### REGULAR MEETING – FEBRUARY 22, 2022 – 10:00 AM COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR - CITY HALL - 233 JFK BOULEVARD

### AGENDA

CALL TO ORDER
PLEDGE OF ALLEGIANCE AND PRAYER
ROLL CALL
OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT
APPROVAL OF MINUTES
REPORTS-MAYOR & ADMINISTRATION
REPORTS - COUNCIL MEMBERS

**ORDINANCES** – Introduction & First Reading

1677- AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 26, ENTITLED "ZONING" TO SET FORTH PROCEDURES FOR THE INSTALLATION OF ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES AND ESTABLISH ASSOCIATED REGULATIONS AND OTHER STANDARDS WITHIN THE CITY AS MANDATED BY STATE STATUTE

1678- AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY CHAPTER 26-23.5 "MECHANICAL PARKING LIFTS AND STACKED PARKING PROHIBITED" TO REGULATE STACKED PARKING IN ALL ZONING DISTRICTS

RESOLUTION NO. 027 - Introduction of the 2022 Local Municipal Budget

CITIZEN COMMENT ~ Resolution on Consent Agenda

### **RESOLUTION - Consent Agenda:**

028	Approval of Vouchers
029	Authorizing the Execution of a Shared Services Agreement With the
	Cape May County Municipal Utilities Authority for the Review
	And Submission of the City of Sea Isle City 2021 Annual
	Recycling Tonnage Report
030	Authorizing the Recycling Coordinator to Submit the 2021 Tonnage
	Grant
031	Authorizing Release of a Performance Guarantee (Minor Sub-Division
	@ 245 - 58th Street, Sea Isle City, N.J. Block 57.04 Lots
	1403 Frank Edwardi)
032	Authorizing the Rejection of Bids for SIC 0220 Sounds Avenue Sanitary
	Sewer Replacement & Connection to Central Avenue System
033	Supporting Participation in the Sustainable Jersey
	Municipal Certification Program
034	Authorizing Change Order No. 1 for NJDOT FY2019 Roadway
	Reconstruction Program – Central Avenue Resurfacing (69th
	Street to 84th Street), City of Sea Isle City, Cape May County,
	New Jersey, MC Project No. SIC181.
035	Authorizing Cancellation of Utility Excess Charges

PENDING BUSINESS NEW BUSINESS CITIZEN COMMENT ADJOURNMENT

**ORDINANCE NO. 1677 (2022)** 

AN ORDINANCE TO AMEND THE REVISED
GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY,
CHAPTER 26, ENTITLED "ZONING" TO SET FORTH PROCEDURES FOR THE
INSTALLATION OF ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE)
AND MAKE-READY PARKING SPACES AND ESTABLISH ASSOCIATED
REGULATIONS AND OTHER STANDARDS WITHIN THE CITY AS MANDATED BY
STATE STATUTE

**WHEREAS**, This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the City of Sea Isle City, as mandated by State legislation

**WHEREAS**, supporting the transition to electric vehicles contributes to the City of Sea Isle City's commitment to sustainability and is in the best interest of public welfare; and

**WHEREAS**, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

**WHEREAS**, adoption of this ordinance will support the Master Plan of the City of Sea Isle City adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with various goals of the Master Plan as well as the land use and circulation elements of the Master Plan; and

**WHEREAS**, the City of Sea Isle City encourages greater ownership and use of electric vehicles, thus the City of Sea Isle City is amending the Zoning/Land Development Ordinance to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey that Chapter 26-30 of the City Zoning/Land Use Regulations is hereby amended **as follows:** 

**SECTION I.** Chapter 26-30 of the Revised General Ordinances of the City of Sea Isle City, entitled "SATELLITE TELEVISION ANTENNAS AND SOLAR ENERGY SYSTEMS." is hereby amended to amend the title and add the following section Chapter 26-30.8 entitled "ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT" in its entirety as follows:

26-30 SATELLITE TELEVISION ANTENNAS, SOLAR ENERGY SYSTEMS AND ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT REGULATIONS.

### 26-30.8 ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT REGULATIONS.

### 26.30.8A Electric Vehicle Purpose.

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces as mandated by State law. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

- 1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
- 2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.

- 3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
- 4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

### 26-30.8B Electric Vehicle Definitions.

**Certificate of occupancy**: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

**Charging Level**: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

- 1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
- 2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
- 3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

**Electric vehicle**: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station." {Note: Definition is directly from legislation and cannot be changed.}

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.). {Note: Definition is directly from legislation and cannot be changed.}

**Private EVSE**: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

**Publicly-accessible EVSE**: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multifamily parking lots, etc.).

**Single-family home**: means a single family structure and a two unit structure where each unit of the two units is used for single family occupancy.

26-30.8C Electric Vehicle Approvals and Permits. {Note: Section C. of the model ordinance is mandatory and may not be altered.}

- 1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
- 2. EVSE and Make-Ready Parking Spaces installed pursuant to Section 26-30.8D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
- 3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
- 4. The City's Zoning Officer and/or Code Official shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the City of Sea Isle City's land use regulations.
- 5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
  - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
  - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
  - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act,"
     P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
- 6. An application pursuant to Section 5. above shall be deemed complete if:
  - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
  - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
  - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
- 7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
- 8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

## 26-30.8D Electric Vehicle Requirements for New Installation of EVSE and Make-Ready Parking Spaces.

{Note: Section D of the model ordinance is mandatory and may not be altered.}

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple

dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:

- a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
- b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
- c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
- d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
- e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
- 2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
  - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
  - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
  - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
  - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
  - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
  - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
  - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
  - h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

## 26-30.8E Electric Vehicle Minimum Parking Requirements. {Note: Section E of the model ordinance is mandatory and may not be altered. }

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, in that zone, pursuant to Sea Isle City Land Development Ordinance.
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section 26-30.8D. above may be encouraged, but shall not be required in development projects.

### 26-30.8F Electric Vehicle Standards for EVSE and Make-Ready Parking Spaces.

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

### 2. Installation:

- a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

### 3. EVSE Parking:

- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. The owner of said spaces shall have the option of determining the use of time limits.
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of this Municipal Code Section 1-5. Signage indicating the penalties for violations shall comply with Section 26-30.8F5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

### 4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 26-30.8F5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Sea Isle City's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any standalone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located

as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

### 5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
  - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
  - 2) Usage fees and parking fees, if applicable; and
  - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

### 6. Usage Fees

- a. For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be \$0.00 for each hour that the electric vehicle is connected to the EVSE {or per kWh}.
- b. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

### SECTION II. SEVERABILITY.

If for any reason, any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

### SECTION III. REPEALER.

Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

### SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

Jack Gibson, Cou	ıncil President	

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 22<sup>nd</sup> day of February, 2022 and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 22<sup>nd</sup> day of March, 2022, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m

Shannon D.	Romano,	Municipal	Clerk
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### ORDINANCE NO. 1678 (2022)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY CHAPTER 26-23.5 "MECHANICAL PARKING LIFTS AND STACKED PARKING PROHIBITED" TO REGULATE STACKED PARKING IN ALL ZONING DISTRICTS

WHEREAS, Sea Isle City seeks to ensure that there is ample parking throughout the island; and

**WHEREAS**, Sea Isle City has decided that it is in the best interest of the City to allow for mechanical parking lifts and stacked parking and to regulate same; and

WHEREAS, Sea Isle City believes it necessary to not count mechanical lift parking spaces towards the required parking spaces for all uses and zones.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

**SECTION I**. Section 26-23.5 "Mechanical Parking Lifts and Stacked Parking Prohibited" is amended to reflect the following:

Stacked parking spaces shall be prohibited, except for single-family dwellings and two-family dwellings which have driveways and parking areas which are clearly separate from any other driveways and parking areas on adjacent lots.

Mechanical parking lifts shall be prohibited in all zoning districts, except as allowed herein:

- 1 Commercial districts when shielded from public view and enclosed with a roof.
- 2 Residential zones when fully contained within a garage.

No outside car lifts shall be permitted. All car lifts shall be maintained and kept in good working order. The parking lift platform must be sealed and of a sufficient width and length to completely cover the bottom of the vehicle on the platform to prevent dripping liquids or debris onto the vehicle below.

All lifts must be designed so that power is required to lift the car, but that no power is required to lower the lift in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage.

All parking lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift. Ceiling heights of any parking level with parking lifts shall be a minimum of fourteen feet four (14'4") inches.

Car lift parking spaces shall not count toward any use or zone parking requirement in the Zoning Code.

**SECTION III**. Severability. If for any reason, any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION IV.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION V.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

Jack C. Gibson, Council President	
Mayor Leonard C. Desiderio	

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 22nd day of February, 2022 and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 22<sup>nd</sup> day of March, 2022, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

Shannon D. Romano, Municipal Clerk

### RESOLUTION NO. 028 2022

WHEREAS, N.J.S.A. 40A:5-17 provides for the approval of claims in manner provides by ordinance; and

WHEREAS, the City Council of Sea Isle City duly enacted Ordinances which provide a method for approval of claims, recordation thereof, and the payment of such claims by the City of Sea Isle City; and:

WHEREAS, The City Council have reviewed and considered invoices as follows:

### PREVIOUS PAID BILLS:

SEA ISLE CITY PAYROLL

	and all the analysis
VENDOR	AMOUNT
AT& T ONE NET	22.17
ATLANTIC ELECTRIC	24,478.69
ADVANTAGE RENTAL	41.38
AMAZON	200.74
ARBITRAGE REBATE COUNSELORS	250.00
AXON ENTERPRISE INC	6,239.25
PAUL J BALDINI PA	20,683.23
BOYER, HAROLD	468.61
HORIZON BCBS	12,623.09
C.M.C JUDGE'S ASSOCIATION	75.00
COMCAST	1,219.76
COMPLETE CONTROL SERVICES INC	2,250.00
C.M.C COURT ADMINS ASSOC	50.00
CAPE MAY COUNTY MUA	9,629.15
COMPUTER ACCESS & SYSTEMS	342.35
CHASE BANK	241,200.00
CONSTELLATION	2,183.77
CORE & MAIN LP	1,175.00
COLLIERS ENGINEERING	3,545.44
CRESTON HYDRAULICS INC	205.79
D'INTINO, JOSEPH	635.19
DAFELDECKER ASSOCIATES LLC ELMER DOOR INC	798.00
FEENEY, WILLIAM	558.00
GARDEN STATE HWY PRODUCTS	928.26
GANSERT, JOHN	2,208.90
GENERAL SALES ADMINISTRATION	835.68
GENSERVE INC	4,500.00
GLOCK INC	720.00
GLOCK INC	958.00

409,408.90

GARDEN STATE GENERAL CONSTRUCTION	44,874.33
GENRON FIRE PROTECTION	81.00
GILLIN-SCHWARTZ LAW LLC	925.00
HAUGH, VINCENT	20.00
HOME DEPOT PRO	567.83
IACP NATIONAL LAW ENFORCEMENT	190.00
JOHNSON & TOWERS	557.74
J.L. DARLING LLC	59.40
JANKOWSKI, STEVE	20.00
KYOCERA DOCUMENT SOLUTIONS	411.55
LAWYERS DIARY & MANUAL	120.25
MARTURANO RECREATION CO	2,512.00
MAMMELE, WILLIAM	20.00
MASER CONSULTING	21,317.10
MRS. BRIZZLES BUNS	200.00
NATIONAL TIME SYSTEMS	263.50
NJ DEPARTMENT OF HEALTH & SENIOR SERVICES	10.80
THE PRESS	1,150.04
PERNA FINIGAN INC	48,989.81
PRECISION ANALYTICAL SERV INC	45.00
PHOENIX ADVISORS LLC	1,250.00
PROSHRED SOUTHERN NEW JERSEY	60.00
PIPER, BRANDON	20.00
PRIVATE ISLAND EMBRODERY	1,507.00
RIGGINS	7,174.67
READY, THOMAS	2,173.80
RINCK, JOSHUA	20.00
R.E. PIERSON CONSTRUCTION	1,500.00
SOUTH JERSEY GAS	10,974.44
SEA ISLE CITY TRUST ACCOUNT	16,700.00
SEA ISLE CITY OPERATING	10,815.29
SMELTZER & SONS	2,528.90
SERVICE TIRE TRUCE CENTER	492.00
SCARANO, ROBERT	2,200.99
TEC ELEVATOR	591.00
TRANS AXLE LLC	358.80
TRANSUNION RISK & ALTERNATIVE	900.00
VAL-U AUTO PARTS VERIZON	164.13
VISION BENEFITS OF AMERICA	6.55
W.B. MASON	1,829.02
VV.D. IVIAGOIV	452.10

### RESOLUTION TOTAL:

932,488.39

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sea Isle City, NJ as follows:

- 1. All of those invoices as set forth above (with the exception of those items containing a line drawn through them and relisted to paragraph 2 below) are hereby approved. The Municipal Clerk is hereby authorized (as per section 6 of Ordinance 716) to indicate said approval on each invoice and to record same in the official minutes.
- 2. All of the following invoices are disapproved by this Council:

### **VENDOR AMOUNT:**

The Municipal Clerk is hereby directed to appropriately record the disapproval of the invoices noted in this paragraph in the official minutes.

3. All of those invoices listed in the recital as set forth above containing the initials of not more than one council Person immediately to the lest of each line shall be deemed approved (as per paragraph number one above) by a majority vote of the remaining Council members. Those invoices listed in the recital as set forth above containing a line drawn through the vendor's name and amount and relisted in paragraph 2 shall be deemed a rejection of said invoices and shall not be paid.

Recorded Vote:	John C. Gibson, Council President

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Feeley						
Gibson						
Kehner						
Tighe						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, FEBRUARY 22, 2022.

Shannon	D.	Romano,	Municipal	Clerk
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### **RESOLUTION NO. 029 (2022)**

# AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE REVIEW AND SUBMISSION OF THE CITY OF SEA ISLE CITY 2021 ANNUAL RECYCLING TONNAGE REPORT

WHEREAS, in accordance with the N.J.S.A. 13:1E-96 5.b(1), commencing in 2012, each New Jersey Municipality is required by the Recycling Enhancement Act ("REA") to have mandatory Annual Recycling Tonnage Reports approved and signed by a Certified Recycling Professional ("CRP") and;

WHEREAS, the State of New Jersey (State) requires that municipalities submit their Annual Recycling Tonnage Reports by April 30 of each year; and

WHEREAS, the Cape May County Municipal Utilities Authority (Authority) has one or more employees that have obtained designation as a CRP; and

WHEREAS, the Authority has indicated a willingness to assist the City of Sea Isle City in securing their rightful recycling fund allotment from the State for its 2021 recycling activities; and

WHEREAS, the Authority desires to memorialize each party's responsibilities in a Shared Service Agreement pursuant to the Uniform Shares Services and Consolidation Act (N.J.S.A 40A:65-1 et seq.) ("Shares Services Act") whereby the Authority would review, certify, and submit, via email to the NJDEP, the City of Sea Isle City's 2021 Recycling Tonnage Report; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide and/or receive any service that each local unit participating in this agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purpose of any of the participating local units; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Sea Isle City approves the "Shared Services Agreement" between the City of Sea Isle City and the Cape May County Municipal Utilities Authority to Review, Sign/Submit the 2021 Annual Recycling Report, in substantially the same form as currently on file with the Municipal Clerk; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor is authorized to execute said Agreement.

			oran or oregon, country resident			
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
<b>EDWARDI</b>						
FEELEY						
KEHNER						
TIGHE						
GIBSON						

I HEREBY CERTIFIED THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, February 22, 2022.

John C. Gibson, Council President

## RESOLUTION NO. 030 (2022) AUTHORIZING THE RECYCLING COORDINATOR TO SUBMIT THE 2021 TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act. P.L. 1987 c. 102 has established a recycling fun from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

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

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

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

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialized the commitment of this municipality to recycling and indicate the assent of the City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is property completed and timely filed.

**NOW THEREFORE BE IT RESOLVED,** by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey, that the City of Sea Isle City hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protections, Office of Recycling and designates Jerry Rutledge, Director of Public Works, 3905 Central Avenue, Sea Isle City, NJ 08243, to ensure that the said application is properly filed.

**BE IT FURTHER RESOLVED,** that the monies received from the Recycling Tonnage Grant be used solely for the purpose of recycling.

Iohn	$\boldsymbol{C}$	Gihcon	Council	President
JUILI	$\cup$ .	Olusuli,	Council	I I CSIUCIII

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
<b>EDWARDI</b>						
FEELEY						
KEHNER						
TIGHE						
GIBSON						

**I HEREBY CERTIFIED THAT** the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, February 22, 2022.

Shannon	Romano,	Muni	cinal	Clerk
Diamion	romano,	IVIUIII	Cipai	CICIN

### **RESOLUTION NO. 031 (2022)**

### AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE Project: Minor Sub-Division @ 245 - 58th Street, Sea Isle City, N.J. Block 57.04 Lots 1403 Frank EDWARDI

**WHEREAS,** A Performance Guarantee was posted in the form of a Check No. 407, in the amount of \$6,000.00; and

WHEREAS, the Engineer has performed inspections of the referenced property and notified the Board Secretary and City Clerk that the performance guarantee be released; and

**WHEREAS**, upon approval by the governing body, the City Clerk is instructed to notify the Finance Department to *release said Performance Guarantee*, *including accrued interest*, *in the amount of* \$6,048.<sup>28</sup>;

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey, that it hereby authorizes the release of the Performance Guarantee as approved by the Engineer.

	Jack C. Gibson, Council President
Recorded Vote:	

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Feeley						
Gibson					65	
Kehner						
Tighe						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on February 22, 2022

Shannon	Romano	Municipal Clerk
Shamfon	Romano,	Withhelpar Cicik

### RESOLUTION NO 032 (2022)

### AUTHORIZING THE REJECTION OF BIDS.

**WHEREAS**, on February 9, 2022 bids were received by the City of Sea Isle City for Sounds Avenue Sanitary Sewer Replacement & Connection to Central Avenue System under Colliers Engineering & Design Project No. SIC 0220.

WHEREAS, the engineer's estimate of cost for this project was \$778,755.00; and

WHEREAS, the low bid on this project was submitted in the amount of \$1,296,375.00; and

**WHEREAS**, the Municipal Engineer in his letter of February 14, 2021 to Mayor Leonard C. Desiderio has advised that the low bid was substantially in excess of his engineer's estimate of cost; and

WHEREAS, the Municipal Engineer has recommended that bids for this project be rejected under the provisions of N.J.S.A. 40A: 11-13.2 specifically under the provision that the lowest bid was substantially in excess of the Cost Estimate for the Goods and Services and also that the lowest bid substantially exceeds the contracting units appropriation for goods and services; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by Council of the City of Sea Isle City, New Jersey that;

No. 1 the foregoing facts are hereby ratified and affirmed; and

No. 2 the bids are hereby rejected for this project under the provisions of N.J.S.A. 40A:11-13.2.; and

John C. Gibson, Council President

### **Recorded Vote:**

Council	Yes	No	Abstain	Absent	Moved	Second
Kehner						
Edwardi						
Feely				1		
Gibson						
Tighe						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, February 22, 2022.

Shannon Romano, Municipal Clerk

### **RESOLUTION NO. 033 (2022)**

## SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Sea Isle City strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Sea Isle City hereby acknowledges that the residents of Sea Isle City desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Sea Isle City wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Sea Isle City is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Sea Isle City, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community: NOW THEREFORE

BE IT RESOLVED, that to focus attention and effort within Sea Isle City on matters of sustainability, the City Council of the City of Sea Isle City wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the City Council of the City of Sea Isle City of Sea Isle City that we do hereby authorize Assistant to the Director/Christie Ostrander; to serve as Sea Isle City's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf Sea Isle City.

John C. Gibson, Council President

### Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Feeley						
Edwardi						
Kehner			1			
Tighe						
Gibson						

I, HEREBY, CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey at the regular meeting of said Council held on Tuesday, February 22, 2022.

Shannon	Romano	City	Clark
SHaillion	Romano,	City	Clerk

# CITY OF SEA ISLE CITY CAPE MAY COUNTY, NEW JERSEY RESOLUTION NO. (34) (2022)

### **CHANGE ORDER NO. 1**

**SUBJECT**: A resolution authorizing Change Order No.1 for NJDOT FY2019 Roadway Reconstruction Program – Central Avenue Resurfacing (69<sup>th</sup> Street to 84<sup>th</sup> Street), City of Sea Isle City, Cape May County, New Jersey, MC Project No. SIC181.

**WHEREAS**, the City of Sea Isle City has contracted with Arawak Paving Company, Inc, of Hammonton, New Jersey for NJDOT FY2019 Roadway Reconstruction Program – Central Avenue Resurfacing (69<sup>th</sup> Street to 84<sup>th</sup> Street), City of Sea Isle City, Cape May County, New Jersey, MC Project No. SIC181 and;

WHEREAS, throughout this project there has been an increase and decrease in certain items of work, the addition of supplemental items and NJDOT mandated fuel and asphalt price adjustments, and the net increase in the contract amounts to +\$56,572.25 and;

WHEREAS, the nature and reason of the change is to reflect as-built quantities as further described below:

### **EXTRA ORDER**

EAIRA	OKDEK			
<b>ITEM</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	UNIT PRICE	<u>AMOUNT</u>
2	MILLING, VARIABLE DEPTH	311.8 s.y.	\$4.00	\$1,247.20
5	6" X 8" X 18" CONCRETE CURB, 4,000 PSI AND REMOVE EXISTING CURB	436.4 l.f.	\$32.00	\$13,964.80
6	CONCRETE SIDEWALK, 4" THICK, 4,000 PSI (IF & WHERE DIRECTED)	70.40	\$88.00	\$6,195.20
12	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, VARIABLE THICKNESS	108.04 tons	\$78.00	\$8,427.12
16	CONCRETE GUTTER, 8" THICK	50.15 s.y.	\$130.00	\$6,519.50
30	FUEL PRICE ADJUSTMENT	See Attached	Calculations	\$5,875.46
31	ASPHALT PRICE ADJUSTMENT	See Attached	Calculations	\$12,147.70
		TOTAL EXTR	AS	\$54,376.98
SUPPLE	MENTAL ORDER			
<u>ITEM</u>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>AMOUNT</b>
S1	SANITARY CLEANOUT COVERS .	6 Units	\$650.00	\$3,900.00
S2	RE-MOBILIZATION (DUE TO SANITARY SEWER ISSUES)	1 L.S.	\$9,500.00	\$9,500.00
		TOTAL EXTR	AS	\$13,400.00

### **REDUCTION ORDER**

<u>ITEM</u>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>AMOUNT</b>
1B	SAWCUTTING	1,700 l.f.	\$0.01	\$ 17.00
3	EXCAVATION, UNCLASSIFIED	200 c.y,	\$0.01	\$ 2.00
4 .	PULVERIZED BASE COURSE, 12" THICK	78.4 s.y.	\$4.00	\$ 313.60

### **REDUCTION ORDER- continuted**

<u>ITEM</u>	DESCRIPTION	<b>QUANTITY</b>	UNIT PRICE	<b>AMOUNT</b>
7	CONCRETE APRON, 6" THICK, 4,000 PSI (IF & WHERE DIRECTED)	13.8 s.y.	\$90.00	\$1,242.00
8	RESET PAVERS (IF & WHERE DIRECTED)	50.00 s.y.	\$70.00	\$3,500.00
9	ROAD GRAVEL - SOIL AGGREGATE I-5 (IF & WHERE DIRECTED)(MIN. UNIT PRICE \$5.00/C.Y.)	100.00 c.y.	\$5.00	\$ 500.00
10	TACK COAT, RS-1	550 gal	\$0.01	\$ 5.50
11	PRIME COAT, MC-70	275 gal.	\$0.01	\$ 2.75
13	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2-1/2" THICK	178.4 s.y.	\$11.00	\$1,962.40
14	RESET GAS VALVE BOX (IF & WHERE DIRECTED)	9.00 units	\$0.01	\$ 0.09
15	RESET SEWER VENT (IF & WHERE DIRECTED)	39.00 units	\$0.01	\$ 0.39
17	DETECTABLE WARNING SURFACE	12.30 s.y.	\$150.00	\$1,845.00
18	RESET SANITARY MANHOLE CASTING / INLET GRATE (IF & WHERE DIRECTED)	14.00 units	\$0.01	\$ 0.14
19	RESET WATER VALVE BOX (IF & WHERE DIRECTED)	28.00 units	\$0.01	\$ 0.28
20	RESET WATER METER BOX (IF & WHERE DIRECTED)	5.00 units	\$0.01	\$ 0.05
21	RESET CURB STOP VALVE BOX (IF & WHERE DIRECTED)	5.00 units	\$0.01	\$ 0.05
22	TOPSOILING, 3" THICK	26.80 s.y.	\$10.00	\$ 268.00
23	FERTILIZING AND SEEDING, TYPE A-3	26.80 s.y.	\$1.00	\$ 26.80
24	STRAW MULCHING	26.80 s.y.	\$0.01	\$ 0.27
26	WASHED GRAVEL (IF & WHERE DIRECTED)	70.84 tons	\$0.01	\$ 0.71
27A	CROSSWALK (VARIABLE LENGTH x 6' WIDE)	2.00 units	\$230.00	\$ 460.00
27B	DOUBLE 4" YELLOW CENTERLINE	40.00 l.f.	\$1.40	\$ 56.00
28A	CONSTRUCTION SIGNS	45.00 units	\$0.01	\$ 0.45
28B	DRUMS	40.00 units	\$0.01	\$ 0.40
28C	TRAFFIC CONES	75.00 units	\$0.01	\$ 0.75
28D	BREAKAWAY BARRICADES	10.00 units	\$0.01	\$ 0.10
29A	PROPERTY RESTORATION (SW Corner of Central Ave & 80th St.)(IF NECESSARY)	1.00 l.s.	\$1,000.	\$1,000.00
		TOTAL REDU	CTIONS	\$11,204.73

Amount of Original Contract

\$498,900.00

Extras

\$54,376.98

Amount of Change Order No. 1

+\$56,572.25

Reductions

-\$11,204.73

Supplemental \$13,400.00

ADJUSTED AMOUNT OF CONTRACT BASED ON CHANGE ORDER NO. 1 \$555,472.25

11.34 % INCREASE IN CONTRACT

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Sea Isle City, New Jersey, that:

- 1) The foregoing facts are hereby ratified and affirmed.
- 2) The allegations of the preamble hereto are incorporated herein as is set forth in full.
- 3) The amount of Change Order No. 1 is +\$56,572.25.
- 4) The adjusted amount of the contract based on Change Order No. 1 is \$555,472.25.
- 5) The appropriate city officials are herewith authorized and instructed to do all things necessary to carry out the intention of this resolution.
- 6) The authorization for the proper officials to execute Change Order No. 1 be and is hereby given.

### **CERTIFICATION OF FUNDS**

Frank Donato, III, CFO John C. Gibson, Council President

### **Recorded Vote:**

Council	Yes	No	Abstain	Absent	Moved	Second
Feeley						
Edwardi						
Kehner						
Tighe						
Gibson						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, February 22, 2022.

Shannon Romano, Municipal Clerk

### CITY OF SEA ISLE CITY NEW JERSEY RESOLUTION NO. 035 (2022)

### AUTHORIZING CANCELLATION OF UTILITY EXCESS CHARGES

WHEREAS, the Tax Collector has notified the City Clerk of various utility excess charges; and

WHEREAS, the property listed below requested the removal of the excess charge due water leak not entering sewage system

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey that the utility department be and is hereby directed to make the cancellation of water and sewer excess charges listed below:

Utility Account ID	Excess Amount Waived	Owner of Property
5265-0	\$177.46	SMITH,CATHERINE A PULASKI & TIMOTHY 1005 LEXINGTON MEWS SWEDSBORO, NJ 08085

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Jack C. Gibson, Council President

### **Recorded Vote:**

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Feeley						
Gibson						
Kehner						
Tighe						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, February 22, 2022.

Shannon D. Romano, Municipal Clerk