

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

October 20, 2016

MARGATE CITY, NEW JERSEY

The Regular Meeting of the Board of Commissioners was held on the above date at 4:45 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 October 6th, 2016, Workshop/Regular and Capital 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 in favor of closing one of the schools in order to reduce school spending.

Art Cautilli- 114 N. Lancaster Avenue- Speaks on school enrollment and closing one of the buildings.

Steve Worner-103 N. Summer Avenue- Speaks on the cost of sending each pupil to school and inquires of the number of families that have children in Margate schools.

John De Persenaire- 1 Exeter Court- Speaks on the consideration of installing a title-gate at the end of Lagoon. This project could benefit the residents in this area who feel the effects of the tides receding.

Fred Verna- 7811 Burk Avenue- Speaks in favor of the floodgate on Minnie Creek.

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

Ordinance Introduction:

A motion to introduce Ordinance #23-2016 was put forth by Mr. Amodeo, second by Mr. Blumberg.

**AN ORDINANCE AMENDING CHAPTER 175, LAND USE, OF THE CODE OF THE
CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY**

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

SECTION 1. Margate City Code Chapter 175, Land Use, shall be amended as follows:

A. Section 175-33 (D)(3)(C), Requirements for specific accessory structures and uses – Decks, shall be amended as follows:

1. Section 175-33 (D)(3)(C) shall be amended as follows:

Add the following:

- (3) Decks above 18” from existing adjacent grade are not permitted within the rear yard where the projected side yards and rear yards would co-exist.
- (4) No rear yard decks above 18” from existing adjacent grade shall be permitted beyond the building envelope into any projected side yard.
- (5) Steps required to access the rear yard decks are permitted to encroach within the projected side yard. One 4 foot by 4 foot landing is permitted to change direction on one side only.
- (6) Side yard shall be unoccupied and unobstructed from the ground upward, except as may be permitted elsewhere in this chapter.

SECTION 2: All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 3: This ordinance shall take effect upon its final passage and publication as required by law.

A motion to introduce Ordinance #24-2016 was put forth by Mayor Becker, second by Mr. Blumberg.

ORDINANCE #24-2016 AN ORDINANCE AMENDING CHAPTER 257, VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

SECTION 1. Margate City Code **Chapter 257-15** shall be amended to **add** the following locations for handicapped parking within the City of Margate City:

257-15 Handicapped Parking on Streets

<u>Name of Street</u>	<u>Location</u>
203 North Argyle Avenue	From a point 288 feet south of the southerly curbline of Amherst Avenue to a point 22 feet south thereof.
14 North Rumson Avenue	From a point 35 feet south of the southerly curbline of Winchester Avenue to a point 22 feet south thereof.

SECTION 2. All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 3. This ordinance shall take effect upon its final passage and publication as required by law.

Ordinance Adoption:

A motion to adopt Ordinance #22-2016 was put forth by Mayor Becker, second by Mr. Blumberg.

**THE CITY OF MARGATE CITY
IN THE COUNTY OF ATLANTIC COUNTY, NEW JERSEY
ORDINANCE NO. 22-2016
REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC, NEW JERSEY**

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARGATE CITY, COUNTY

OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (“**Local Bond Law**”), as follows:

Section 1. For the purposes stated in Section 2 of this refunding bond ordinance (“**Ordinance**”), negotiable general obligation refunding bonds of the City of Margate City, County of Atlantic, New Jersey (“**City**”), to be designated substantially “City of Margate City, General Obligation Refunding Bonds, Series 2016” (“**Refunding Bonds**”), are hereby authorized to be issued in an aggregate principal amount not to exceed \$10,000,000, pursuant to Sections 40A:2-51 to 40A:2-53 and Sections 40A:2-55 to 40A:2-59 of the Local Bond Law.

Section 2. The purposes for which the Refunding Bonds are authorized to be issued as permitted by Section 40A:2-51 of the Local Bond Law are:

(a) Paying or refunding of \$8,395,000 in aggregate principal amount of the City’s General Improvement Bonds, Series 2011, constituting the bonds of such series maturing on and after January 15, 2022 (the “**Prior Bonds**”); and

(b) Paying the costs of the issuance of the Refunding Bonds, including underwriting discount, insurance premium, printing, advertising, accounting, financial and legal expenses, in an amount not to exceed \$175,000, which amount is included in the authorized principal amount of the Refunding Bonds.

Section 3. Pursuant to Section 40A:2-58 of the Local Bond Law, the Refunding Bonds shall be issued in fully registered form, in the denomination of \$5,000 or any integral multiple thereof and shall mature at such time or times not exceeding twelve (12) years from the date thereof. The Refunding Bonds shall bear a designation including the word “refunding”, as provided in Section 1 hereof, and the text of the Refunding Bonds shall recite that such Bonds are issued pursuant to the Local Bond Law. All other terms of the Refunding Bonds, including, without limitation, the dates thereof, the rate or rates of interest to be paid thereon, the provisions for redemption prior to maturity thereof, and the place or places for payment thereof, shall be as determined by subsequent resolution or resolutions of the Commission of the City of Margate City (the “**Commission**”), as permitted by Section 40A:2-58 of the Local Bond Law.

Section 4. (a) In accordance with Section 40A:2-55 of the Local Bond Law, a certified copy of this Ordinance shall be filed before final passage thereof with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, together with a complete statement in the form prescribed by the Director (“**Director**”) as required by Section 40A:2-55 of the Local Bond Law as to the Prior Bonds, executed by the Chief Financial Officer of the City.

(b) The Prior Bonds have been issued by the City pursuant to the Local Bond Law and it is hereby confirmed and acknowledged that the Prior Bonds are valid and binding obligations of the City.

Section 5. The full faith, credit and taxing power of the City are hereby pledged to the payment of principal of and interest on the Refunding Bonds. The Local Bond Law provides that the Refunding Bonds shall be direct, unlimited obligations of the City and that the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for payment of principal of and interest on the Refunding Bonds without limitation of rate or amount.

Section 6. Escrow funds pledged for the payment and security of the Prior Bonds are hereby authorized to be established with proceeds of the Refunding Bonds pursuant to an escrow agreement or agreements with respect to the Prior Bonds executed and delivered by the City and any bank, trust company or national banking association with trust powers having its principal office in the State of New Jersey and designated by resolution of the Commission to act as escrow agent under such agreement. Such escrow agreement(s) shall be in form approved by subsequent resolution of the Commission.

Section 7. The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the City under the affixed, imprinted or reproduced seal of the City attested by the manual or facsimile signature of the City Clerk.

Section 8. The Commission is hereby authorized and directed to enter into any and all contracts or agreements necessary, desirable or convenient to effectuate the refunding program authorized by this Ordinance, including, without limitation, the payment and refunding of the Prior Bonds and in connection therewith the Commission may establish any sinking fund or other fund or account necessary or appropriate for such refunding program.

Section 9. In accordance with the provisions of N.J.A.C. 5:30-2.5, the Commission hereby determines that the following conditions apply to the issuance of the proposed Refunding Bonds:

- (a) the present value savings will be at least three (3%) percent;
- (b) No annual debt service payment on the Refunding Bonds shall be more than the debt service schedule on the Prior Bonds;
- (c) the final maturity of the Refunding Bonds shall not exceed the maturity date of the Prior Bonds; and
- (d) the debt service savings are substantially level across the life of the refunding transaction.

Section 10. The Mayor and members of the Commission and appropriate officials of the City, including without limitation the Chief Financial Officer, are hereby jointly and severally authorized and directed to take all actions and execute all documents and instruments necessary or appropriate to carry out the purposes of this Ordinance, including, without limitation, the furnishing of such documentation, certifications, and information as may be required by the Director of the Local Finance Board of the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey (the "**Local Finance Board**"), including the filing within ten (10) days of the closing on the issuance of the Refunding Bonds of such information and documentation with the Local Finance Board as required by of N.J.A.C. 5:30-2.5. All prior actions taken by such officials in connection with the refunding program authorized by this Ordinance are hereby ratified and confirmed.

Section 11. This Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Johanna Casey, RMC, City Clerk

FIRST READING:	October 6, 2016
PUBLICATION:	October 11, 2016
FINAL READING:	October 20, 2016
PUBLICATION WITH STATEMENT:	October 25, 2016

RESOLUTIONS:

RESOLUTION # 189-2016 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:

<u>COLMAR HOME CENTER</u>	\$857.11
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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.

ROLL CALL:

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

**RESOLUTION # 190-2016 MARGATE CITY BILL LIST / PAYROLL
OCTOBER 20, 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: \$811,602.87

PREVIOUSLY PAID: \$881,973.33

PAYROLL ACCOUNT – October 13, 2016

CURRENT ACCOUNT \$445,556.19

WATER & SEWER \$ 67,235.19

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 NO. 191- 2016 AUTHORIZING THE AWARD OF CONTRACT
FOR MUNICIPAL AUDITOR Ford - Scott & Associates, L.L.C.**

WHEREAS, the Board of Commissioners of the City of Margate City has determined it has a need to acquire Government Auditing Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5* and Margate City Ordinance #36- 2005; and

WHEREAS, the anticipated term of the contract is one year and may be extended one time as approved by the Board of Commissioners; and

WHEREAS, Ford - Scott & Associates, L.L.C., 1535 Haven Avenue, Ocean City, NJ 08226 has completed and submitted a Business Entity Disclosure Certification which certifies that Ford - Scott & Associates, L.L.C. has not made any contributions to a political or candidate committee in the City of Margate in the previous one year, and that the contract will prohibit Ford - Scott & Associates, L.L.C., from making any contributions through the term of the contract; 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: Future Operating Budget: Financial Admin Audit 7-01-20-135-201 \$34,600.00; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City as follows:

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract between the City of Margate and Ford - Scott & Associates, L.L.C. for municipal auditing services in the amount not to exceed \$34,600.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
3. A notice of this action shall be printed once in the Press of Atlantic City.

ROLL CALL:

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

RESOLUTION #192 of 2016 REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87 – 2016 BODY ARMOR GRANT

WHEREAS, a grant from The New Jersey Division of Criminal Justice, in the amount of TWO THOUSAND FIVE HUNDRED EIGHTY-FIVE DOLLARS AND SIXTEEN CENTS (\$2,585.16) has become available to the City of Margate City; and

WHEREAS, the Director of the Division of Local Government Services under authority of NJSA 40A: 4-87 may approve the insertion of any special item of revenue in a budget of any county or municipality when such an item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Margate City, Atlantic County, New Jersey hereby requests the Director of the Division of Local Government Services approve the insertion of the following item of revenue into the budget of the year 2016 in the sum of \$2,585.16 which is now available; and

BE IT FURTHER RESOLVED that a like sum of TWO THOUSAND FIVE HUNDRED EIGHTY-FIVE DOLLARS AND SIXTEEN CENTS (\$2,585.16) be and the same is hereby appropriated under the caption “2016 Body Armor Grant”.

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			
Amodeo	X		X			
Blumberg		X	X			

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