

## **RESOLUTION #221 of 2013**

**A RESOLUTION INSTRUCTING THE CITY SOLICITOR TO FILE A MOTION TO INTERVENE IN THE APPELLATE COURT CASE OF LEVITT V. NJDEP AND JERSEY OUTDOOR MEDIAL, LLC TO INTERVENE AS A PARTY PLAINTIFF/PETITIONER OR ALTERNATIVELY TO APPEAR AS *AMICUS CURIAE* TO OPPOSE THE NJDEP APPROVED BILLBOARD TO BE LOCATED IN BLOCK 9801 LOT 13 ON THE TAX MAP OF EGG HARBOR TOWNSHIP, ATLANTIC COUNTY, NEW JERSEY**

**WHEREAS**, Dr. Richard Levitt and Deborah Levitt have appealed a March 18, 2013 order of the Commissioner of the New Jersey Department of Environmental Protection approving an LED billboard to the Superior Court of New Jersey, Appellate Division, Docket No. A-0003445-12; and

**WHEREAS**, this NJDEP billboard appears to violate regulations and policies of the NJDEP and violates the goals and objectives of the Resource Rules and other rules of the NJDEP; and

**WHEREAS**, the City of Margate City has determined that the LED electronic bill board will have significant detrimental impact on its residents and visitors to the City of Margate City as same is proposed to be located on a main roadway to the City of Margate City.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the City of Margate City does hereby authorize the City Solicitor of the City of Margate City to file a Notice of Motion to Intervene with the Superior Court of New Jersey, Appellate Division, under Docket No. A-0003445-15, to intervene in the case as a Plaintiff/Petitioner or alternatively as *Amicus Curiae* in order to protect the rights of the citizens of the City of Margate City.

**DATE:** November 7, 2013

**I, Thomas D. Hiltner, RMC**, City Clerk of Margate City, Atlantic County, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Commissioners of the City of Margate City at a meeting of said Commission held on November 7, 2013 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.

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Thomas D. Hiltner, RMC,  
City Clerk