

**REGULAR MEETING MINUTES
CITY COMMISSION – MARGATE CITY**

December 3, 2015

MARGATE CITY, NEW JERSEY

The Regular Meeting of the Board of Commissioners was held on the above date at 5:00 p.m. The meeting began with a flag salute and roll call: Mr. Becker, Mr. Amodeo, and Mr. Blumberg were present. Mr. Deaney, Mr. Abbott and Chief Wolfson were also present. The minutes from November 5, Workshop, Capital and Regular were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment:

John Sewell, 22 West Drive, speaks on Marvin Gardens Pump Station. Seeing that there were no other comments a motion to close the Public Portion was put forth by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment on Agenda Items:

John Sewell, 22 West Drive, speaks against Resolution #209,210,215 and 217. Mr. Sewell speaks in favor of Resolution #218. Seeing that there were no other comments a motion to close the Public Comments on Agenda Items was put forth by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

RESOLUTION #205-2015 MARGATE CITY BILL LIST / PAYROLL NOVEMBER 26, 2015

Mayor Becker introduced and offered the following Resolution for its adoption; seconded by Commissioner Blumberg:

WHEREAS, the Board of Commissioners of the City of Margate City, are in receipt of the bi-monthly claims submitted by the Chief Financial Officer for payment:

<u>BILLS LIST AMOUNT:</u>	\$3,307,529.26
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PAYROLL ACCOUNT – November 26, 2015

<u>CURRENT ACCOUNT</u>	\$ 584,559.54
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<u>WATER & SEWER</u>	\$ 53,807.26
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NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby approve the Margate City Bill List / Payroll, and that all claims and bills attached here to be paid in full.

Roll Call: Becker – Yes, Amodeo – Yes, Blumberg - Yes

RESOLUTION # 206- 2015 AUTHORIZED PAYMENT - COLMAR HOME CENTER

Commissioner Blumberg introduced and offered the following Resolution it's for adoption; seconded by Commissioner Amodeo:

WHEREAS, the Board of Commissioners of the City of Margate City, are in receipt of the bi-monthly claim as submitted by the Chief Financial Officer for payment as follows:

<u>COLMAR HOME CENTER</u>	\$584.80
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NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby approve the Margate City Bill for Colmar Home Center, attached hereto be paid in full.

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

1. Lisa McLaughlin, Finance Manager

ROLL CALL: Becker - Yes, Amodeo - Yes , Blumberg - Yes

RESOLUTION #207-2015 AUTHORIZING REDEMPTION OF TAX LIEN
Block 29.02, Lot 51 C0A08, 9517 Atlantic Avenue

Commissioner Blumberg introduced and offered the following Resolution for adoption; seconded by Commissioner Amodeo:

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

<u>Block/Lot</u>	<u>Location</u>	<u>Certificate #</u>	<u>Amount</u>
29.02/51 C0A08	9517 Atlantic	#12-6	\$3,565.05

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

1. Lisa McLaughlin, CFO
2. Linda Morgan, Tax Collector

ROLL CALL: Becker – Yes, Amodeo – Yes, Blumberg - Yes

RESOLUTION #208-2015 AUTHORIZING REDEMPTION OF TAX LIEN
Block 303.01, Lot 9, 117 N Brunswick Avenue

Mayor Becker introduced and offered the following Resolution for adoption; seconded by Commissioner Blumberg:

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

<u>Block/Lot</u>	<u>Location</u>	<u>Certificate #</u>	<u>Amount</u>
303.01/9	117 N Brunswick Ave	#14-16	\$32,350.28

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

1. Lisa McLaughlin, CFO
2. Linda Morgan, Tax Collector

ROLL CALL: Becker – Yes, Amodeo – Yes, Blumberg - Yes

RESOLUTION #209-2015 AUTHORIZING REDEMPTION OF TAX LIEN
Block 709.02, Lot 51, 8000 Lagoon Drive

Commissioner Blumberg introduced and offered the following Resolution for its adoption; seconded by Mayor Becker:

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

<u>Block/Lot</u>	<u>Location</u>	<u>Certificate #</u>	<u>Amount</u>
709.02/51	8000 Lagoon Drive	#12-19	\$54,899.56

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

1. Lisa McLaughlin, CFO
2. Linda Morgan, Tax Collector

ROLL CALL: Becker – Yes, Amodeo – Yes, Blumberg – Yes

RESOLUTION 210-2015 AUTHORIZING RENUAL OF MUNICIPAL ALLIANCE GRANT FOR THE PREVENTION OF ALCHOLISM AND DRUG ABUSE FOR 2016

Commissioner Blumberg introduced and offered the following Resolution it's for adoption; seconded by Commissioner Amodeo:

Governor's Council on Alcoholism and Drug Abuse

Fiscal Grant Cycle July 2014-June 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Commission further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Commission has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of of Atlantic, State of New Jersey

hereby recognizes the following:

1. The Commission does hereby authorize submission of a strategic plan for the Municipal Alliance grant for fiscal year in the amount of:
2. The Commission acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: __Mayor Michael Becker_____
(Name), Mayor

CERTIFICATION

I, Johanna Casey, Municipal Clerk of the of City of Margate , County of Atlantic, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Commission on this day of , December 3, 2015.

RESOLUTION #211- 2015 HORIZON EYE CARE – 1 Year PlanMarch 1, 2016 through February 28, 2017

Commissioner Blumberg introduced and offered the following Resolution for its adoption; seconded by Commissioner Amodeo:

WHEREAS, the Board of Commissioners of the City of Margate provides health insurance coverages to all their City employees; and

WHEREAS, the City of Margate Health Insurance Broker, Innovative Risk Solutions notified the City of Margate that the City of Margate Vision Plan with Horizon Eye Care Laser & Eye Surgery Center will expire on February 28, 2016, and

WHEREAS, Horizon Eye Care Laser & Eye Surgery Center advised that they will be able to continue a one year contract beginning March 1, 2016 through February 28, 2017 at the current contract, at the capitated rate of \$6.25 per covered member per month; and

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of contract in the following account: Group Health Insurance-Premiums; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City hereby approves and authorizes the Mayor and City Clerk to execute a contract without competitive biddings as an Extraordinary, Unspecifiable Services pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) with Horizon Eye Care Laser & Eye Surgery Center, Margate, New Jersey at the rate of \$6.25 per covered member per month the for a one year beginning March 1, 2016 through February 28, 2017.

BE IT RESOLVED that the City Clerk is hereby authorized to forward a copy of this resolution to the following:

1. Innovative Risk Solutions, Inc.
2. Horizon Eye Care Laser & Eye Surgery Center.
3. Lisa McLaughlin, Chief Financial Officer

ROLL CALL: Becker - Yes, Amodeo - Yes, Blumberg - Yes

RESOLUTION #212-2015 AUTHORIZING THE PROFESSIONAL SERVICES OF DM MEDICAL BILLINGS

Mayor Becker introduced and offered the following Resolution for adoption; seconded by Commissioner Blumberg:

WHEREAS, there exists a need for the City of Margate to retain medical third party billing services; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the City Commission, having considered the same, now wishes to authorize DM Medical Billings to provide the aforesaid services with regard to the proposed refunding transaction.

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of contract in the following account: Ambulance Billing; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC as follows:

1. That the Mayor, or his designee, is authorized to execute and the City Clerk to attest to an agreement in a form acceptable to the City Solicitor between the City of Margate and DM Medical Billings with regard to the aforesaid services, as per the proposal submitted by DM Medical Billings dated November 30, 2015, a copy of which is attached hereto.
2. That, in accordance with said agreement, DM Medical Billings is hereby authorized to provide the aforesaid services with regard to the refunding of the City's ambulance billing.
3. That the total fee for the services including expenses, are 6% of amount collected.
4. That this contract is awarded without competitive bidding as a "Professional Service", in accordance with *N.J.S.A. 40A:11-5*, of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
5. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.

6. That a certified copy of this Resolution shall be provided to each of the following:

- a. DM Medical Billings(Attn: Amy Gifford)
- b. City Administrator
- c. City Chief Financial Officer
- d. City Clerk

7. This Resolution shall take effect immediately.

Roll Call: Becker - Yes, Amodeo – Yes, Blumberg - Yes

RESOLUTION #213-2015 Authorizing the Purchase of One (1) 2016 Ford Expedition EL for the Department of Recreation (NJPA Contract #A88728)

Commissioner Blumberg introduced and offered the following Resolution for its adoption; seconded by Commissioner Amodeo:

WHEREAS, in accordance with the State of New Jersey Procurement Bureau the State Purchasing Agreement, whereby local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 to purchase of goods and services; and

WHEREAS, the Board of Commissioners of the City of Margate City, New Jersey desires to purchase of One (1) 2016 Ford Expedition EL K1G 4dr 4x4 XL for the Department of Recreation of the City of Margate from an authorized vendor under State of New Jersey Purchasing Program, and

WHEREAS, Frank Ricciotti, Director of Public Works recommended the purchase of One (1) 2016 Ford Expedition EL, under NJPA Contract #A88728, which an authorized vendor Chas S Winner Inc., 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 in the amount of \$31,432; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in the amount of \$31,432 available under Capital Bond Ordinance #04-2015 for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Margate City, County of Atlantic in the State of New Jersey that it does hereby authorize the purchase of One (1) 2016 Ford Expedition EL K1G 4dr 4x4 XL from Chas S Winner Inc., 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 in the amount not to exceed \$31,432.

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

1. Chas S Winner Inc.
2. Lisa McLaughlin, CFO
3. Fred Verna, TPA
4. Frank Ricciotti, Director of Public Works

ROLL CALL: Becker - Yes, Amodeo - Yes, Blumberg - Yes

RESOLUTION #214-2015 Authorizing a Transfer of Budget Appropriations

Mayor Becker introduced and offered the following Resolution for adoption; seconded by Commissioner Blumberg:

Whereas, for the fiscal year 2015 there exists a need to transfer excess funds from certain budgetary appropriations to appropriations with inadequate funds and,

Whereas, N.J.S.A. 40A:4-58 permits certain transfers of funds when necessary during the last two months of the fiscal year; and

Whereas, the amount to be transferred is \$15,246.87 as evidenced by the following list of appropriation transfers as prepared by the Chief Financial Officer:

FROM			TO		
Budget Account	Account Number	Amount	Budget Account	Account Number	Amount
Financial Admin-Professional Fees	5-01-20-135-301	5,546.87	Interest on Special Emergency Notes	5-01-45-936-201	5,546.87
Fire S&W-Regular	5-01-25-265-101	7,500.00	Fire OE- Misc	5-01-25-265-207	7,500.00
Legal - Other	5-01-20-155-255	2,200.00	Engineer OE	5-01-20-165-201	2,200.00
	Total	\$15,246.87			\$15,246.87

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

- 1. Lisa McLaughlin, CFO

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg - Yes

RESOLUTION #215-2015 AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS.

Commissioner Amodeo introduced and offered the following Resolution for its adoption; seconded by Commissioner Blumberg:

WHEREAS, mutual aid and assistance agreements between municipalities, counties, emergency management agencies, law enforcement agencies police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD)- 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor or County or Local Emergency Management Coordinator control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq, and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Atlantic and other municipalities including (but not limited to) emergency management agencies, municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

ROLL CALL: Becker - YES, Amodeo – Yes, Blumberg - Yes

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners _____

_____ of the City _____ of Margate City _____ ,

County of Atlantic _____ , and State of New Jersey as follows:

- A. That the City of Margate is hereby authorized and directed to enter into the Atlantic County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mayor and Commissioner
- Of the City of Margate are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the City of Margate_____.
- C. That the City Clerk is hereby authorized and directed to forthwith forward a copy of this Resolution and an executed copy of Schedule A of the agreement to the offices of the Atlantic County Office of Emergency Management for review and filing by the appropriate Fire, EMS and County Prosecutor or his designee as appropriate.

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg - Yes

RESOLUTION #216-2015 AUTHORIZING SPECIAL PROFESSIONAL SERVICE WITH T & M ASSOCIATES FOR USACE/NJDEP SHORE PROTECTION PROJECT

Commissioner Blumberg introduced and offered the following Resolution for its adoption; seconded by Commissioner Amodeo:

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services with T& M Associates for assistance with City of Margate with the implementation of the USACE/NJDEP Shore Protection; and

WHEREAS, T & M Associates submitted a proposal dated October 29, 2015 and has demonstrated that they have the necessary experience and qualifications to provide expert testimony with regard to ongoing eminent domain proceedings initiated by the New Jersey Department of Environmental Protection; and

WHEREAS, this Contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law, *N.J.S.A. 40:11A-5 (1)(a)(i)*; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in an amount not to exceed \$15,000.00 available under Legal – Other for the award of this contract.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$15,000.00 between the City of Margate and T& M Associates, 9 Grand Avenue, Building 1, Toms River, NJ 08753 for the performance of the above noted matter.
2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
3. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

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

5. T & M Associates
6. Lisa McLaughlin, CFO

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg – Yes

RESOLUTION #217-2015 AUTHORIZING APPOINTMENT OF SPECIAL PROFESSIONAL SERVICE OF JAMES M. RUTALA ASSOCIATES, LLC CITY OF MARGATE PLANNING & GRANT ASSISTANCE FOR THE NFWF GRANT

Commissioner Amodeo introduced and offered the following Resolution for its adoption; seconded by Commissioner Blumberg:

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services of James M. Rutala Associates, LLC for assistance to the City of Margate with the implementation of the NFWF Grant; and

WHEREAS, James Rutala Associates, LLC. has demonstrated that they have the necessary experience and qualifications to perform same; and

WHEREAS, this Contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law, *N.J.S.A. 40:11A-5 (1)(a)(i)*; and

WHEREAS, The National Fish and Wildlife Grant was adopted on June 18, 2015 and will fund this contract; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in an amount not to exceed \$32,000.00 available under Coastal Resiliency NFWF – Local Share G-01-41-705-002 for the award of this contract.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

4. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$32,000.00 between the City of Margate and James M. Rutala Associates, LLC, 717 River Drive, Linwood, NJ 08221 for the performance of the above noted matter.
5. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
6. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

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

7. James M. Rutala
8. Lisa McLaughlin, CFO
9. Jim Rutala, Grant Manager

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg - Yes

RESOLUTION #218-2015 AUTHORIZING APPOINTMENT OF SPECIAL PROFESSIONAL SERVICE OF JOHN SCOTT ABBOTT, ESQ. FOR CITY OF MARGATE PLANNING & GRANT ASSISTANCE FOR THE NFWF GRANT

Commissioner Amodeo introduced and offered the following Resolution for its adoption; seconded by Commissioner Blumberg:

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services of John Scott Abbott, Esq. for assistance in the City of Margate Planning & Grant Assistance for the NFWF Grant; and

WHEREAS, John Scott Abbott, Esq. has demonstrated that he has the necessary experience and qualifications to perform same; and

WHEREAS, this Contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law, *N.J.S.A. 40:11A-5 (1)(a)(i)*; and

WHEREAS, The National Fish and Wildlife Grant was adopted on June 18, 2015 and will fund this contract; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in an amount not to exceed \$30,000.00 available under Coastal Resiliency NFWF – Local Share G-01-41-705-002, \$24,168.50 Coastal Resiliency NFWF Grant State Share G-01-41-705-002, \$5,831.50 for the award of this contract.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

7. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$30,000.00 between the City of Margate and John Scott Abbott,

Esq., 9 S. Washington Avenue, Margate, NJ for the performance of the above noted matter.

8. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
9. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

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

10. John Scott Abbott, Esq.
11. Lisa McLaughlin, CFO
12. Jim Rutala, Grant Manager

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg - Yes

With no further business this meeting was adjourned on motion by Mr. Blumberg, second by Mr.Amodeo with a vote of three ayes.

Board of Commissioners of the City of Margate City, New Jersey

Mayor, Michael Becker Commissioner John F. Amodeo Commissioner Maury Blumberg

Attest: _____ Johanna Casey, Municipal Clerk