of the Division of Local Government Services
4. Clerk, Ocean County Board of Freeholders

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 Workshop Meeting held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-106

**RESOLUTION OF THE BOROUGH OF OCEAN GATE, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
SETTLEMENT**

WHEREAS, the Borough of Ocean Gate (hereinafter the “Borough”) provides water and sewer services to certain Berkeley Township properties, including 541-545 Barnegat Avenue, Bayville, New Jersey (hereinafter the “Property”); and

WHEREAS, the current owner of the Property, Wesley Romberger, purchased same in November 2018; and

WHEREAS, after the title closing occurred, it was learned that the prior owner had an outstanding balance for water and sewer charges of over \$6,000.00, including interest; and

WHEREAS, the Borough Attorney has investigated this matter and, in order to avoid potential litigation costs, fees, and expenses to resolve this matter, has recommended a settlement with Mr. Romberger for the outstanding water and sewer charges; and

WHEREAS, the Borough has had sufficient opportunity to consult with and receive legal advice from the office of the Borough Attorney on all aspects of the matter; and

WHEREAS, the Borough Attorney has received a settlement offer from Counsel for Mr. Romberger in the amount of \$5,500.00 to be paid to the Borough in full and final settlement of this claim; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to settle the matter without incurring further legal fees, expenses, and process and the parties have reached an agreement on all material terms of the settlement agreement.

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

1. The settlement of this matter on behalf of the Borough of Ocean Gate is hereby authorized in the amount of \$5,500.00 to be paid to the Borough as outlined in the Release; and
2. Borough Attorney, James J. Gluck, Esq., is hereby authorized to execute and deliver the Release attached hereto together with any related settlement documents.

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

1. Mayor and Council
2. James J. Gluck, Esq.
3. All other parties interest.

CERTIFICATION

I, Ileana Vazquez-Gallipoli, Municipal Clerk of the Borough of Ocean Gate, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted at a Council Meeting held on September 18, 2019.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-107

AMENDING RESOLUTION 2020-91 SUPPORTING THE SUMMER SHORE INITIATIVE 2020-COPS IN SHOPS

Whereas, THE State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage control has received grant funds from the Division of Highway Traffic Safety to administer the FY2020 Cops in Shops Summer Shore Initiative Grant Program; and

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 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 \$3,520.00; and

Whereas, it is the desire of the Borough Council to accept this grant.

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 FY 2020 Cops in Shops summer Shore Initiative Grant Program in the amount of \$3,520.00;

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.

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 Workshop Meeting held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-108

**APPROVAL OF MEMBERSHIP IN THE OCEAN GATE
VOLUNTEER FIRE COMPANY**

WHEREAS, Miles D. Abrams has made application for membership in the Ocean Gate Volunteer Fire Company; and

WHEREAS, this application for membership has been approved by the members of the Ocean Gate Volunteer Fire Company;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Ocean Gate, County of Ocean, State of New Jersey, that said application for membership in the Ocean Gate Volunteer Fire Company by Miles D. Abrams is hereby approved.

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

1. Miles D. Abrams
2. Chief Murray

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 Workshop Meeting held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk

RESOLUTION 2020-109

**RESOLUTION AUTHORIZING THE BOROUGH OF OCEAN GATE
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS
IN ACCORDANCE WITH P.L. 1994 C.72**

WHEREAS, the Division of Local Government Services is unable to certify the Borough of Ocean Gate tax rate at this time and the Borough of Ocean Gate Tax Collector will be unable to mail the Borough's 2020 tax bills on a timely basis; and

WHEREAS, in order to meet statutory obligations to the County and School Districts along with sustaining Borough operations in meeting its financial obligations, maintaining the tax collection rate, providing uniformity for tax payments and save the unnecessary cost of interest on borrowing, the Chief Financial Officer in consultation with the Borough of Ocean Gate Tax Collector have computed an estimated tax levy in accordance to N.J.S.A. 54:4-66.3 and have both signed a certification attesting to the calculation;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ocean Gate, County of Ocean that the Borough of Ocean Gate Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third installment of the 2020 taxes if the State of New Jersey fails to adopt a budget in a timely manner.

BE IT FURTHER RESOLVED, that the Borough of Ocean Gate Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the third installment of 2020 based upon an annualized levy analysis totaling \$1,446,539.41. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54.4-66.3).

BE IT FURTHER RESOLVED, that in accordance with the law, third quarter installments of the 2020 taxes shall not be subject to interest until the later of either; August 10, 2020 or twenty-five calendar days after the date estimated bills were mailed. Contained on the estimated bill shall specify the date on which interest may begin to accrue.

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 Workshop Meeting held on May 6, 2020.

Ileana Vazquez-Gallipoli, RMC, CMR
Municipal Clerk