

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

September 1, 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: Mayor Becker, Mr. Amodeo and Mr. Blumberg were present. Mr. Deaney, Chief Wolfson and Mr. Abbott were also present. The minutes from August 18, 2016, Workshop, Capital and Regular were approved as read on motion by Mr. Amodeo, second by Mr. Becker with a vote of three ayes.

Public Comment:

John Sewell-22 West Drive- Speaks against the School Board members and their decision making.

Art Cartelli-114 N Lancaster- Speaks on the low school population and downsizing schools; feels as though Tighe School is too costly for such a little student population.

Gilbert Zuckerman -12 S Vendome- Speaks against on street parking and wants to have input on the matter.

Chief Wolfson- Explains the lack of enforcement on the parking restriction.

Kurt Hefler-16 S Vendome- Speaks against the parking due to the noise it brings.

Diane Vogul-1 S Vendome- Speaks against street parking.

Bill Cottar- 20 Circle Drive- Speaks against the cost of education.

Bob Gendelman- 11 S Vendome- Speaks on restricting street parking.

Diane Lovenworth -10 S Vendome- Speaks in favor of current parking restrictions.

Mr. Blumberg- Speaks in favor of current parking restrictions.

Seeing that there were no further comments, a motion to close the Public Comments was put forth by Mr. Amodeo, second by Mr. Becker with a vote of three ayes.

Public Comment on Resolutions and Ordinance Adoption:

Seeing that there were no further 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 Adoption:

A motion to adopt Ordinance #18-2016 was put forth by Mr. Amodeo, second by Mayor Becker

ORDINANCE #18-2016

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL
ORDINANCES OF THE CITY OF MARGATE CITY,
CHAPTER 155 – “GARBAGE, RUBBISH AND REFUSE”, SECTION 155-2
“DOMESTIC GARBAGE”**

§ 155-2 Domestic garbage.

[Amended 8-5-2004 by Ord. No. 2004-13]

A. Domestic garbage intended for collection shall be drained of all free liquid, shall be wrapped or sacked and then placed in containers with rubbish. No person, owner, lessee, tenant, or agent shall place or cause to be placed any domestic garbage, recyclable material, nonrecyclable material, or any other waste, garbage, rubbish or refuse intended for collection into any City of Margate public container.

~~**B.** The penalty for violation of this section shall be in the amount of \$100.
[Added 4-17-2014 by Ord. No. 16-2014]~~

B. Storage and disposal of waste.

(1) Outdoor refuse and recycling containers shall be visually screened within a durable enclosure, or existing structure, so as not to be visible from adjacent lots or sites, neighboring properties or streets.

(2) No refuse and recycling storage areas shall be permitted between a street and the front of a building and shall conform to the front yard requirements for the principal buildings in the zone

(3) No refuse and recycling storage area shall be located so as to prevent natural runoff from such areas or impair the existing water quality of any stream, watercourse or aquifer.

(4) All materials or wastes which might cause fumes, dust, odor or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in sealed and covered containers which are adequate to eliminate such hazards.

(5) Refuse and recycling collection areas shall be effectively designed to contain all refuse generated on site and deposited between collections.

(6) Refuse and recycling collection enclosures shall be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.

(7) Refuse and recycling collection areas shall be located to provide clear and convenient access to refuse collection vehicles.

(8) Medical, hazardous or other regulated waste shall meet the state and federal standards for such materials.

C. Recycling facilities for ~~new~~ multifamily housing developments.

(1) There shall be included in any ~~new~~ multifamily housing development ~~that requires subdivision or site plan approval~~ an indoor or outdoor recycling area for the collection and storage of residentially generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located.

(2) The recycling area shall be conveniently located for the disposition of source-separated recyclable materials by residents of the multifamily housing development, preferably near, but clearly separated from, a refuse dumpster.

(3) The recycling area shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area and the bins or containers placed therein against theft of recyclable materials, bins or containers.

(4) Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor recycling area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.

(5) Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

(6) Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

D. The penalty for violation of this section shall be in the amount of \$100.
[Added 4-17-2014 by Ord. No. 16-2014]

TABLED: ORDINANCE #19– 2016 AN ORDINANCE AMENDING CHAPTER 175-26 K, SIGNS, OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

RESOLUTIONS:

RESOLUTION #162-2016 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

\$ 752.85

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

RESOLUTION # 163-2016 MARGATE CITY BILL LIST / PAYROLL SEPTEMBER 1, 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:

\$ 854,504.65

PREVIOUSLY PAID:

\$ 47,581.10

PAYROLL ACCOUNT – September 1, 2016

CURRENT ACCOUNT

\$ 533,108.26

WATER & SEWER

\$ 61,328.84

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

RESOLUTION #164-2016 AUTHORIZING TRANSFER OF FUNDS FROM ESCROW ACCOUNT TO GENERAL FUND

WHEREAS, the Mayor and Commissioners of the City of Margate City, County of Atlantic State of New Jersey wish to transfer dated Escrow Account balances to the General Fund Account; and

WHEREAS, each of the persons or companies listed below has been notified by certified mail on two separate occasions of their non-compliance for failure to submit an as built survey of the completed bulkhead; and

WHEREAS, the Escrowee has been informed of the forfeiture of the said Escrow Balance if compliance of a completed bulkhead survey was not achieved within six months of notification; and

WHEREAS, one year has passed since the second notification of forfeiture has been sent; and

WHEREAS, the total amount to be transferred is \$6,252.00 as per the list below

Name		Open Date	Block	Lot	Balance
Allison Land	BULKHEAD	7/10/2009	619	9	290.00
Leeds Bldrs (Jeff & Michelle Greenberg)	BULKHEAD	7/17/2009	12	18	282.50
Trident Piling Co	BULKHEAD	2/17/2010	1200	51	222.50
Louis & Paul Cramer	BULKHEAD	3/24/2010	1200	40	290.00
Andrea Mesham		4/1/2010			500.00
S. Hauck LLC (422 N Nassau)	BULKHEAD	8/16/2010	515	13	357.50
Trident Marine (Joseph Stewart)	BULKHEAD	9/14/2010	714	1	92.50
EAST SHORE DEV., LLC	BULKHEAD	11/3/2010	111.02	16	500.00
Trident Piling	BULKHEAD	4/27/2011	619	7	215.00
Trident Piling	BULKHEAD	4/27/2011	714	812	177.00
TRIDENT MARINE (FAGAN)	BULKHEAD	11/15/2011	1200	58	290.00
CHANNEL MARINE CONSTR	BULKHEAD	2/29/2012	623	14, 14.	290.00
A CHARLES PERUTO	BULKHEAD	3/12/2012	619	36	290.00
Leeds Bldrs (GERALD PARSONS)	BULKHEAD	5/10/2012	1002	2	365.00
CHANNEL MARINE CONSTR	BULKHEAD	5/10/2012	520	19	35.00
TRIDENT PILING LLC	BULKHEAD	5/31/2012	718	12	140.00
MICHAEL BURNS	BULKHEAD	9/11/2012	1200	56	290.00
JOSEPH STEWART- TRIDENT PILING CO	BULKHEAD	12/5/2012	520	42	222.50
JONATHON GREENBERG	BULKHEAD	12/10/2012	1004.02	7	222.50
JOSEPH STEWART- TRIDENT PILING CO	BULKHEAD	2/20/2013	520	14, 16	290.00
CHANNEL MARINE CONSTR	BULKHEAD	3/22/2013	1200	49	155.00
MICHAEL BURNS	BULKHEAD	4/19/2013	1200	56	290.00
CHANNEL MARINE CONSTR	BULKHEAD	5/31/2013	619	36	155.00
JOSEPH STEWART- TRIDENT PILING CO	BULKHEAD	12/23/2013	619	30	290.00
			TOTAL		\$6,252.00

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate, County of Atlantic, State of New Jersey, that it authorizes the transfer of all forfeited Escrow Account Balances to the General Fund Account; and

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

1. Lisa McLaughlin, CFO

ROLL CALL:

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

RESOLUTION #165-2016 RESOLUTION AUTHORIZING CHANGE ORDER #1
For PUBLIC WORKS FUEL TANK REMOVAL

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey did on July 7, 2016 authorize the award of a contract to Northstar Environmental Services, Clermont, NJ, in the amount of \$18,272.00; and

WHEREAS, on July 26 City Purchasing Agent, Roger McLarnon, recommended Change Order #1 in the amount of \$3,500.00 for the cost of Prevailing Wages Law requirements; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available under Capital Ordinance 2016-05 C04-55-978-904;

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 be approved bringing the revised contract amount to \$21,772.00

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

- 1. Lisa McLaughlin, CFO
- 2. Roger McLarnon, City Purchasing Agent
- 3. Northstar Environmental Services, 36 Clermont Drive, Clermont, NJ 08210

ROLL CALL:

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

RESOLUTION #166-2016 AUTHORIZING A PARTNERSHIP AGREEMENT BETWEEN MARGATE CITY AND ATLANTIC COUNTY TO ADMINISTRATER THE CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM GRANT

WHEREAS, The Mayor and Commissioners adopted Resolution #98-2016, June 2, 2016 authorizing application for a Congestion Mitigation and Air Quality Improvement Program Grant; and

WHEREAS, the CMAQ Program provides federal funding for transportation projects located in the SJTPO region that reduce congestion and improve air quality; and

WHEREAS, The City of Margate desires to partner with Atlantic County as the public sponsor of a proposed Congestion Mitigation and Air Quality Improvement Program (CMAQ); and

NOW THERFORE BE IT RESOLVED that the Mayor and City Clerk agree to the attached Partnership Agreement.

ROLL CALL:

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

RESOLUTION #167-2016 A RESOLUTION AMENDING PERSONNEL POLICIES AND PROCEDURE MANUAL TO BE KNOWN AS “EMPLOYEE HANDBOOK/POLICY AND PROCEDURE MANUAL”

WHEREAS, it is the policy of the City of Margate to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the

New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Board of Commissioners has determined that there is a need for clear personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate that the Employee Handbook/Personnel Policy and Procedure Manual dated 2016 attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all City officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by City employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Board of Commissioners

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the City of Margate shall operate under the legal doctrine known as “employment at will.”

ROLL CALL:

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

**RESOLUTION #168-2016AUTHORIZING THE CANCELATION OF VARIOUS
IMPROVEMENT AUTHORIZATIONS OF
THE WATER AND SEWER UTILITY CAPITAL FUND**

Whereas, certain Water and Sewer Utility Capital Improvement Authorization and Appropriation balances remain dedicated to certain projects, and

WHEREAS, it is the desire of the Board of Commissioners of the City of Margate City to cancel said unexpended balances,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that the following improvement authorization balances be canceled and the unexpended monies be allocated as follows:

ORDINANCE #	PURPOSE	AMOUNT CANCELED TO CAPITAL SURPLUS
2013-05	2012-2013 ROAD PROGRAM-SANITARY SEWER; WELL #8	144,200.03
2014-04	WELL #10; GLADSTONE WET WELL SURFACE	36,036.85
TOTALS		\$180,236.88

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			

Amodeo			X			
Blumberg		X	X			

RESOLUTION #169-2016 AUTHORIZING THE CANCELATION OF VARIOUS
IMPROVEMENT AUTHORIZATIONS OF THE GENERAL CAPITAL FUND

Whereas, certain General Capital Improvement Authorization and Appropriation balances remain dedicated to certain projects, and

WHEREAS, it is the desire of the Board of Commissioners of the City of Margate City to cancel said unexpended balances,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that the following improvement authorization balances be canceled and the unexpended monies be allocated as follows:

ORDINANCE #	PURPOSE	TOTAL CANCELED	CANCELED TO DEF CHARGES FUTURE TAX UNFUNDED	AMOUNT CANCELED TO CAPITAL SURPLUS
20019-18; 10-12; 10-36	2009/2010 STATE AID & ROAD PROGRAM	8,184.12	8,184.12	
2009-19	VENTNOR AVE STREETScape; DOG PARK; BEACH ACCESS; PARK SYSTEM IMP	65,308.92		65,308.92
2010-16; 10-30	REPAINT BENSON AVE WATER TANK	6,500.00		6,500.00
2010-31	PUBLIC WORKS VEHICLES	19,001.92		19,001.92
2011-18; 11-21	FIRE STN #1 RENOVATIONS	0.75		0.75
2012-03	FIRE STN #1 RENOVATIONS & FURNISHINGS	49,899.87		49,899.87
2012-11	2012 ROAD PROGRAM; VARIOUS EQUIPMENT; BEACH ACCESS	84,931.94		84,931.94
2013-04	2012-2013 ROAD PROGRAM	42,656.92		42,656.92
2013-03	EMERGENCY-HURRICANE SANDY	89,406.63	1,284.00	88,122.63
2013-15	IMP TO MINICIPAL FACILITIES; VEHICLES & EQUIP; 2013/*2014 ROAD PROGRAM	193,345.53		193,345.53
2014-24	CITY HALL & MUNI BLDG REPAIRS	35,760.06		35,760.06
TOTALS		\$594,996.66	\$ 9,468.12	\$585,528.54

ROLL CALL:

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

DATE: September 1, 2016

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