

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

March 17, 2016

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. Abbott and Chief Wolfson were also present. The minutes from March 3, 2016, Workshop and Regular were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment:

Steve Worner; 103 S. Sumner Ave, Speaks on City Hall cost and contractor.

John Sewell; 22 West Drive, Speaks on school spending.

Art Cautilli; 114 N Lancaster Ave, Speaks on School reinstating Pre School and giving the senior citizens a break.

Seeing that there were no further comments, a motion to close the Public Comments 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 on Resolution #43-2016 regarding wording, “Bi Monthly” as well as Resolutions #49-52-2016.

Steve Worner-103 N Sumner Ave- Speaks against Ordinance #05-2016 and #06-2016.

Seeing that there were no other comments a motion to close the Public Comments on Resolutions or Ordinance Items was put forth by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Ordinance: Public Adoption:

ORDINANCE #05-2016 was introduced by Mayor Becker, second by Mr. Blumberg.

BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY

THE BOARD OF COMMISSIONERS OF THE CITY OF MARGATE CITY IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by the City of Margate City, in the County of Atlantic, New Jersey (the “City”). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations theretofore made therefore and amounting in the aggregate to THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000), including the aggregate sum of ONE HUNDRED EIGHTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$183,500) which is hereby appropriated from the Capital Improvement Fund of the City as the down payments for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the

County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) pursuant to the Local Bond Law of New Jersey (the “Local Bond Law”) and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Projects

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
(a) Purchase of Various Equipment, Vehicles and Apparatus for Police Department, Fire Department, Public Works Department, Zoning Department and Beach Patrol.	\$692,000	\$657,400
(b) Various Municipal Roadway Improvements under the 2015/2016 Municipal Road Program, including without limitation the Winchester Avenue Reconstruction Project, CDBG Beach Access, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,680,500	\$1,596,475
(c) Construction of improvements to various Municipal Buildings and Recreational Facilities, including Police Facility, Fire Station 2, Bloom Pavilion, Union Avenue Municipal Building and Amherst Avenue bulkhead repairs, and including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, dredging studies and tests, topographic mapping, legal, permits and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$972,500	\$923,875

(d) Purchase of Various Equipment and Tools for the Public Works Department and Municipal Facilities.	\$156,000	\$148,200
(e) Various Improvements to Municipal Information Technology Systems, including system upgrades and equipment purchases.	\$169,000	\$160,550
TOTAL	<u>\$3,670,000</u>	<u>\$3,486,500</u>

The excess of the appropriation made for such improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as stated above, not including the amount of any grant, is the amount of the said down payments for said purposes.

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer’s signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the City of Margate is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

- (a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are properties or improvements which the City may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.
- (b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **10.65 years**.
- (c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete executed

duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding SIX HUNDRED FORTY-SIX THOUSAND NINE HUNDRED DOLLARS (\$646,900) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the

City's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

March 17, 2016

MARGATE CITY, NEW JERSEY

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING: March 3, 2016

PUBLICATION: March , 2016

FINAL READING: March 17, 2016

PUBLICATION WITH STATEMENT: March , 2016

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 3, 2016, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 17, 2016, at 5:00 o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway Improvements; Construction of Improvements to Various Municipal Buildings and Facilities; and Improvements to Information Technology Systems

Appropriation: \$3,670,000

Bonds/Notes Authorized: \$3,486,500

Grants (if any) Appropriated: N/A

Section 20 Costs: \$646,900

Useful Life: 10.65 years

Johanna Casey, RMC, Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the City of Margate City, in the County of Atlantic, State of New Jersey on March 17, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway Improvements; Construction of Improvements to Various Municipal Buildings and Facilities; and Improvements to Information Technology Systems

Appropriation: \$3,670,000

Bonds/Notes Authorized: \$3,486,500

Grants (if any) Appropriated: N/A

Section 20 Costs: \$646,900

Useful Life: 10.65 years

Johanna Casey, RMC, Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

ORDINANCE #06-2016

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF

THE BOARD OF COMMISSIONERS OF THE CITY OF MARGATE CITY IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made to the water and sewer utility systems of the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000). No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations

authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) pursuant to the Local Bond Law of New Jersey (the “Local Bond Law”) and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Project

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

IMPROVEMENT OR <u>PURPOSE</u>	APPROPRIATION AND <u>ESTIMATED COST</u>	AMOUNT OF BONDS <u>OR NOTES</u>
(a) Reconstruction of Winchester Avenue, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$700,678	\$700,678
(b) Construction of Stormwater Drainage System Improvements under 2015/2016 Road Program and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,055,322	\$1,055,322
(c) Ventnor Gardens Storm Water Pump Station Improvements and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$309,000	\$309,000
(d) Purchase and Installation of Twelve (12) Fire Hydrants.	\$35,000	\$35,000
Total	<u>\$2,100,000</u>	<u>\$2,100,000</u>

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine

all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the City of Margate is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the City may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **40 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000), and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding ONE HUNDRED SIXTY-FIVE THOUSAND

SIX HUNDRED DOLLARS (\$165,600) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

(e) This bond ordinance authorize obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a

purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued

pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to punctual payment of the shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same “control group” as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City’s official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

March 17, 2016

MARGATE CITY, NEW JERSEY

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING: March 3, 2016

PUBLICATION: March , 2016

FINAL READING: March 17, 2016

PUBLICATION WITH STATEMENT: March , 2016

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 3, 2016, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 17, 2016, at 5:00

o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: **"BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF"**

Purpose(s): Reconstruction of Winchester Avenue improvements; Construction and various improvements to municipal storm drainage system and roadways; Construction improvements to Ventnor Gardens; and Purchase and Installation of twelve (12) Fire Hydrants
Appropriation: \$2,100,000
Bonds/Notes Authorized: \$2,100,000
Grants (if any) Appropriated: N/A
Section 20 Costs: \$165,600
Useful Life: 40 years

Johanna Casey, RMC, Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

March 17, 2016 **MARGATE CITY, NEW JERSEY**

March 17, 2016 **MARGATE CITY, NEW JERSEY**

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the City of Margate City, in the County of Atlantic, State of New Jersey on March 17, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: **“BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF”**

Purpose(s): Reconstruction of Winchester Avenue improvements; Construction and various improvements to municipal storm drainage system and roadways; Construction improvements to Ventnor Gardens; and Purchase and Installation of twelve (12) Fire Hydrants

Appropriation: \$2,100,000

Bonds/Notes Authorized: \$2,100,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$165,600

Useful Life: 40 years

A consent agenda for Resolution #43-2016 thru Resolution #52-2016 were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

RESOLUTION #43- 2016 AUTHORIZED PAYMENT - COLMAR HOME CENTER

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:

COLMAR HOME CENTER

\$851.95

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.

Roll Call:

Name	Motion	Second	Yes	No	Abstain
Becker					X
Amodeo		X	X		
Blumberg	X		X		

RESOLUTION # 44-2016 MARGATE CITY BILL LIST / PAYROLL March 17, 2016

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:

BILLS LIST AMOUNT:

\$1,310,116.17

PAYROLL ACCOUNT – March 17, 2016

CURRENT ACCOUNT

\$ 446,437.00

WATER & SEWER

\$ 58,336.03

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:

Name	Motion	Second	Yes	No	Abstain
Becker			X		
Amodeo		X	X		
Blumberg	X		X		

R E S O L U T I O N #45-2016 ANNUAL RECYCLING TONNAGE GRANT

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

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

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

WHEREAS, the recycling regulations impose 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 memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners of the City of Margate City 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 the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City that Margate City hereby endorses the submission of the Recycling Tonnage Grant application for the year 2016 to the New Jersey Department of Environmental Protection and designates Franz Adler to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the Recycling Tonnage Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker		X	X			
Amodeo			X			
Blumberg	X		X			

RESOLUTION # 46 – 2016 AUTHORIZING THE AWARD OF CONTRACT TO PROVIDE CLEANING AND TELEVISING OF SEWER SYSTEMS TO VIDEO PIPE SERVICES, INC.

WHEREAS, on March 3, 2016, the City of Margate approved Resolution #39-2016 authorizing the receipt of bids to provide Cleaning and Televising of Sewer Systems; and

WHEREAS, the City Clerk did duly advertise for the receipt of said bids to provide Cleaning and Televising of Sewer Systems in the Atlantic City Press on March 4, 2016; and

WHEREAS, in connection therewith the following two (2) bids were received by the City Clerk and City Engineer of the City of Margate on March 15, 2016:

American Pipe Cleaning, LLC, Ocean Township, NJ	\$223,000.00
Video Pipe Service, Inc., Newfield, NJ	\$137,440.00
, and	

WHEREAS, the City Engineer, Edward Walberg of Remington, Vernick & Walberg submitted their letter dated March 17, 2016, that a contract be awarded to Video Pipe Services, Inc., 1566

Harding Highway, Newfield, New Jersey 08344 as per their proposal to provide Cleaning and Televising of Sewer Systems in an amount \$137,440.00; and.

WHEREAS, Video Pipe Services, Inc. is the lowest bid for these services; and

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of this award in the following account: Water and Sewer Video Services 6-05-55-502-414.

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate, County of Atlantic that it does hereby award a contract to Video Pipe Services, Inc., 1566 Harding Highway, Newfield, New Jersey 08344 in an amount not to exceed \$137,440.00 as per their proposal to provide Cleaning and Televising of Sewer Systems.

BE IT FURTHER RESOLVED that the award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bond as may be required by the specifications.

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MARGATE CITY, NEW JERSEY

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

- 1. Remington, Vernick & Walberg Engineers
- 2. Chief Financial Officer
- 3. Video Pipe Service, Inc.

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			
Amodeo			X			
Blumberg		X	X			

RESOLUTION #47-2016 AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES WITH SIALIA ENVIRONMENTAL CONSULTING, INC

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services to assist with the defense of the USACE/NJDEP Shore Protection; and

WHEREAS, this Contract was 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 City of Margate engaged in a contract with Sialia Environmental Consulting, Inc. PO Box 10, Webster, NC 28788 as per their proposal dated October 21, 2015 in the amount of \$10,000.00, they represented that they have the necessary experience and qualifications to provide expert testimony with ongoing eminent domain proceedings initiated by the New Jersey Department of Environmental Protection; and

WHEREAS, Sialia Environmental Consulting Inc. submitted an invoice for additional services in the amount of \$10,520.14 for ongoing expert testimony services with the defense of the USACE/NJDEP Shore Protection for the City of Margate; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available in an amount not to exceed \$10,520.14 under Legal – Other .

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Margate authorizes final payment in the amount of \$10,520.14 to Sialia Environmental Consulting, Inc. of Webster, N.C. changing the original contracted amount to \$20,520.14.

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

- 1. Sialia Environmental Consulting, Inc.
- 2. Chief Financial Officer
- 3. Purchasing Officer

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			
Amodeo			X			
Blumberg		X	X			

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RESOLUTION #48-2016 USACE/NJDEP SHORE PROTECTION PROJECT WITH T & M ASSOCIATES

WHEREAS, the Board of Commissioners of the City of Margate City entered into a contract in the amount of \$15,000.00 with T & M Associates of Toms River, NJ on December 3, 2015, Resolution #216-2015 for the assistance with the implementation of the USACE/NJDEP Shore Protection; and

WHEREAS, this Contract was 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, T & M Associates submitted an invoice dated February 17, 2016 that amendment their original contracted amount by \$21,242.00 for ongoing services for the assistance with the defense of the USACE/NJDEP Shore Protection for the City of Margate; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available in an amount of \$21,251.52 under Legal / Other 6-01-20-155-255.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Margate authorizes the payment in the amount of \$21,251.52 to T & M Associates of Toms River, NJ changing the original contracted amount to \$36,251.82.

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

1. Lisa McLaughlin, CFO
2. T & M Associates, Toms River, NJ

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker			X			
Amodeo		X	X			
Blumberg	X		X			

RESOLUTION #49-2016 CHANGE ORDER #1 (Decrease) REDEVELOPMENT OF WELL #9 LAYNE CHRISTIAN COMPANY

WHEREAS, on May 21, 2015, Resolution #103- 2015 the Board of Commissioners of the City of Margate authorized the award of contract to Layne Christensen Company, Beverly, New Jersey in the amount of \$110,368.65 for the Redevelopment of Well #9; and

WHEREAS, Remington & Vernick Engineers and Affiliates submitted letter dated March 9, 2016 that there is a need for decrease Change Order No. 1 as a result of reduction in cost from Layne Christensen Company, Beverly, New Jersey in the amount of \$52,852.10; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate in the County of Atlantic, that it does hereby approve the decrease Change Order No. 1 in the amount of \$52,852.10 with Layne Christensen Company, Beverly, New Jersey changing the original contract amount from \$110,368.65 to \$57,516.55; and

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

- 1. Lisa McLaughlin, CFO
- 2. Frank Ricciotti, Public Work
- 3. Remington & Vernick Engineers and Affiliates
- 4. Layne Christensen Company, Beverly, NJ

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			
Amodeo		X	X			
Blumberg			X			

RESOLUTION #50-2016 AUTHORIZING CHANGE ORDER NO.1 CLEANING AND TELEVISING OF SEWER SYSTEMS VIDEO PIPE SERVICE

WHEREAS, on February 5, 2015 Resolution #32-2015, the Board of Commissioners of the City of Margate authorized the award of a contract to Video Pipe Services, Inc., 1566 Harding Highway, Newfield, NJ for the Cleaning and Televising of Sewer Systems in the amount of \$141,240.00; and

WHEREAS, Video Pipe Services, Inc. submitted letters dated January 4, 2016, February 3, 2016, February 16, 2016 and March 16, 2016 regarding increase Change Order No.1, that related to additional televising and drainage pipe cleaning for this project in the amount \$39,159.32; and

WHEREAS, the Chief Financial Officer has certified in writing that adequate funds are available under: Water and Sewer Video Services; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey, that the City Administrator is hereby authorized to sign an increased Change Order No. 1 with Video Pipe Services, Inc. for the additional televising and drainage pipe cleaning; increasing the original contract amount from \$39,159.32 to the new contract amount of \$180,399.32.

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

- 1. Lisa McLaughlin, CFO
- 2. Frank Ricciotti, Public Works
- 3. Remington & Vernick Engineers and Affiliates
- 4. Video Pipe Services, Inc.

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker		X	X			
Amodeo			X			
Blumberg	X		X			

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**RESOLUTION #51-2016 AUTHORIZING CHANGE ORDER NO.1 CITY HALL
PHASE II R. Wilkinson & Sons Construction, Inc.**

WHEREAS, on March 19, 2015 Resolution #51-2015, the Board of Commissioners of the City of Margate authorized the award of a contract to R. Wilkinson & Sons Construction, Inc., 705 White Horse Pike, Absecon, NJ for the Re-Purposing City Hall Phase II in the amount of \$2,260,174.00; and

WHEREAS, Remington and Vernick submitted a letter dated March 16, 2016 regarding R. Wilkinson & Sons Construction, Inc. increase Change Order No.1, that relates to Fire Protection, Mill Work, Heating and Plumbing in the amount by \$277,571.96; and

WHEREAS, the Chief Financial Officer has certified in writing that adequate funds are available under: Bond Ordinance 2016-03 C06-55-977-902.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey, that the City Administrator is hereby authorized to sign an increase Change Order No. 1, with R. Wilkinson & Sons Construction, Inc., for the additional Fire Protection, Mill Work, Heating and Plumbing; increasing the original contract amount from \$2,260,174.00 to the new contract amount of \$2,537,745.96.

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

- 1. Lisa McLaughlin, CFO
- 2. Frank Ricciotti, Public Works
- 3. Remington & Vernick Engineers and Affiliates
- 4. R. Wilkinson & Sons Construction, Inc.

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker			X			
Amodeo		X	X			
Blumberg	X		X			

**RESOLUTION #52-2016 AUTHORIZING THE PROFESSIONAL
FINANCIAL ADVISORY SERVICES OF DANIEL CAMPBELL FOR
GREAT WEST RETIREMENT SERVICE**

WHEREAS, there exists a need for the City of Margate to retain financial advisor in connection as Continuing Disclosure Agent and Registered Municipal Advisor; 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 Daniel Campbell of Wells Fargo Advisors to provide the aforesaid services with regard to Great West Deferred Compensation Plan advisor.

WHEREAS, the City of Margate will have no responsibility toward any fees for this service.

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

- a.

Daniel Campbell, Wells Fargo
- b.

Lisa McLaughlin, CFO

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			
Amodeo			X			
Blumberg		X	X			

With no further business this meeting was adjourned on motion by Mr. Amodeo, second by Mr. Blumberg 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