

REGULAR MEETING MINUTES CITY COMMISSION – MARGATE CITY

JUNE 20, 2019

MARGATE CITY, NEW JERSEY

THE ATLANTIC CITY PRESS AND THE STAR LEDGER WERE NOTIFIED OF THIS MEETING AND A COPY OF THE SAME WAS POSTED ON THE BULLETIN BOARD AND THE MUNICIPAL WEBSITE.

The Regular Meeting of the Board of Commissioners was held on the above date at 5:00 p.m. at the Margate City Hall, 1 South Washington Avenue, Margate, NJ 08402. The meeting began with a flag salute and roll call: Mayor Michael Becker, Commissioner John Amodeo and Commissioner Maury Blumberg were present. Johanna Casey, Rich Deaney, and Scott Abbott were also present. The minutes from the June 6, 2019 Capital, Workshop and Regular Meetings were approved as read on motion by Commissioner Amodeo, seconded by Mayor Becker with a vote three ayes.

Public Comment:

John Sewell, 22 West Drive: Speaks on the commission's lack of financial responsibility. States what will happen if the schools do not consolidate.

Art Cantilli, 114 N. Lancaster Ave.: Speaks against expanding the Pre-K program and questions allowing tuition students into the Margate School system.

Howard Weiss, 9707 Amherst, Slip A26 : Requesting clarification from Lamberti's Restaurant on where ramps will be located and if there will be 24/7 egress to A dock for those using the slips at the Bay Club Marina Condos. Inquiring if the negotiations with Lamberti's includes keeping the Bay Club Marina parking spots.

Commissioner Amodeo: The DEP requires access be given to those using the boat slips and approving the access plan. Explains the design layout given by Lamberti showing where ramps and exits will go. No changes to original parking spots designated for Bay Club Marina.

Howard Weiss: Requesting if ramps will be connected.

Commissioner Amodeo: Recommends Mr. Weiss come to city hall to view the plans. The DEP is responsible for giving approval of design for this project, not the city.

Howard Weiss: States Mr. Lamberti said there would be no 24 hour access to the restaurant ramp.

Commissioner Amodeo and Mayor Becker: DEP will not allow not having 24 hour access.

Jim Duncan, 4 S. Adams Ave.: Speaks on issues with the fencing and lighting at the parking lot across from Johnny's Restaurant.

Commissioner Amodeo: Per the city zoning officer the rule is no light infiltration is allowed onto another's property. States he will come to Mr. Dunkin's property with the zoning officer to check on the lighting.

Ed Berger, 9402 Amherst Ave.: Lists upcoming events supported by the Margate Business Association. Speaks on the MBA scholarship fund and the Margate Children's Fund.

Barry Sherman, 9510 Amherst Ave.: Inquiring why the city is not repairing chained off parking spaces in need of repair. Requests the city contact Atlantic City Electric about street lights not working.

Mayor Becker: Will contact Atlantic City Electric. Believes work on parking spots is being done.

Commissioner Amodeo: Replies they are. Eight spots were opened up today.

Steve Worner, 103 N. Sumner Ave.: Inquiring if money is available to reline Atlantic Avenue.

Mayor Becker: Nothing is currently being done.

Steve Worner: The Margate Concerned Citizen's Group would like to see the relining of Atlantic Avenue, to make one lane each direction, making turning lanes and widening the bike lanes. Recommending trying to find a grant to cover these changes to Atlantic Avenue.

Chuck Shamman, 1 N. Granville: Making traffic one lane each way on Atlantic will only cause traffic to move to other streets. It is the bike riders who cause the issues, not the bike lanes. Request more police presence on Ventnor Avenue to prevent accidents.

Commissioner Amodeo: Class II Officers will be on patrol along this area all summer long.

Seeing that there were no additional comments, a motion to close Public Comments was put forth by Commissioner Blumberg, seconded by Commissioner Amodeo, with a vote of three ayes.

Public Comment Ordinances and Resolutions Adoption:

Seeing that there were no comments, a motion to close Public Comments on Resolutions and Ordinances was put forth by Commissioner Blumberg, seconded by Commissioner Amodeo, with a vote of three ayes.

ORDINANCES: Introduction

ORDINANCES: Public/Adoption

A motion to adopt Ordinance #06-2019 was put forth by Mayor Becker seconded by Commissioner Amodeo, with a vote of three ayes.

ORDINANCE 06 – 2019

AN ORDINANCE AMENDING, CHAPTER 91 – BUILDINGS, DEMOLITION OF, TO ADD NEW SECTION 91.9, DUST CONTROL AND WATER USAGE DURING DEMOLITION, 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 Buildings, Demolition of, Chapter 91, shall be amended as follows:

New Section 91.9, Dust control and water usage during demolition, shall be added as follows:

A. All demolition contractors, builders and construction contractors who perform demolition activities in the City of Margate City, must either provide proof that a water truck will be utilized at any demolition site or obtain a permit from the Water and Sewer Department for temporary use of a hydrant. Fee shall be \$50.00 for a temporary water meter for the hydrant use. Proof of such Permit must be provided in addition to the current demolition permit requirements.

B. Water must be sprayed during demolition to help control windblown fine materials such as soil, concrete dust and paint chips. The amount of water must be controlled so that runoff from the site does not occur, yet dust control is achieved. To protect the stormwater drainage system from runoff and loose particles, adjacent street gutters, sidewalks, driveways and other paved surfaces in the immediate area of the demolition must be swept daily to collect and properly dispose of loose debris and garbage.

SECTION 3. Current §91.9, Summer work restricted, shall now be known as §91.10. Current §91.10, Notice of complete demolition work, shall now be known as §91.11. Current §91.11, Violations and penalties, shall now be known as §91.12.

SECTION 4. All ordinances or parts of ordinances inconsistent with any terms of this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 5: This ordinance shall take effect upon its final passage and publication as required by law.

RESOLUTIONS

RESOLUTION #140-2019
MARGATE CITY BILL LIST / PAYROLL
JUNE 20, 2019

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

<u>BILLS LIST AMOUNT:</u>	\$1,405,358.45
<u>PREVIOUSLY PAID:</u>	\$ 1,916.79
<u>PAYROLL ACCOUNT</u> – June 20, 2019	
<u>CURRENT ACCOUNT</u>	\$ 487,251.22
<u>WATER & SEWER</u>	\$ 55,606.28

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			
Amodeo	X		X			
Blumberg		X	X			

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City of Margate City
Purchase Order Listing By P.O. Number

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P.O. Type: All
Range: First to Last
Format: Condensed
Include Non-Budgeted: Y

Open: N
Rcvd: Y
Bid: Y

Paid: N
Held: N
State: Y

Void: N
Aprv: Y
Other: Y
Exempt: Y

First Enc Date Range: First to 12/31/19

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-00218	01/01/18	SWIFT LA SWIFT LAW FIRM	2018 Public defender	Open	1,200.00	0.00	C
		Contract No: C1800015					
18-01281	08/09/18	WMCLEES William McLees ArchitectureLLC	Architect-Public wrks facility	Open	7,000.00	0.00	C
		Contract No: C1800027					
18-01563	10/23/18	WINNER Winner Ford	safety equip Ford Explorers	Open	33,740.72	0.00	
18-01581	10/26/18	DOROT005 McCrosson & Stanton, PC	Special counsel-tax attorney	Open	418.65	0.00	B
18-01712	11/30/18	TACTICAL TACTICAL PUBLIC SAFETY LLC	Beach Patrol Radio Maintenance	Open	1,500.00	0.00	
19-00002	01/03/19	NJDIVPEN NJ DIV OF PENSION & BENEFITS	2019 Employee health benefits	Open	224,677.47	0.00	B
19-00022	01/10/19	VITAL Vital Communications, INC	Assessment Service & MOD IV	Open	1,450.00	0.00	C
		Contract No: C1900001					
19-00025	01/01/19	SWIFT LA SWIFT LAW FIRM	Public Defender	Open	300.00	0.00	C
		Contract No: C1900004					
19-00027	01/01/19	CIOETACO Cioeta Consulting, LLC	HR Consulting Services	Open	5,460.00	0.00	C
		Contract No: C1900006					
19-00028	01/01/19	ROVILLAR HANK ROVILLARD, ESQ., LLC	Tax attorney- tax appeals	Open	6,196.50	0.00	C
		Contract No: C1900007					
19-00033	01/01/19	NATION Nationwide Employee Benefits	Employee Life and AD&D	Open	373.68	0.00	C
		Contract No: C1900010					
19-00034	01/01/19	ANIMAL SAMUEL W. HOLLAND DBA	Animal control services	Open	650.00	0.00	C
		Contract No: C1900011					
19-00039	01/01/19	BARKER Barker, Gelfand,	HR service- employment law	Open	5,267.00	0.00	C
		Contract No: C1900016					
19-00043	01/01/19	BARRIER BARRIER PEST CONTROL	2019 Pest Control	Open	650.00	0.00	B
19-00044	01/01/19	MARGBDED MARGATE CITY BD OF EDUCATION	School taxes	Open	880,950.65	0.00	B
19-00046	01/01/19	CASA CASA PAYROLL SERVICE	2019 Payroll service	Open	544.35	0.00	B
19-00051	01/11/19	SAMS Sam's Club	Concessions and Supplies	Open	262.52	0.00	
19-00053	01/11/19	SAMS Sam's Club	Supplies	Open	541.76	0.00	
19-00060	01/11/19	FRYES Frye's Auto Repair	Auto Repairs/Supplies	Open	131.50	0.00	
19-00063	01/11/19	STAPLCRE Staples Business Credit	Officer Supplies	Open	765.28	0.00	
19-00080	01/11/19	MCANJ MCANJ	Municipal Clerks membership	Open	75.00	0.00	
19-00086	01/14/19	WB MASON W.B. MASON CO., INC.	Office Supplies	Open	88.58	0.00	
19-00093	01/14/19	DRAEGER DRAEGER, INC.	Alco-test supplies	Open	240.00	0.00	
19-00095	01/14/19	FORKED FORKED RIVER DIESEL & GENERATO	SERVICE/PARTS FOR WELL HOUSES	Open	1,426.00	0.00	
19-00096	01/15/19	HOMED308 Home Depot Credit Services	MATERIALS & SUPPLIES	Open	52.11	0.00	
19-00100	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/General Account	Open	8,896.94	0.00	
19-00101	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ W/S Accounts	Open	9,130.58	0.00	
19-00102	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ St.Lt. Account	Open	598.81	0.00	
19-00103	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ Temp. Account	Open	168.80	0.00	
19-00107	01/15/19	ACPRESS PRESS OF ATLANTIC CITY	City Clerk Legal Ads	Open	362.00	0.00	
19-00109	01/15/19	SJGASCOM SOUTH JERSEY GAS COMPANY	2019 monthly charges	Open	647.22	0.00	
19-00112	01/15/19	CONSTELL Constellation New Energy, Inc.	2019 monthly electric charges	Open	6,639.86	0.00	
19-00113	01/15/19	J CINCOY Joseph Cincotta	2019 LG Pension	Open	535.76	0.00	
19-00114	01/15/19	JGALLAGH JAMES GALLAGHER	2019 LG Pension	Open	247.15	0.00	
19-00115	01/15/19	JOHN SLA John Slattery, III	2019 LG Pension	Open	157.72	0.00	
19-00116	01/15/19	KING GEORGE KING	2019 LG Pension	Open	384.13	0.00	
19-00117	01/15/19	MICHAELB Michael Baylinson	2019 LG Pension	Open	532.64	0.00	
19-00118	01/15/19	RICHKUG RICHARD H. KUGEL	2019 LG Pension	Open	1,959.75	0.00	
19-00119	01/15/19	SMALLWOOD CARL SMALLWOOD	2019 LG Pension	Open	536.62	0.00	
19-00130	05/20/19	COLONIAL Colonial Electrical Supply Inc	MATERIALS & SUPPLIES	Open	257.99	0.00	

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City of Margate City
Purchase Order Listing By P.O. Number

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00133	01/16/19	LISA MCL	LISA MCLAUGHLIN	2019 expense reimbursements	Open	92.80	0.00
19-00142	01/22/19	METER	The Meter Guy, LLC.	SCADA WEBSITE ADMIN FEE	Open	250.00	0.00
19-00156	01/23/19	WB MASON	W.B. MASON CO., INC.	MATERIAL & SUPPLIES	Open	647.28	0.00
19-00158	01/23/19	CSL	CSL WATER QUALITY, INC.	quarterly water treatment	Open	750.00	0.00 B
19-00167	01/18/19	AE STONE	A.E. STONE, INC.	2019 COLD & HOT PATCH	Open	2,460.40	0.00
19-00168	01/24/19	CATERINA	Caterina Supply, Inc.	METER SUPPLIES	Open	5,931.00	0.00
19-00182	01/08/19	RALPHCLA	RALPH CLAYTON & SONS	CONCRETE	Open	522.52	0.00
19-00189	01/29/19	SHEPPARD	Sheppard Bus Service	Bus Trips	Open	1,550.00	0.00
19-00191	01/29/19	MEREDITH	Meredith Punthrangkul	Kids Classes	Open	100.00	0.00
19-00192	01/29/19	JOAN J	Joan Jablonoski	Cooking Classes	Open	80.00	0.00
19-00222	01/31/19	PEDRONI	PEDRONI FUEL COMPANY	FUEL CONTRACT 2019	Open	11,699.50	0.00
19-00234	02/01/19	DOLCEAMO	Victoria Dolceamore	Piano Teacher	Open	150.00	0.00
19-00239	02/01/19	ONECONCE	One Call Concepts, Inc.	2019 MARKOUTS	Open	360.40	0.00
19-00240	02/01/19	NAPA AU	Val-U Auto LLC	MATERIALS & SUPPLIES	Open	209.23	0.00
19-00247	01/01/19	DELTADEN	DELTA DENTAL PLAN OF NJ	employee dental insurance	Open	11,502.90	0.00 B
19-00260	02/05/19	COLMAR	Colmar Home Center	Purchases/Supplies for 2019	Open	21.77	0.00
19-00266	02/05/19	THISTHAT	THIS & THAT UNIFORMS LLC	uniforms and Supplies	Open	1,363.00	0.00
19-00279	02/06/19	OLD CAPE	OLD CAPE, INC.	CONCRETE/ASPHALT W&S	Open	602.40	0.00
19-00323	01/01/19	MANOS	Manos Law Firm, LLC.	Planning Bd solicitor	Open	1,200.00	0.00 B
19-00326	05/23/19	GROFF005	GT Mid Atlantic LLC	PARTS & SERVICE (LOADERS)	Open	329.50	0.00
19-00339	02/20/19	GLOBAL I	Global Industrial Equipment	DUNE BENCHES	Open	2,138.93	0.00
19-00428	03/05/19	CATAMA	CATAMARAN MEDIA COMPANY	Yard Sale 2019	Open	816.89	0.00
19-00442	03/06/19	SOMERS P	SOMERS POINT LUMBER, INC.	MATERIALS & SUPPLIES	Open	3,159.50	0.00
19-00443	03/06/19	VENTNORP	Ventnor Print Shop	Tax Office Order	Open	225.00	0.00
19-00447	03/06/19	TPGALL2	Thomas P. Gallagher	2019 Lifeguard Pension	Open	122.00	0.00
19-00480	03/13/19	WB MASON	W.B. MASON CO., INC.	HR supplies	Open	115.65	0.00
19-00508	03/21/19	TARA	Tara Mazza	2019 Milage/Tolls Reimbursemt	Open	191.34	0.00
19-00509	05/02/19	SCHOPPY	Wm. Schoppy, Inc.	DUNE BENCH MEMORIAL'S	Open	875.00	0.00
19-00518	03/22/19	CALVI	Calvi Electric Company	Snow Melt System Firehouse #1	Open	2,677.46	0.00
19-00529	03/27/19	GARDENST	GARDEN STATE HIGHWAY PRODUCTS	Signs and Parts for Signs	Open	1,287.00	0.00
19-00538	03/28/19	CERTSPEE	CERTIFIED SPEEDOMETER SERVICE	Certify Patrol Vehicles	Open	385.00	0.00
19-00571	04/05/19	BSNSPORT	BSN Sports, LLC	Lifeguard Uniforms - 2019	Open	1,397.00	0.00
19-00577	04/08/19	CURRIER	Currier's Magical Mania, LLC	Summer Camp Events	Open	1,350.00	0.00
19-00599	04/10/19	GARYGLAS	GARY M. GLASS, M.D.	Pre-Employment Evaluations	Open	350.00	0.00
19-00600	04/10/19	ATLAN005	Atlanticare Physician Group PA	Pre-Employment Physical Exams	Open	434.00	0.00
19-00633	04/15/19	SCHOPPY	Wm. Schoppy, Inc.	BENCH PLAQUE MEMORIALS	Open	125.00	0.00
19-00646	04/18/19	ARTHUR	ARTHUR R. HENRY, INC.	Municipal playground upgrades	Open	26,705.00	0.00 C
Contract No: U1410000							
19-00656	04/22/19	PURDY	Purdy Mechanical, Inc.	SWEeper M16-IRWIN ACCIDENT	Open	4,420.04	0.00
19-00711	05/02/19	FARM	Farm-Rite, Inc.	Parts for Kubota tractor	Open	149.28	0.00
19-00736	05/06/19	PCM INC	PCM SALES INC	Desktop Scanner	Open	10.00	0.00
19-00748	05/07/19	WB MASON	W.B. MASON CO., INC.	janitorial supplies	Open	1,311.90	0.00
19-00773	05/09/19	JOAN N	JOAN NADEN	Pollworker-Muni Election	Open	200.00	0.00
19-00790	05/10/19	NEWJEO10	New Jersey Advance Media	Safe Routes to School Project	Open	930.42	0.00
19-00801	05/13/19	GLOBAL I	Global Industrial Equipment	benches, trash containers	Open	2,514.43	0.00
19-00802	05/13/19	HUNTER	HUNTER JERSEY PETERBILT	ABS Module for M-9	Open	543.06	0.00
19-00804	05/20/19	THOM WES	THOMSON REUTERS WEST	NJ STAT 2019 PP	Open	873.00	0.00
19-00823	05/14/19	FARM	Farm-Rite, Inc.	Case tractor fuel tank straps	Open	133.15	0.00
19-00861	05/21/19	CALVI005	Calvin Tesler	refund election sign deposit	Open	250.00	0.00
19-00864	05/22/19	PEACHCO	PEACH COUNTRY TRACTOR, INC.	Repair Parts for Polaris Unit	Open	662.18	0.00
19-00866	05/22/19	PHOTOGRA	PHOTO GRAPHICS PHOTOGRAPHY	Aerial Images	Open	330.00	0.00
19-00873	05/23/19	STAPLCRE	Staples Business Credit	Office Supplies	Open	497.36	0.00
19-00886	05/29/19	TD BANK	TD BANK, NATIONAL ASSOC	NJEIT loan repayments	Open	51,453.87	0.00
19-00889	05/29/19	LUCKY	Lucky Dog Custom Apparel	Beach Badge Uniforms	Open	3,857.05	0.00

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
19-00894	05/30/19	JMASSARE	Massarelli's Lawn	Fountain repair	Open	250.00	0.00	
19-00895	05/30/19	WB MASON	W.B. MASON CO., INC.	Ribbons	Open	88.78	0.00	
19-00901	05/31/19	CLEGG	Cleggs Garage, Inc.	Repairs truck M#10	Open	7,365.85	0.00	
19-00906	05/22/19	MES	MES Depository Account	Maintenance-Repairs Hurst Tool	Open	2,442.30	0.00	
19-00914	05/30/19	EASTERN	EASTERN SIGN COMPANY	Beach Patrol Stencils	Open	150.00	0.00	
19-00915	05/23/19	VERALPH	V.E. RALPH & SON, INC.	AED Units for Recreation	Open	2,295.70	0.00	
19-00920	06/03/19	GALLOWAY	GALLOWAY WHOLESALE NURSERY	More flowers for Marvin Garden	Open	150.00	0.00	
19-00922	06/03/19	CAPRIONI	CAPRIONI PORTABLE TOILETS INC.	Portable toilets for ballfield	Open	150.00	0.00	
19-00924	06/03/19	FROMUTH	Fromuth Tennis	Tennis/Pickleball Equipment	Open	222.23	0.00	
19-00928	06/01/19	BLUEWATE	Bluewater Graphics	No Swimming Signs - Outfall	Open	522.00	0.00	
19-00930	06/04/19	JAMES MC	James McClain, Jr.	state test reimbursement	Open	78.85	0.00	
19-00933	06/04/19	JAMES S	James M. Scullion	reimbursement for tolls/fees	Open	120.85	0.00	
19-00934	06/04/19	ATXTELEC	Broadview Networks	Telephone Service-May 2019	Open	3,654.75	0.00	
19-00935	06/04/19	VERIZONI	Verizon Wireless	cellular serve - May 2019	Open	688.67	0.00	
19-00936	06/04/19	ZACHARYV	Zachary R Verna	reimbursement for state exam	Open	77.60	0.00	
19-00937	06/04/19	VERIZON	VERIZON	ISDN circuit court rm-may2019	Open	215.34	0.00	
19-00939	06/05/19	TRICOUNT	Tri-County Building Supplies	MUNICIPAL BLDG - VENT COVERS	Open	34.62	0.00	
19-00943	06/05/19	BARNBROS	BARN BROTHERS, LLC	10' x 10" Shed - Beach Patrol	Open	2,770.00	0.00	
19-00944	06/05/19	WILLIAMS	WILLIAMS SCOTSMAN, INC.	Sta. 2 Trailer Rental Jan.2019	Open	286.00	0.00	
19-00945	06/05/19	VERALPH	V.E. RALPH & SON, INC.	Laerdal LSU Battery	Open	117.67	0.00	
19-00946	05/31/19	VCI	VCI Emergency Vehicle Special	ID Labels for Apparatus	Open	50.00	0.00	
19-00947	05/01/19	WESTMOOS	West Marine Products, Inc	Beach Patrol Supplies	Open	164.82	0.00	
19-00949	06/06/19	WEINSTEI	WEINSTEIN PLUMBING SUPPLY	Station 2 Repair Parts	Open	141.86	0.00	
19-00951	06/06/19	AC CYCLE	Atlantic City Cycle Center LLC	Yamaha ATV - Beach Patrol	Open	8,550.00	0.00	
19-00952	06/05/19	MODERNMA	MAS Modern Marketing Inc.	Fire Prevention Materials	Open	490.26	0.00	
19-00953	06/06/19	PARK ELE	Park Electric Motor Company	GLADSTONE AVE PUMP HOUSE	Open	506.01	0.00	
19-00955	06/06/19	CIVICPLU	CivicPlus, LLC	Annual Website Hosting	Open	2,295.00	0.00	
19-00956	06/06/19	IRONMOUN	IRON MOUNTAIN	record storage-june 2019	Open	471.37	0.00	
19-00960	06/06/19	UNIVERSA	UNIVERSAL SUPPLY COMPANY	CITY HALL DOWNSPOUTS	Open	39.96	0.00	
19-00961	06/06/19	ORCHARDS	ORCHARDS HYDRAULIC SERVICE,INC	M28-FORD TRACTOR (BALLFIELD)	Open	163.70	0.00	
19-00962	06/04/19	ATLANOOS	Atlanticare Physician Group PA	Return to Work Physicals	Open	120.00	0.00	
19-00963	06/03/19	FARM	Farm-Rite, Inc.	BEACH TRACTOR - WHEEL LOOSE	Open	100.00	0.00	
19-00964	06/10/19	HUNTER	HUNTER JERSEY PETERBILT	M10-EXHAUST PARTS	Open	576.90	0.00	
19-00965	06/10/19	EASTERN	EASTERN SIGN COMPANY	Signs and Lettering Station 1	Open	4,252.07	0.00	
19-00968	05/31/19	AAAABIKE	AAAA BIKE EMPORIUM	Bicycles & Repairs	Open	224.99	0.00	
19-00970	06/11/19	VERIZO10	Verizon Connect NWF, Inc.	Pw vehicle GPS-may 2019	Open	399.00	0.00	
19-00971	06/11/19	VERIZONI	Verizon Wireless	air cards PD vehicles-may 2019	Open	220.23	0.00	
19-00973	06/06/19	360TROOS	360 Translations	Interpretation 6/4/2019	Open	265.64	0.00	
19-00975	06/11/19	ANTHEDGE	Anthony Edge	travel- Clean Comm seminar	Open	218.45	0.00	
19-00978	06/12/19	GTBM	G.T.B.M. INC.	INFO-COP Annual License Renew	Open	4,845.00	0.00	
19-00979	06/12/19	NAPA	Napa Auto Parts	Auto Parts	Open	124.19	0.00	
19-00992	06/12/19	BLUEWATE	Bluewater Graphics	Signs for Playgrounds	Open	351.00	0.00	
19-00993	06/11/19	ALERTALL	Alert-All Corp.	Fire Prevention Materials	Open	697.25	0.00	
19-00994	06/07/19	WITMER	Witmer Public Safety Group, In	Fire Department Equipment	Open	644.00	0.00	
19-00995	05/31/19	SJWELDIN	SOUTH JERSEY WELDING SUPPLY CO	Oxygen Rental Fee - May 2019	Open	35.34	0.00	
19-00997	06/09/19	WILLIAMS	WILLIAMS SCOTSMAN, INC.	Sta. 2 Trailer Rental May 2019	Open	286.00	0.00	
19-00998	06/07/19	CAMPSUPP	Campbell Supply Company, LLC	Service Call for Portable Pump	Open	157.00	0.00	
19-00999	06/05/19	VERALPH	V.E. RALPH & SON, INC.	Beach Patrol EMS Supplies	Open	33.20	0.00	
19-01000	06/17/19	VERALPH	V.E. RALPH & SON, INC.	AED Unit - Beach Patrol	Open	1,147.85	0.00	
19-01001	06/06/19	MODERNMA	MAS Modern Marketing Inc.	Fire Prev. Materials Library	Open	711.45	0.00	
19-01003	06/17/19	BLUE360	Blue360 Media LLC	MV & Traffic Laws NJ	Open	63.75	0.00	
Total Purchase Orders:		144	Total P.O. Line Items:	0	Total List Amount:	1,405,358.45	Total Void Amount:	0.00

June 18, 2019
11:34 AMCity of Margate City
Purchase Order Listing By P.O. Number

Page No: 4

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
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June 18, 2019
11:34 AM

City of Margate City
Purchase Order Listing By P.O. Number

Page No: 5

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
APPROPRIATIONS	8-01	2,760.00	0.00	0.00	2,760.00
APPROPRIATIONS	9-01	1,281,588.50	0.00	0.00	1,281,588.50
	9-05	23,996.52	0.00	0.00	23,996.52
Year Total:		1,305,585.02	0.00	0.00	1,305,585.02
	C-04	83,958.21	0.00	0.00	83,958.21
	G-01	218.45	0.00	0.00	218.45
	T-09	5,931.00	0.00	0.00	5,931.00
	T-14	6,905.77	0.00	0.00	6,905.77
Year Total:		12,836.77	0.00	0.00	12,836.77
Total of All Funds:		1,405,358.45	0.00	0.00	1,405,358.45

City of Margate
Additional Bill List - Previously Paid

For meeting on 6/20/2019

CURRENT FUND		Vendor	Description	Amount	Date Paid	Check #
PO #						
19-00977	Comcast		monthly bills	\$ 1,904.19	6/12/2019	82024
Total Current Account				<u>\$ 1,904.19</u>		
WS UTILITY FUND						
Capital Fund						
Total Water /Sewer Account				<u>\$ -</u>		
DOG LICENSE TRUST						
19-00261	NJDHSS		dog license report	\$ 12.60	4/8/2019	
Total Dog License Account				<u>\$ 12.60</u>		
Total Paid All Funds				<u>\$ 1,916.79</u>		

RESOLUTION #141-2019

RENEWAL OF THE 2019-2020 LIQUOR LICENSES FOR THOSE LICENSEES WHO HAVE MET ALL CITY AND STATE REQUIREMENTS AND PAID ALL APPLICABICAL FEES

WHEREAS, the Retail Renewal Application forms for the 2019-2020 license term has been deemed complete in all respects, the annual fees have been paid to both the City of Margate City and the State of New Jersey, Division of ABC; and

WHEREAS, the City Commissioners of the City of Margate of the County of Atlantic, State of New Jersey, hereby authorizes the renewal of the following Retail Alcoholic Beverage Licenses for the 2019-2020 license term effective as of July 1, 2019 and subject to the conditions and limitations contained therein.

CLUB LICENSES

LICENSEE	TRADE NAME
Margate City Fire Company 0116-31-021-001	MARGATE LOG CABIN \$180

PLENARY RETAIL CONSUMPTION

LICENSEE	TRADE NAME
Margate License Inc. 016-33-003-013	TOMATOES RESTAURANT \$600
South End Suds & Suds, Corp 0116-33-004-006	SOUTH END LIQUORS \$600
Miyako Japanese Rest Corp 0116-33-005-005	MIYAKO JAPANESE RESTAURANT \$600
Lah Lah Land LLC 0116-33-006-010	SOPHIA RESTAURANT \$600
New Gold Inc. 0116-33-010-002	MEMORIES \$600
Robert's Place Inc. 0116-33-014-003	ROBERT'S PLACE \$600
CSST, Inc. 0116-33-016-010	STEVE & COOKIES' BY THE BAY \$600
Yo-Levin Inc 0116-33-017-005	VENTURA'S GREENHOUSE REST. \$600
7805 BOCCA LLC 0116-33-018-013	BOCCA \$600
Maynard's Inc 0116-33-019-004	MAYNARD'S CAFE \$600

PLENARY RETAIL DISTRIBUTION

LICENSEE	TRADE NAME
JayJala, LLC 0116-44-015-009	DOWNBEACH LIQUORS \$345

NOW, THEREFORE, BE IT RESOLVED by the City Commissioners of the City of Margate, County of Atlantic, State of New Jersey that authorization is hereby given to renew said licenses, effective July 1, 2019, the aforesaid liquor licenses for the license term 2019-2020; and

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

1. David Wolfson, Chief of Police
2. Lisa McLaughlin, Chief Finance Officer
3. Division of Alcoholic Beverage Control

ROLL CALL:

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

**RESOLUTION #142-2019
AUTHORIZING THE AWARD OF CONTRACT
FOR CRS CONSULTANT**

WHEREAS, the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey has determined it has a need to acquire a CRS Consultant 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 of 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, Benny R. Tafoya, CFM, CMfgE, 42 Lewis Drive, Mays Landing, NJ 08330 has completed and submitted a Business Entity Disclosure Certification which certifies that Benny R. Tafoya 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 Benny R. Tafoya from making any contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in the amount of \$3,575.00 available under Construction-Professional Fees 01-22-195-301 for the award of this contract.

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 as follows:

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract between the City of Margate City and Benny R. Tafoya for municipal CRS consulting in the amount not to exceed \$3,575.00.
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			
Amodeo	X		X			
Blumberg		X	X			

Certification Of Availability of Funds

This is to certify to the of the City of Margate City that funds for the following resolutions are available.

Contract Amount: 3,575.00
Resolution Date: 06/20/19
Resolution Number: 142-2019

Vendor: BENNY Benny R. Tafoya
42 Lewis Drive
Mays Landing, NJ 08330

Contract: C1900023 CRS Consultant

Account Number	Amount	Department Description
9-01-22-195-301	3,575.00	CONSTRUCTION
Total	3,575.00	

Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

RESOLUTION #143-2019

AUTHORIZING CONTRACT WITH MARGATE BUSINESS ASSOCIATION

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey has determined a need to render assistance in marketing concepts and event planning from the Margate Business Association, and

WHEREAS, The Margate Business Association has presented a proposal to execute the need; and

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City County of Atlantic, State of New Jersey a contract with the Margate Business Association (MBA) for 2019 is hereby approved in the amount of \$95,000.00.

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of award of this contract in the following account Celebration of Public Events 9-01-30-420-290; and

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Ed Berger – President of Margate Business Association

ROLL CALL:

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

Certification Of Availability of Funds

This is to certify to the of the City of Margate City that funds for the following resolutions are available.

Contract Amount: 95,000.00
 Resolution Date: 06/20/19
 Resolution Number: 143-2019

Vendor: MBA Margate Business Association
 PO Box 3200
 Margate, NJ 08402

Contract: C1900024 Marketing Concepts and Event
 Planning

Account Number	Amount	Department Description
9-01-30-420-290	95,000.00	CELEBRATION OF PUBLIC EVENTS
Total	95,000.00	

Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

RESOLUTION #144-2019

AUTHORIZING INCREASE OF CONTRACT FOR DOROTHY McCROSSON, ESQ. AS SPECIAL COUNSEL FOR REPRESENTATION IN THE MATTER OF HARBOR VISTA LIMITED HOMEOWNERS ASSOCIATION, INC. V. CITY OF MARGATE CITY AND BARBARY COAST MARINA, LLC

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey has on October 18, 2018 authorized Resolution #214-2018, a contract to Dorothy McCrosson, Esq. of 200 Asbury Avenue, Ocean City, New Jersey 08226, for Special Counsel for Representation in the Matter of Harbor Vista Limited Homeowners Association, Inc. v City of Margate and Barbary Coast Marina, LLC, as per their proposal in an amount of \$10,000.00; 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)*.

WHEREAS, Business Administrator, Richard Deaney, has prepared an letter dated June 7, 2019 regarding a change in contract, Change Order #1, due to additional legal preparation for this matter, in the amount of \$418.65 for a total of \$10,418.65; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in the amount of \$418.65 available under Legal-Other/Attorneys Fees 9-01-20-155-255.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic, and State of New Jersey hereby authorizes amending the original contract between the City of Margate City and Dorothy McCrosson, Esq, of 200 Asbury Avenue, Ocean City, NJ 08226, from \$10,000.00 to the new contract amount of \$10,418.65.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Dorothy McCrosson, Esq. of 200 Asbury Avenue, Ocean City, New Jersey 08226

ROLL CALL:

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

CERTIFICATION OF AVAILABILITY OF FUNDS


Pursuant to 40A:4-57, I, Lisa McLaughlin, Chief Financial Officer of the City of Margate, County of Atlantic, do hereby certify that the below listed funds are available.

Contract:
Special Counsel change order

Vendor:
Dorothy McCrosson, Esquire
Ocean City, New Jersey

Contract Amount:
\$418.65

Source of Funds:
Legal - Other/Attorneys Fees 9-01-20-155-255 \$418.65


Lisa McLaughlin, CPA, CMFO
Chief Municipal Finance Officer
Margate City, New Jersey

6/20/19
Date

RESOLUTION #145-2019
APPOINTMENT OF MARGATE CITY SOLICITOR

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey has determined it has a need for a City Solicitor to assist with legal matters on behalf of the City of Margate City; and

WHEREAS, John Scott Abbott, Esquire, 9 South Washington Avenue, Margate City, New Jersey 08402, has performed the services of City Solicitor for the time period of June 20, 2018 through June 20, 2019; and

WHEREAS, the Board of Commissioners desires to reappoint John Scott Abbott, Esquire, as City Solicitor for the year June 20, 2019 through June 20, 2020; and

WHEREAS, this contract is awarded without competitive bidding in an amount not to exceed \$209,000.00, because it is a Professional Services Contract and is as an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1) (a) (i)*.

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in an amount not to exceed \$82,000.00 available under Financial Admin-Professional Fees 9-01-20-150-254 and 9-01-20-155-255. Amounts for future years are contingent upon sufficient funds being appropriated for award of this contract.

NOW, THEREFORE BE IT RESOLVED by the 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 on behalf of the City of Margate City and the City Clerk to attest to a contract with a retainer amount of \$84,000.00 and a Contract amount including legal services litigation and special projects not to exceed \$125,000.00 between the City of Margate City and John Scott Abbott, Esquire, to serve as City Solicitor and to provide services as stated in the Contract.
2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is as an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1) (a) (i)*.
3. The hourly fee for legal services is \$150.00 for all work outside the scope of services as stated in the contract.
4. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

ROLL CALL:

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

Certification of Availability of Funds

This is to certify to the of the City of Margate City that funds for the following resolutions are available.

Contract Amount: 209,000.00
Resolution Date: 06/20/19
Resolution Number: 145-2019

Vendor: J SCOTT John Scott Abbott, Esq.
9 South Washington Avenue
Margate, NJ 08402

Contract: C1900025 City Solicitor
June 20, 2019 thru June 20,
2020

Account Number	Amount	Department Description
9-01-20-155-254	42,000.00	LEGAL
9-01-20-155-255	40,000.00	LEGAL
Total	82,000.00	

Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

RESOLUTION #146-2019
OPPOSING ASSEMBLY BILL A-546 WHICH PROPOSES TO EXTEND COUNTY-WIDE ASSESSMENT PILOT TO ATLANTIC COUNTY

WHEREAS, as N.J.S.A. 54: 1-88 established a County-Wide Assessment Pilot Program for Gloucester County; and

WHEREAS, Assembly Bill A-546 proposes to extend the aforementioned pilot program for tax assessment to Atlantic County; and

WHEREAS, a subcommittee of the Atlantic County Board of Chosen Freeholders has been established to assess the effects of county-wide assessment on Atlantic County, inclusive of the taxpayers of Margate City and the other 22 Atlantic County Municipal Districts; and

WHEREAS, the subcommittee has met with Assemblyman Vincent Mazzeo, the sponsor of Bill A-546, regarding the costs, effects, and other aspects of A-546; and

WHEREAS, the subcommittee has not been provided with the appropriate information on the costs, effects, and other aspects, including long term impacts to Atlantic County and the taxpayers within the County as requested; and

WHEREAS, Assembly Bill A-546 has not been discussed or presented to the full membership of the Atlantic County Board of Chosen Freeholders at a public meeting, or discussed and/or presented to the Atlantic County taxpayers and/or their elected governing bodies in its entirety with full cost disclosures and potential impact; and

WHEREAS, a majority of the districts in Atlantic County have either publicly opposed Bill A-546 in its current format, and/or have requested that Bill A-546 be set aside for further discussion either via formal Resolution, Letters of Opinion and/or Public Comment, and

WHEREAS, Margate City has a long standing history of supporting the assessment functions at the local level, recognizing that the constitutionally required position of Tax Assessor and the office is necessary and in the best interest of the public under New Jersey Law.

FURTHERMORE, Margate City recognizes that the assessment functions, locally based, ensure that services to the public will be not be disrupted, assessment and valuation of ratable will be objective and professionally maintained, and that the City taxpayers will not be compelled to move forward utilizing a county-wide system that will likely increase Margate taxpayer's costs through an unfunded program that may require the local taxpayers to pay an unfair share of the tax burden via a county-wide assessment program via Assembly Bill A-546.

NOW, THEREFORE, IT BE RESOLVED, the Mayor and Commissioners of Margate City unanimously oppose Assembly Bill A-546, in the current format, due to the lack of transparency of its costs to the taxpayers of Margate City, the loss of local public services to the taxpayers of Margate City that would occur, the potential elimination of any and all local governance of the assessment function in Margate City, and the inevitable increase in the taxes that Margate City taxpayers would endure as they share an even higher, disproportionate, share of taxes paid to the County then already presently exists today due to Bill A-546 if passed.

BE IT FURTHER RESOLVED, that the Mayor and Commissioners of Margate City recommends and requests that the sponsor of any future proposed county-wide assessment pilot to include a definitive, fact sourced documentation of funding and associated costs, including impacts to local public services, or loss thereof, prior to any future action being taken.

IN ADDITION, BE IT FURTHER RESOLVED, a copy of this resolution, respectfully, be directed to: New Jersey Governor Phil Murphy, President of the New Jersey Senate, Stephen M. Sweeney; Speaker of the House of the General Assembly, Craig J. Coughlin; NJ State Senators: Christopher A. Brown, Robert Andrzejczak, Dawn Marie Addiego, and Christopher J. Connors; Assemblypersons Vincent Mazzeo, John Armato, R. Bruce Land, Matthew W. Milam, Joseph Howarth, Ryan E. Peters, Dianne C. Grove, and Brian E. Rumpf; Atlantic County Executive, Dennis Levinson; the Atlantic County Board of Chosen Freeholders; the Atlantic County Board of Taxation; the Atlantic County League of Municipalities; the Atlantic County Mayor's Association; the New Jersey Division of Taxation, Acting Director John J. Ficara, and Deputy Director of Property Administration Patricia Wright.

ROLL CALL:

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

RESOLUTION # 147-2019
RESOLUTION APPROVING THE SUBMITTAL OF A GRANT APPLICATION WITH
THE NATIONAL ENDOWMENT OF THE ARTS (NEA)
OUR TOWN GRANT PROGRAM FY2020

WHEREAS, the National Endowment of the Arts is accepting application for the Our Town Grant Program; and

WHEREAS, Our Town is the National Endowment for the Arts’ creative placemaking grants program. Through project-based funding, NEA supports projects that integrate arts, culture, and design activities into efforts that strengthen communities by advancing local economic, physical, and/or social outcomes.; and

WHEREAS, successful Our Town projects ultimately lay the groundwork for systemic changes that sustain the integration of arts, culture, and design into local strategies for strengthening communities.; and

WHEREAS, matching grants range from \$25,000 to \$200,000, with a minimum cost share/match equal to the grant amount; and

WHEREAS, the City of Margate carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Margate City, in the County of Atlantic, State of New Jersey formally approves a grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute an application to the National Endowment of the Arts on behalf of the City of Margate.

ROLL CALL

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

RESOLUTION # 148-2019
RESOLUTION AUTHORIZING THE APPOINTMENT OF A SPECIAL LAW
ENFORCEMENT OFFICER II

WHEREAS, the Margate City Police Department is in need of more officers during the summer season; and

WHEREAS, Chief of Police David Wolfson has recommended the hiring of Joshua L. Donovan as a Special Law Enforcement Officer Class II for the summer season;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that Joshua L. Donovan is hereby appointed to serve as Special Law Enforcement Officer Class II for the 2019 summer season with a pay rate of \$16.00 per hour.

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

- 1. David Wolfson, Chief of Police
- 2. Lisa McLaughlin, Chief Finance Officer

ROLL CALL:

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

RESOLUTION #150-2019
AUTHORIZING AMENDING EMPLOYEE HANDBOOK/POLICY & PROCEDURE
MANUAL TO REVISE SEVERAL POLICIES

WHEREAS, The City of Margate City has an Employee Handbook/Policy & Procedure Manual; and

WHEREAS, The Board of Commissioners has determined that there is a need to amend such manual to revise a number of policies in accordance with the Atlantic County Municipal Joint Insurance Fund (ACMJIF) and the Municipal Excess Liability Joint Insurance Fund (MEL), 2019-2020 Plan of Risk Management; and

WHEREAS, the revised policies are as follows:

<u>Policy No.</u>	<u>Title</u>
204	Dress Code Policy
212	Cellphone Policy
309	Domestic Violence Leave Policy
308	Family and Medical Leave Act (FMLA) Policy
311	Family Leave Act (NJ FLA) Policy

WHEREAS, these personnel policies and procedures have been reviewed by Labor Attorney Vanessa James, Esquire, and Business Administrator Richard Deaney;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that the listed policies attached hereto are hereby adopted and will be issued to employees via Power DMS; and

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 that 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 these personnel policies and procedures are intended to provide guidelines covering public service by City employees and do not represent a contract. These policies and procedures 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 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			

CITY OF MARGATE
Employee Handbook/Policy and Procedure Manual

SECTION 1: Policies Relating to Workplace Policies

POLICY NO.: 212
2

OF PAGES:

SUBJECT: CELLPHONE POLICY

EFFECTIVE DATE: **June 21, 2019**
DATE: June 20, 2019

REVIEW

REPLACES POLICY DATED: NEW

The City of Margate recognizes that we live in a very connected world, and that most employees have cellphones (personal or City-issued) with them at most times, and some employees rely on their personal cellphones during the workday for work purposes as well as for non-work communication. This policy outlines the use of cellphones at work and the safe use of cellphones by employees while driving.

Cellphones should be turned off or set to 'silent' or 'vibrate' mode during meetings, conferences, training sessions, on physical work sites, and in any circumstances where incoming calls and/or texts may be disruptive. Employees are not permitted to use cellphones for purposes such as non-work-related internet access or texting, gaming, etc. These non-work-related cellphone uses may be accessed during non-work breaks.

Cellphones are not to be used as an unauthorized media storage device for the storage and/or dissemination of Margate City business information. Taking videos or photos using cellphones at work is prohibited. Using cellphones to audio-record at work is prohibited unless permission has been granted by the person(s) being recorded.

Except in "emergency situations," employees are prohibited from taking photos or digital images with equipment not owned by the City. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes, and the employee does not have access to the City's Communication Media. If such situation occurs, employee agrees that any photos or digital images belong to the City and agree to release them to the City and to ensure permanent deletion from their cellphone upon direction from the City. (*excerpted from Margate's Communication Policy/Social Media Policy No. 208.*)

Personal Cellphones

Employees are expected to exercise discretion in using personal cellphones. Excessive personal calls and/or texts during the workday interfere with employee productivity and are distracting to others. Employees should make and receive personal phone calls and/or texts during non-work breaks. Employees should ensure that their families and friends are aware of the City's policy.

The City is not liable for the loss of, theft of, or damage to personal cellphones brought into the workplace.

City-Issued Cellphones

The City may issue cellphones to employees for work-related communications. Employees are expected to exercise the same discretion when using City-issued cellphones at work. Employees with City-issued cellphones are expected to protect the equipment from loss, damage and theft. *If any of these do occur, the employee must report it to their Supervisor and complete an Incident Report as soon as possible.*

Safety

Cellphones shall not be used when employees are working around equipment, trucks, or in any other work environment where using a cellphone (including texting) could present such a distraction that employee(s) could get hurt.

Use of Cellphones While Driving

The City recognizes that distracted driving is an increasingly serious cause of motor vehicle accidents. Accordingly, the City strictly prohibits the use of cellphones while operating City-owned or leased vehicles, as well as when driving a personal vehicle while on City business. The use of hands-free devices should be kept to a minimum.

To make or receive calls while driving:

- Pull over and stop; or
- If there is a passenger in the vehicle, allow that person to operate the cellphone; or

- Use voicemail and respond to calls at a safer time; or
- Permit your passenger to drive to free you up to make or receive calls and/or texts.

All text-messaging is strictly prohibited while driving a City-owned or leased vehicle as well as when driving a personal vehicle while on City business.

Employees are solely responsible for any fines and/or legal charges from the police for illegal use of cellphone while driving in the course of their employment. Employees who choose to violate this policy will face disciplinary action. If, in the course and scope of their work, employees are involved in an auto accident, and there is evidence that they were using their cellphones while driving, they may face disciplinary action as well as legal consequences.

CITY OF MARGATE

Employee Handbook/Policy and Procedure Manual

SECTION 3: Paid and Unpaid Time Off Policies

POLICY NO.: 309

OF PAGES: 2

SUBJECT: DOMESTIC VIOLENCE LEAVE POLICY

EFFECTIVE DATE: June 30, 2019
June 20, 2019

REVIEW DATE:

REPLACES POLICY DATED: 2018

The New Jersey Security and Financial Empowerment Act, also known as the "NJ SAFE Act," provides protection for employees and their family members who have been the victim of domestic violence or sexual assault, or who have a family member who is a victim. Employees are entitled to 20 days of unpaid protected leave from work to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization, pursue psychological or other counseling;
- Participate in safety planning for temporary or permanent relocation;
- Seek legal assistance to ensure health and safety of the employee or the employee's relative; or
- Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:

- The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;
- The employee must have worked for the employer for at least 12 months and for at least 1,000 hours during the 12-month period immediately preceding the requested leave; and
- The 20-day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis, but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employees seeking this leave must provide proof that they qualify for the leave. Such proof may include a restraining order, a letter from a prosecutor, proof of conviction, medical documentation, or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act (FMLA) and/or the New Jersey Family Leave Act (FLA). If so, the City will treat the leave concurrently with the leave under those statutes. Employees shall be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The City shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself, or the failure to return to work “in the strictest confidence.” The City shall not retaliate, harass, or discriminate against any employee exercising his/her right to take the leave provided by this policy.

On February 19, 2019, NJ Governor Phil Murphy signed A3975 into law amending the NJ Family Leave Act (NJ FLA) and the NJ Paid Family Leave Insurance (NJ FLI) and expanding leave protections under these laws, which also expands employee rights under the NJ Security and Financial Empowerment Act (SAFE) Act.

Effective July 1, 2020, employees taking leave under the SAFE Act will be eligible for wage replacement benefits from the state, just like employees who take NJ FLA leave.

The amendment also expands the definition of “family member” under the SAFE Act to mirror its definition under the NJ FLA: i.e. to include “parent-in-law,” “sibling,” “grandparent” and “any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship.”

CITY OF MARGATE

Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 204

PAGES: 2

OF

SUBJECT: DRESS CODE POLICY

EFFECTIVE DATE: June 21, 2019

DATE: June 20, 2019

REVIEW

REPLACES POLICY DATED: November 1, 2018

The City of Margate uses a business-casual dress code standard in the workplace. The City of Margate has work sites that are in offices; outdoor physical labor settings; recreation settings; lifeguards on the beaches, and Police and Fire Departments where uniforms are required and provided. Any employee provided with work clothing or uniforms must ensure it is clean and free of rips or holes. It is important to remember that, when you are wearing a Margate City uniform or clothing, or you are working in a municipal capacity, you are the “face” of City government; you represent the City.

The City strives for professional and businesslike environment for our employees with residents, visitors, members of the public, business partners, vendors and suppliers. To that end, the City offers the following guidelines:

Dress, grooming and personal hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable departmental standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Body piercings, other than earrings, may not be visible. Visible tattoos should be kept small and discreet.

Offices

Employees in an office environment are expected to dress in appropriate business casual attire. Sandals are permitted, but flip-flops are not. Suggestive attire, shorts, T-shirts, athletic clothing, novelty buttons, baseball hats and other similar items of casual attire that do not present a businesslike appearance are not permitted. Jeans are not permitted unless a physical task such as cleaning out an office is being performed. Fridays are an exception to this Dress Code Policy. Office employees are permitted to wear “dressy jeans” (no holes or rips) and appropriate sneakers, if they would like.

Outdoor Work

Employees who work primarily outdoors (e.g. Public Works, Recreation, etc.) out of necessity dress more casually but still must be consistent with applicable safety standards. Jeans, T-shirts, shorts in the summer, substantial footwear and hats are all permissible. Flip-flops and short-shorts are not permitted.

Accommodations

Requests for religious or disability accommodations are to be made to the Business Administrator. With the advance approval of the Business Administrator, the City will make reasonable religious or disability accommodations that do not violate safety standards.

Employees violating this policy shall be required to take corrective action or will be sent home without pay to change. Repeated violations may be subject to more progressive discipline.

CITY OF MARGATE

Employee Handbook/Policy and Procedure Manual

SECTION 2: Paid and Unpaid Time Off Policies

POLICY NO.: 308

OF PAGES: 11

SUBJECT: FAMILY & MEDICAL LEAVE ACT POLICY

EFFECTIVE DATE: June 30, 2019
June 20, 2019

REVIEW DATE:

REPLACES POLICY DATED: 2018

Family & Medical Leave Act is a Federal law and program that provides for unpaid leaves of absence. The following are definitions, eligibility requirements and basic provisions of this law:

Federal Family and Medical Leave Act – FMLA

Federal Family and Medical Leave Act (“FMLA”) is mandatory for employers who employ 50 or more employees within 75 miles of the worksite. The employer is required to: post information in the workplace about FMLA; communicate the provisions of the law; accept applications for this benefit; and extend this benefit to **eligible** employees who are out for more than **three (3) sick days**. In order to be **eligible** for such leave, employees must have one (1) year of service with the City and must have worked a minimum of 1,250 hours during the 12 months prior to the leave request.

FMLA is triggered for a condition that would likely result in a period of incapacity of more than **three (3) consecutive calendar days** in the absence of medical intervention or treatment. With medical certification, a maximum of 12 weeks of unpaid family and medical leave in the **designated** 12-month period would then be available to eligible employees. The City of Margate has set the **designated leave period as a rolling 12-month period beginning with the first date of leave.**

Eligible employees may receive up to 12 weeks of unpaid leave during the designated 12-month period immediately following the leave request; any available paid leave runs concurrently with the 12 weeks of unpaid leave. FMLA leave may also run concurrently with leave taken under the Workers Compensation. (See Workers Compensation Policy No. 406.)

Eligible employees are entitled to a family and medical leave for up to 12 weeks to care for a newborn or adopted child, or a seriously ill immediate family member, including civil union partner, or for one of the two qualifying conditions about active service members, that makes the employee unable to perform the functions of the employee’s position. Eligible employees who take leave under this policy must use all accrued available vacation, sick and personal days

during the leave. The use of accrued leave will not extend the leave period. After exhausting any accrued paid time, the employee will no longer be paid for the remainder of the leave.

Qualifying Reasons for Approval of FMLA:

- To care for a newborn or adopted child, or a seriously ill family member, including civil union partner. Immediate family member is defined as spouse, parent or child, including civil union and domestic partners, stepchildren and in-laws through marriage.
- For the employee's own serious medical condition that makes the employee unable to perform the functions of the employee's position.

Under FMLA, a serious medical condition must fall into one of the following categories:

- Inpatient care
 - Incapacity for more than three (3) days with continuing treatment by a health care provider
 - Incapacity relating to pregnancy or prenatal care
 - Chronic serious health conditions
 - Permanent or long-term conditions
- Employees may be eligible for an unpaid leave for up to 26 workweeks in a year to care for an immediate family member on active duty in the military or a covered veteran* with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy; or is otherwise in outpatient status; or is otherwise on the temporary disability retired list; or up to 12 weeks for a qualifying exigency.
 - A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country), and a member of their immediate family must attend official ceremonies or family support or assistance meetings; there is a short-notice deployment; to attend to childcare matters; attend to financial and/or legal matters; or counseling.

Upon the employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- Statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- Approximate date on which the qualifying exigency commenced or will commence;
- Beginning and end dates for leave to be taken for a single continuous period of time;
- An estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- If the qualifying exigency requires meeting with a third party, the contact information for the third party and a description of the purpose of the meeting.

A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his/her office, grade, rank or rating.

*A covered veteran is an individual who was discharged or released under condition other than a dishonorable discharge at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the

Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. A continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank or rating; *or*
2. A physical or mental condition for which the veteran has received a US Dept. of Veterans Affairs Service-Related Disability Rating (VASRD) or 50% or greater, and the need for military caregiver leave is related to that condition; *or*
3. A physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; *or*
4. An injury that is the basis for the veteran's enrollment in the Dept. of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

*Any *one* of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Eligible employees may also take leave to care for the parent of an immediate family member on covered active military duty who is incapable of self-care when the care is necessitated by the military member's covered active duty. Such case may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Eligible employees may also take leave to address certain childcare and related activities of an immediate family member on covered active military duty when the childcare and related activities are necessitated by the military member's covered active duty. These could include arranging for alternative childcare; providing childcare on a non-routine, urgent, immediate need basis; enrolling in or transferring a child to a new school or day care facility; and attending certain meetings at a school or a day care facility. **This provision allows for the arrangement of alternative childcare. It does not allow you to take leave for routine childcare, such as to become the primary caregiver while the military member is on covered active duty.**

Employees who request exigency leave to spend time with a military member on Rest and Recuperation (R&R) may take up to a maximum of 15 calendar days. Upon the employer's request, the employee must provide a copy of the military member's R&R leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

Under some circumstances, employees may take FMLA leave intermittently, which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

Employees taking paid leave in connection with a family member's serious medical condition may take leave intermittently or consecutively. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the City with 30 days' notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner.

Employees requesting such leave shall provide the City with a regular schedule of days for intermittent leave.

When an employee takes leave for a reason covered by both FMLA and FLA, the leave shall be simultaneously counted against an employee's entitlement under both statutes to the extent permitted by law. FMLA leave will also run concurrently with any NJ FLI or New Jersey State Temporary Disability Insurance.

The period of leave must be supported by a physician's certificate in the form of the "Certification of Health Care Provider... (FMLA)" Form WH380-E or WH380-F.

FMLA and **NJ FLA** are administered and coordinated by the City of Margate; the Administrator for these benefits is Kelle Amodeo, who is located in the Business Administrator's/Personnel Office; she can be reached at 609-822-0424. Extension 117.

New Jersey State Temporary Disability Insurance – State Disability Plan

The State Disability Plan is for employees who have had to stop working for their own medical conditions or for a pregnancy-related disability. This plan is administered by the NJ Division of Temporary Disability Insurance. Employees are given this information and directions when they meet with the City's FMLA Administrator to discuss their leave request, if the leave request is for their own medical disability. Employees are responsible to complete the **online application, give their medical provider the information so they can complete the medical certification online. To apply online, go to myleavebenefits.nj.gov, click on "information for workers," then "start an application."**

Administration of FMLA

Initial Request for Leave

The employee must notify his/her Supervisor verbally that a Leave is needed. **OR** If the employee is out for more than three (3) days for what may be a qualifying reason, **the City is required to send** the **FMLA** leave forms to the employee. Then the Supervisor must contact the FMLA Administrator (located in the Business Administrator's/Personnel Office in the Municipal Building) who will arrange to meet with the employee as soon as possible. The Leave request must include an explanation for the Leave that will enable the FMLA Administrator to determine the type of leave for which the employee may be eligible.

The FMLA Administrator will explain the provisions of each type of leave, the medical benefits provision and will answer any questions. The FMLA Administrator will work with the employee to complete the "Margate Leave of Absence Form" and will give the employee the rest of the required forms for the leave (working from a Checklist specific to each type of leave), along with instructions and deadlines for return of the completed forms. The FMLA Administrator will also provide a letter of explanation and her contact information.

The FMLA Administrator will contact the Department Head for the employee's paid leave available (sick, vacation, etc.) for inclusion on the "Margate Leave of Absence Form."

Once the "Certification of Health Care Provider" is returned within 15 days, and the employee signs and returns the "Margate Leave of Absence Form," the Administrator will send that "Margate Leave of Absence Form" to the Department Head, the Business Administrator and the Commissioner for their signature approvals. Once all approvals are received, the FMLA Administrator will send copies to the Employee, the Department Head and the CFO/Payroll to ensure that the employee will be paid correctly and on time. The signed original form will be placed in the employee's personnel file. **Any medical information received will be placed in the employee's separate medical file.**

The FMLA Administrator will also send to the employee the completed "Notice of Eligibility and Rights & Responsibilities ((FMLA) Form WH-382.

In circumstances where the need for leave is foreseeable, the employee must request Leave at least 30 days before needing it. When an employee becomes aware of a need for leave less than 30 days in advance, the employee must make a reasonable effort to schedule leave and medical treatment with a minimum of disruption to their department.

For foreseeable leave due to a qualifying emergency, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.

Notice to Participants

The City will place Department of Labor posters describing employees' FMLA rights in conspicuous locations where employees can readily see them.

Absent extenuating circumstances, the City will notify employees whether they are eligible for leave based on the information available within five (5) business days of when the employee's completed "Certification of Health Care Provider" is received in the Personnel Office. The City may provide a provisional decision subject to additional information requested by the City.

The FMLA Administrator shall provide the following information in writing to employees who request leave:

1. That they must complete and submit the following forms within 15 days of receipt of the forms:
 - Margate Leave of Absence Form (contains paid time available)
 - Certification of Health Care Provider (The period of leave must be supported by a physician's certificate.)
2. Whether the employee's request may qualify for Family and Medical Leave or another type of leave.
3. The fact that their accrued sick, vacation and other available time will be paid during the FMLA leave, and that they will not be paid once they have exhausted all their accrued paid time.
4. That they will be required to make direct payments for their share of the cost of their health insurance to the City once they are on unpaid leave, and how they go about making such payments.
5. The consequence of failing to comply with the employee's obligations.
6. The employees who are not designated "key" have the right to return to work from approved leave after they present a completed Return-To-Work release from their medical provider, to the FMLA Administrator prior to their return-to-work date, and the position protection period has not been exhausted.
7. Any additional entitlements and obligations that employees on FMLA have, such as:
 - Eligible employees who take leave under this policy must use all accrued available vacation, sick and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting any accrued paid time, the employee will no longer be paid for the remainder of the leave.
 - During the leave period, employees' health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. Once the employee is on unpaid leave status, the employee is required to send to the City a check for their normal contribution to the cost of their health insurance.
 - Their requirement to make periodic status reports to the FMLA Administrator and/or to their Supervisor, providing the date they intend to return to work.
 - An extension past 12 weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the original leave. If they find that they need more leave than anticipated, they must provide the FMLA Administrator with a request to extend their family or medical leave, and an updated Healthcare Provider Certification or note. The City reserves the right to deny any request for extended leave.
 - Employees will not continue to accrue vacation, sick or personal days for the extended period of the leave.
 - Employees will receive seniority credit for the time that they have been on FMLA or FLA qualified leave.

- At the conclusion of the leave period, eligible employees are entitled to reinstatement to the position they previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Certification of Serious Health Condition

1. Family Medical Leave due to the serious health condition of either the employee or a qualified family member must be supported by a certification issued by the health care provider of the individual with the condition. The certification must be in the form of, or provide the information contained in the "Certification of Health Care Provider for Employee's Serious Health Condition (FMLA)" Form WH 380-E or "Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA)" Form WH 380-F.
2. If the City notifies the employee of any deficiencies in the certification, the employee has seven (7) days to correct the deficiencies. Failure to bring the certification to the level of satisfying legal requirements will result in denial of the request.
3. The City reserves the right to require a second medical opinion and, in the event that the two opinions conflict, a third opinion may be requested from a Health Care Provider selected jointly by the employee and the City. The City will pay the greater of the cost of the second/third opinions, or the travel expenses incurred to get them. The City may later request additional recertification.
4. If the leave is related to a serious health condition, employees are expected to make reasonable efforts to schedule any treatments needed so that they do not unduly disrupt the City's operations.

Leave Related to the Birth or Adoption of a Child or Placement of Foster Care

1. Leave related to the birth or adoption of a child or the placement of a child with the employee for foster care must be taken within one year of the birth, adoption or placement. FMLA states that this leave must be conducted within one year of the qualified event.
2. FMLA leave for the birth or adoption of a child must be supported by proper documentation which must be in the form of, or provide the information contained in the "Certification of Health Care Provider for Employee's Serious Health Condition (FMLA)" Form WH-380-E, or "Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA)" Form WH 380-F.

Qualifying Exigency Leave for Families or Members of the National Guard and Reserves

1. An employee whose spouse son, daughter or parent either has been notified of an impending call or order to active military duty, or who is already on active duty may take up to 12 weeks of leave for the arising of a qualifying exigency.* FMLA leave due to the military duty of a family member must be supported by proper documentation which must be in the form of the information contained in "Certification of Qualifying Exigency for Military Family Leave" Form WH 384.
2. The *qualifying exigency must be one of the following:
 - a. Short-notice deployment
 - b. Military events and activities
 - c. Childcare and school activities
 - d. Financial and legal arrangements
 - e. Counseling
 - f. Rest and Recuperation
 - g. Post-deployment activities that arise out of active duty, providing that the employer and the employee agree, including agreement on timing and duration of the leave
3. An employee must provide a certification in the form of, or provide the information contained in "Certification of Qualifying Exigency for Military Family Leave" Form WH 384.

4. The leave may commence as soon as the individual receives his/her call-up notice.
5. A son or daughter is defined the same as “child” for other types of FMLA leave except that the person does not have to be a minor.
6. This type of leave would be counted toward the employee’s 12-week maximum.

Military Caregiver Leave

An employee may take up to 26 weeks in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. FMLA due to the military duty of a family member must be supported by proper documentation. The documentation must be in the form of, or provide the information contained in “Certification for Serious Injury or Illness of Covered Servicemember for Military Family” Form WH 385.

1. An illness or injury incurred by a covered member of the armed forces in the line of duty on active duty that renders such service member medically unfit to perform the duties of his/her office, rank or rating.
2. Eligible employees are entitled to leave under FMLA to care for a service member with a serious health condition as so defined where such service member:
 - Is undergoing medical treatment, recuperation or therapy;
 - Is otherwise in outpatient status; or
 - Is otherwise on temporary disability retired list due to such a serious health condition.
3. Next of kin is defined as the closest blood relative of the injured or recovering service member.
4. An employee must provide a certification in the form of, or provide the information covered in the “Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave” Form WH 385.
5. Spouses who are both employed by the City are entitled to a total of 26 workweeks (rather than 26 weeks each) to care for a covered service member.

Intermittent Leave or Reduced Schedule

If medically necessary, leave related to a serious health condition may be taken intermittently or on a reduced schedule. Planned prior treatment must be submitted to the FMLA Administrator and the Department Manager prior to the employee taking leave.

1. Intermittent or reduced schedule leave may apply to the birth or placement of a child.
2. Employees must make a “reasonable effort” to schedule any intermittent or reduced schedule leave so as not to unduly disrupt the City’s operations.
3. The City reserves the right to temporarily transfer an employee to an alternate position if the alternate is better able to accommodate the intermittent or reduced schedule that the employee needs. The alternate position will have duties, pay and benefits equivalent to the employee’s normal job.
4. If an employee takes a leave on an intermittent or reduced schedule, only the amount of leave taken will be counted towards the 12-week FMLA leave entitlement. If an employee normally works part-time, the amount of leave available will be calculated on a pro-rata or proportional basis. The employee’s budgeted work hours will be used in this calculation.
5. In the event that any part of an exempt employee’s intermittent or reduced schedule is unpaid because the employee has insufficient sick or paid time off, the City will deduct amounts from an employee’s wages to reflect leave. By statute, this deduction will not affect the employee’s Fair Labor Standards Act status.

Leave Disapproval

1. The employee will be given a reasonable opportunity to cure any deficiencies in leave requirements. Failure to bring the documents to the level of satisfying legal requirements will result in denial of the request. The employee may then be expected to report to work as scheduled; however, if the employee is away from work when the decision is made, the FMLA Administrator will notify the employee by certified mail that the employee has three (3) days to return to work. Employees who do not return by the date they are given are considered to have voluntarily separated from the City.
2. The employee will continue to be paid consistent with the City's policies while the deficiencies are being resolved. The employee can use available sick pay only if a properly completed "Certification of Healthcare Provider ... FMLA" Form, which satisfied FMLA requirements, has been submitted to the FMLA Administrator. If that is not the case, the employee will be paid from available paid time off; and the employee's sick, vacation and personal leave balances will be adjusted accordingly.

Benefits Information

Employees, who normally make voluntary contributions to pay for benefits such as supplemental life insurance or health care coverage, shall have their normal payments deducted from any sick or paid time off that they are paid during the leave. If an employee's wages are insufficient to cover their required payments, the employee must make direct payments to the City in order to maintain the benefit coverage.

General Provisions

1. Applying established policies, the City will designate leave as FMLA leave, if applicable. If FMLA does not apply, the leave may be designated as extended medical leave, if applicable. The Personnel Officer will base the decision on the length of employment, the hours worked, other information the employee provides, and the prior leave that the employee has taken.
2. If an eligible employee notifies the City that they do not want their leave of absence designated as FMLA, the leave will not be designated as FMLA.
3. Eligible employees who take leave under approved FMLA must use all accrued available sick, vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.
4. Workers Compensation leave may run concurrently with FMLA leave.
5. The City will require employees to make periodic updates on when they expect to return to work, to the FMLA Administrator and/or to their Supervisor or Department Head throughout the leave.
6. Spouses who are both employed by the City are entitled to a total of 12 workweeks (rather than 12 weeks each) for the birth or adoption of a child or the care of a sick parent. Spouses who are both employed by the City are entitled to a total of 26 workweeks (rather than 26 workweeks each) to care for a covered service member. Spouses are entitled to a total of 12 weeks each to deal with their own illness or injury.
7. An employee who fraudulently obtains leave will not be entitled to the benefits coverage and return-to-work rights described in this policy.
8. If an employee obtains other employment while on authorized leave, their employment with the City may be terminated.

Return to Work

1. Employees who are not designated as "key" are entitled to return to either the same position that they left, or to a position equivalent in pay, benefits, and the terms and conditions of employment. They may also lose this right if they do not return to work as scheduled, or they exceed the maximum amount of FMLA leave allowed.

2. All employees returning from FMLA leave for their own illness must provide an up-to-date medical clearance certification to the FMLA Administrator or their Supervisor or Department Head no later than two (2) days prior to the return-to-work date.
- Employees are to contact their Supervisor or Department Head regarding a work schedule at least one (1) week prior to the return-to-work date.
- An employee will not be entitled to return to work if he or she:
 - Would have been laid off during the leave or would otherwise not have been employed at the time that they can return.
 - Has unequivocally advised the City that they do not intend to return to work.
 - Is a “key” employee whose return to work would cause substantial or grievous economic injury to the City.
 - Fails to provide the up-to-date “Return-To-Work” Release Notice to the FMLA Administrator or to their Supervisor or Department Head.

Special Provisions for “Key” Employees

1. A “key” employee is salaried and, when all employees of the City are ranked by compensation, that employee is in the top 5% of the City’s workforce under the NJ FLA Statute or 10% under Federal law.
2. In addition to the notification to employees of their leave status described in other sections of the policy, employees requesting leave who are designated “key” will be informed by certified mail of their “key” status. This notification will state whether the City is able to grant them position protection and if not, the conditions that made the negative determination necessary. The FMLA Administrator or the Business Administrator will make this notification as soon as possible; but it is understood that the notice may be delayed while it is being decided whether the employee is “key.”
3. If the City determines that the organization will incur substantial and grievous economic injury from the key employee’s absence, and the employee is already away from work, the FMLA Administrator or the Business Administrator will include in the notice the date by which the employee must return to work.
4. In the event that the key employee does not return to work within the specified time, the employee may apply for return to work when their emergency ends. The City will make a final determination regarding the key employee’s return to work at that time and send the employee notification by certified mail advising of the City’s decision.
5. In the event that a key employee is denied re-employment, the key employee will not be required to reimburse the City for the employee’s share of their health coverage costs if the City paid it during their approved absence.
6. If a key employee loses their job because they are not granted position protection and cannot return to work when directed, the key employee may seek a new City position via job postings. The City will grant 30 days of unpaid time for the sole purpose of securing a new position.
7. Additional information concerning this Leave Policy is available from the Business Administrator or the FMLA Administrator.

NOTE:

Nothing in this Policy No. 308 prohibits or limits employees from utilizing the entirety of their accumulated sick time as long as they comply with the requirements of the Sick Leave Policy No. 304.

SECTION 1: Paid and Unpaid Time Off Policies

POLICY NO.: 311

OF PAGES: 4

SUBJECT: NJ Family Leave Act (NJ FLA) POLICYEFFECTIVE DATE: June 30, 2019
June 20, 2019

REVIEW DATE:

REPLACES POLICY DATED: 2018

New Jersey Family Leave Act – FLA

New Jersey Family Leave Act (“FLA”) is mandatory for NJ employers who employ 30 or more employees (whether employed in New Jersey or not) for each working day during each of 20 or more calendar workweeks in the then current or immediately preceding calendar year. “Covered employers” are required to provide eligible employees with up to 12 weeks of job-protected family leave during each 24-month period. This 24-month period starts with the first date of the family leave.

An “eligible employee” must meet all the following requirements:

- The employee has worked for the City for at least 12 months; and
- The employee has worked at least a total of 1,000 hours in the 12 months preceding the date of the requested leave; and
- The requested leave is for one or more of the following reasons:
 - To care for a family member who has a serious health condition.
 - Birth of a child to the employee or to the employee’s spouse (expires 12 months after birth).
 - Placement of a child with the employee for adoption or foster care (expires 12 months after placement).

Employees may not use NJ FLA to address their own serious health condition, except childbirth. (Please see the FMLA Policy No. 308 for leave for employee’s own serious health condition.)

The period of Family Leave must be supported by a physician’s certificate or other documentation regarding adoption or foster care.

On February 19, 2019, NJ Governor Phil Murphy signed A3975 into law amending the NJ Family Leave Act (FLA) and the NJ Paid Family Leave Insurance (FLI) and expanding the employee leave protections under these laws.

Effective immediately are the following provisions:

The definitions of the following terms have been expanded (changes in red):

“Child” means a biological, adopted, foster child, or resource family child, stepchild, legal ward, or child of a parent, of any age, including a child who becomes the child of a parent pursuant to a valid written agreement between the parent and a gestational carrier.

“Parent” means a person who is the biological parent, adoptive parent, foster parent, resource family parent, step-parent, parent-in-law or legal guardian, having a “parent-child relationship” with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child, or who became the parent of the child pursuant to a valid written agreement between the parent and a gestational carrier.

“Family member” means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, or one partner in a civil union couple, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship.

“Family leave” means leave from employment so that the employee may provide care made necessary by reason of:

- The birth of a child of the employee, including a child born pursuant to a valid written agreement between the employee and a gestational carrier;
- The placement of a child into foster care with the employee or in connection with adoption of such child by the employee; or
- The serious health condition of a family member of the employee.
- Being the victim of an occurrence of domestic or sexual violence.

Employees can take NJ Family Leave on an intermittent basis for child-bonding purposes without first obtaining the employer’s consent.

Employees are now required to provide **15 days of advance notice** (reduced from 30 days) of their need for NJ Family Leave – **with one exception: Employees must continue to provide 30 days’ advance notice for continuous bonding leave.**

Employees are now entitled to a reduced leave schedule for up to 12 consecutive months for any one period of leave, as opposed to 24 consecutive weeks. Employers with 30 or more employees are required to provide those employees working in NJ with 12 weeks of job-protected family leave during each 24-month period.

Employers may no longer require employees to use two (2) weeks of paid time off in lieu of two (2) weeks of NJ FLI. Employees may elect to use their available paid leave (PTO) in addition to the NJ FLI benefits. (Use of PTO will no longer reduce the amount of NJ FLI benefits available to the employee.)

Employees who are approved for NJ FLI benefits will not have to wait to be paid for the first week of their leave.

Employees who claim only a few days at a time for caregiving or bonding will be paid for those days after a week, even if they don’t claim additional days. (Previously, if the employee didn’t take additional days within a certain timeframe, those first days would not be paid.)

Maternity Coverage: For working mothers who are pregnant or who have just welcomed a new baby, there are two programs available to you:

- Temporary Disability Insurance provides benefits for expectant mothers when they need to stop working before giving birth and while recovering afterward.
- Family Leave Insurance provides benefits after the recovery periods so that new mothers can bond with their babies during the first year.

You can check this out online at

<https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/maternity/>

Effective January 1, 2020, employees will notice slightly higher payroll deductions for Family Leave Insurance. The exact percentage is based on average state wages for the prior year, so the amount of this increase has not yet been determined.

Effective July 1, 2020, there are several changes primarily relating to NJ FLI (Family Leave Insurance) benefits, among those are the following:

- For any period of leave starting on or after July 1, 2020, employees can receive up to 12 weeks (up from the current maximum of six [6] weeks). Employees who take intermittent days for caregiving or bonding will be able to claim benefits for up to 56 days (up from 42 days).

- Employees receiving NJ FLI Benefits will be entitled to 85% of their average weekly wage, up to a maximum of 70% of the statewide average weekly wage. Based on this year's numbers, that would be about \$860 per week (up from \$633 per week). This amount will change depending on future statewide average wages.
- Employees with more than one job will have the option to take leave from one employer while continuing to work for another. Their weekly benefit rate will be based only on wages from the employment from which they are taking leave.

Employees seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner.

When an employee takes leave for a reason covered by both FMLA and FLA, the leave shall be simultaneously counted against an employee's entitlement under both statutes to the extent permitted by law. FMLA leave will also run concurrently with any NJ FLI or New Jersey State Temporary Disability Insurance.

Employees will receive seniority credit for the time that they have been on FLA qualified leave.

Both NJ FLA and FMLA are administered and coordinated by the City of Margate; the Administrator for these benefits is HR Assistant Kelle Amodeo who is located in the Business Administrator's/Personnel Office. She can be reached at 609-822-0424 extension 117.

New Jersey Family Leave Insurance – FLI – Wage Replacement

Employees of an employer covered under the New Jersey Unemployment Compensation Law (which Margate is) are eligible for New Jersey Family Leave Insurance ("FLI") which provides to eligible employees up to six (6) weeks of paid leave in a 12-month period in order to bond with newborn or newly-adopted children and to care for sick immediate family members. This benefit is administered by the NJ Division of Temporary Disability Insurance.

Employers are required to give NJ FLI information to new employees and to employees who inquire into this benefit, and display a poster communicating this information. Employees are given this information and the required forms when they meet with the City's FMLA and FLA Administrator.

Employees are responsible to complete the online application and obtain their medical certification. To apply online, go to myleavebenefits.nj.gov, click on "information for workers," then "start an application."

RESOLUTION #151 - 2019

A RESOLUTION AMENDING PERSONNEL POLICIES AND PROCEDURE MANUAL TO BE KNOWN AS "SEASONAL EMPLOYEE HANDBOOK"

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 Act, the Diane B. Allen Equal Pay Law, the Fair Labor Standards Act, the NJ Minimum Wage Law, the New Jersey Law Against Discrimination, the Americans with Disabilities Act and the NJ Pregnant Worker's Fairness 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.

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, THEREBY, BE IT RESOLVED by the Board of Commissioners that the "Seasonal Employee Handbook" attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures contained in the “Seasonal Employee Handbook” shall apply to all 2019 seasonal employees. 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 “Seasonal Employee Handbook” is intended to provide guidelines covering public service by City employees and is not a contract. The provisions of this handbook 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 shall operate under the legal doctrine known as “employment at will,” and the “Seasonal Employee Handbook” nor any provisions set forth therein are intended to create an employment contract or otherwise abrogate the operation of the “employment at will” doctrine.

BE IT FURTHER RESOLVED that the Business Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Employment Attorney and the HR Assistant shall assist the Business Administrator in the implementation of the policies and procedures in this handbook.

ROLL CALL:

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

RESOLUTION #152- 2019

**AUTHORIZING THE ADDITION OF THE MARGATE CITY PUBLIC LIBRARY
AS AN ADDITIONAL INSURED TO THE CONTRACT BETWEEN THE
CITY OF MARGATE CITY AND THE ATLANTIC COUNTY
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the City of Margate City is a member of and has a contract with the Atlantic County Municipal Joint Insurance Fund (JIF); and

WHEREAS, the Margate City Public Library is desirous of having its risk management needs covered by the Atlantic County Municipal JIF; and

WHEREAS, the Margate City Public Library has evaluated the benefits of coverage under the City of Margate’s membership in the Atlantic County Municipal JIF including increased training and claims processing support; and

WHEREAS, the Library Director has met with the JIF Fund Professionals and the Margate JIF Fund Commissioner; and

WHEREAS, the Margate City Public Library will realize an annual savings of approximately \$15,000.00 in non-healthcare related insurance costs including Workers Compensation, General Liability, Automobile Liability, Property Liability, Excess Flood Liability, and Public Officials Liability; and

WHEREAS, the Margate City Public Library current insurance policies covering these areas expire on or after September 1, 2019; and

WHEREAS, the Margate City Public Library has fulfilled all the requirements to have its risk management needs covered under the City of Margate’s membership in the Atlantic County Municipal JIF; and

WHEREAS, the Margate City Public Library Board of Trustees passed a resolution to ask the City of Margate to permit them to join the Atlantic County Municipal JIF under the City’s membership;

NOW, therefore, be it resolved by the CITY COMMISSION OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC, as follows:

- ROLL CALL:

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

RENEWAL OF THE AD INTERIM LIQUOR LICENSES FOR THOSE LICENSEES

WHEREAS, the Retail Renewal Application forms for the 2019-2020 license term has been deemed complete in all respects, the annual fees have been paid to both the City of Margate City and the State of New Jersey, Division of ABC; and

WHEREAS, the State of New Jersey has approved an Ad Interim license to be issued for the period of July 1, 2019 thru July 30, 2019

WHEREAS, the City Commissioners of the City of Margate of the County of Atlantic, State of New Jersey, hereby authorizes the renewal of the following Retail Alcoholic Beverage License for the ad interim license term effective as of July 1, 2019 and subject to the conditions and limitations contained therein.

LICENSEE**TRADE NAME**

Sensational Desserts, LLC
0116-33-001-013

JOHNNY'S CAFÉ
\$600

NOW, THEREFORE, BE IT RESOLVED by the City Commissioners of the City of Margate, County of Atlantic, State of New Jersey that authorization is hereby given to renew said license, effective July 1, 2019, the aforesaid liquor license for the license term of 30 days; and

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

1. David Wolfson, Chief of Police
2. Lisa McLaughlin, Chief Finance Officer
3. Division of Alcoholic Beverage Control

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker		X	X			

Amodeo			X			
Blumberg	X		X			

RESOLUTION #154-2019
DECLARING CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Margate, County of Atlantic as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

C1. Lease Agreement – Lamberti’s
3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the City of Margate and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person(s) in the same manner as any meeting minutes of the City of Margate.
4. This resolution shall take effect immediately

ROLL CALL:

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

A motion to come out of Executive Session was put forth by Commissioner Amodeo, Second by Commissioner Blumberg, with a vote of three ayes.

A motion to reconvene was put forth by Commissioner Blumberg, second by Commissioner Amodeo, with a vote of three ayes.

Scott Abbott: The status of allowing Lamberti’s, also known as 9707 Amherst Avenue Marina, LLC, to extend the completion time of the unfinished bulkhead was discussed. A motion will have to be made to allow for the extension of the completion date subject to the following terms: The 24 Lamberti parking spaces will be available twenty four hours a day for public parking till the restaurant receives its certification of occupancy, July 15, 2019 is the deadline for providing proof of financing, July 16, 2019 is the deadline for commencement of the foundation pilings, the work on the bulkhead must be started by August 5, 2019, and the bulkhead must be completed by November. 1, 2019. Any non-completion of these terms would be considered breach of contract.

RESOLUTION #155-2019
AUTHORIZING EXTENSION OF COMPLETION DATE
9707 AMHERST AVENUE MARINA, LLC

WHEREAS, there currently exists an Agreement by and between the City of Margate City (hereinafter “City”) and 9707 Amherst Avenue Marina, LLC (hereinafter “Marina”), as authorized by Ordinance No. 25-2018 specifying, among other things, a completion date of June 15, 2019 for the construction of a bulkhead along Amherst Avenue; and

WHEREAS, the Governing Body has determined that it is appropriate to grant the requested extension of completion date of the bulkhead to the 1st day of November, 2019 subject to timely compliance with the conditions as specified herein and as set forth in an Amendment to Agreement. NOW, THEREFORE, BE IT RESOLVED as follows:

1. The request by 9707 Amherst Avenue Marina, LLC to extend the completion date of bulkhead work is hereby granted subject to compliance with various conditions and deadlines set forth in an Amendment to Agreement, a copy of which is attached hereto and made a part hereof, by and between the City of Margate City and 9707 Amherst Avenue Marina, LLC,

BE IT ALSO RESOLVED, by the Board of Commissioners of the City of Margate City that it does hereby authorize the Mayor to execute an Amendment to the existing Agreement so as to authorize the extension of the bulkhead completion date and implementation of the conditions and deadlines set forth therein.

ROLL CALL:

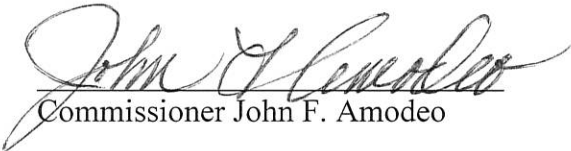
NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker	X		X			
Amodeo		X	X			
Blumberg			X			

Adjournment:

There being no further business, Mayor Becker called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Blumberg and seconded by Mayor Becker to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 6:00p.m.

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


Mayor, Michael Becker


Commissioner John F. Amodeo


Commissioner Maury Blumberg

Attest:  Johanna Casey, RMC Municipal Clerk