



Maury Blumberg
Commissioner of
Revenue & Finance

City of Margate City
9001 Winchester Ave
Margate City, NJ 08402
609-822-0424

August 7, 2014

Commissioner Bob Martin
NJ DEP
PO Box 420
Trenton, NJ 08625-0420

RE: Absecon Island Dunes Project

Dear Commissioner Martin:

Enclosed please find one (1) fully executed copy of Resolution #156-2014 as *unanimously* adopted on July 3rd by the Margate City Board of Commissioners.

This Resolution provides the historical and chronological summary regarding the various conversations, documents, letters, resolutions, etc. between the City of Margate and the appropriate State agencies over the course of the past 9 months. More importantly, this Resolution offers more than just a recap but rather speaks to the on-going frustration that the residents and voters of Margate City express to me on a daily basis.

Dating back to November & December 2013, shortly after the voters rejected the State's plans for this project by an almost 2-1 margin, we have consistently requested and have been consistently assured that the city would be given every opportunity to be a part of the dialogue and possible solutions regarding such critical issues as drainage and access as well as other issues we have previously stated. Now, it is almost a year later and closer to the apparent commencement of the Project and we have had only minimal dialogue. I respectfully submit that one (1) meeting in Trenton with only the Mayor in attendance (with solicitor and administrator), excluding 2/3 of the governing body, does not constitute an open dialogue. From what we have seen, the Project's plans are poorly designed and lack the most basic relevant information on the most critical of points. It is becoming apparent that we are engaged in a circular pattern of the City requesting information, the state agencies promising to "work along with us", and finally the State dictating to us that the Project is moving forward with or without the cooperation and participation of the City.

The City's questions concerning the Project go deeper than the legalities which we have heard from State agencies. It has become the State expressing the legal "high ground" whereas we are deeply concerned with the moral "high ground". Our citizens' most basic fundamental right to express their will in the voting booth, rejecting this Project overwhelmingly, is being completely cast aside and the results of the Referendum question not even taken into consideration. This



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Commission has been mandated to represent the will of its constituents in rejecting this Project and will continue to do so.

In conclusion, I am once again suggesting that we make at least one final effort to show the residents of Margate that we CAN work together and respect the principles of our democratic process by reaching some type of compromise. I have been advised by the leadership of the Margate Citizens Questioning the Beach Project that they have recently consulted with and retained an experienced and reputable coastal engineer who has worked on several beach replenishment projects with the Army Corps of Engineers. We have been assured that the Absecon Island Shore Protection Project can be completed without a dune system in Margate, but more importantly, this can be done without compromising the integrity or the effectiveness of the overall project in the remaining three (3) Absecon Island towns. The coastal engineer has also assured us that their proposed project changes are of such a diminutive nature that the Army Corps of Engineers would not have to seek any additional approvals from Congress. I am convinced that this now presents us with a win-win scenario. The State of New Jersey is able to move forward with an important project that benefits the entire state while at the same time we are able to respect the wishes of the voters of the City of Margate.

I thank you for your time and consideration and look forward to hearing from you at your earliest possible convenience.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Maury Blumberg".

Maury Blumberg, Commissioner

C: Honorable Chris Christie, Governor
David Apy, Assistant Attorney General
Keith Watson, US Army Corps of Engineers
Corey Booker, Senator
Robert Menendez, Senator
Frank LoBiondo, Congressman
James Whelan, Senator
Chris Brown, Assemblyman
Vincent Mazzeo, Assemblyman
City of Margate Various Officials

RESOLUTION #156 OF 2014

WHEREAS, The NJ DEP and the USACOE have scheduled a Beach Replenishment and Dune Construction Project for the City of Margate City to begin on or about October 1, 2014; and

WHEREAS, The City of Margate City held a non-binding referendum on November 5, 2013 on “ Participation in a Beach Replenishment & Dunes Construction Project in the City” which was rejected by the voters by a count of 1,603 to 902; and

WHEREAS, The City of Margate City on November 21, 2013 unanimously adopted Resolution #232 resolving that the NJ DEP “Remove the City of Margate City from the Proposed Beach Replenishment & Dune Construction Schedule”; and

WHEREAS, NJ DEP Commissioner Robert Martin in correspondence dated December 4, 2013 stated that the DEP will not recommend to the Army Corps of Engineers that the City of Margate City be removed from the schedule since the Project is necessary for the health, safety, and welfare of the City of Margate City and urged the City to cooperate with the State of New Jersey in acquiring easements; and

WHEREAS, Correspondence from the City of Margate City dated December 23, 2013 to NJ DEP Commissioner Robert Martin stated that the City of Margate City would like to work cooperatively with the NJ DEP but that the City of Margate City is not desirous of constructing any dune system; and

WHEREAS, Correspondence from John Hoffman, Acting Attorney General dated February 26, 2014 stated that State and Federal agencies are moving forward on the Beach Replenishment Project and requested assistance from Margate City to obtain easements for municipally-owned beach properties; and

WHEREAS, A meeting regarding the Beach Replenishment Project was held in the Borough of Longport on March 21, 2014 with several State and local officials in attendance and at which meeting Margate City Mayor Michael Becker stated that the city would not be providing any of its easements to the state; and

WHEREAS, A May 30, 2014 email from Assistant Attorney General David Apy to Margate City Solicitor John Scott Abbott stated that the NJ DEP “intends to move forward aggressively to obtain all required easements without delay”;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey once again expresses its desire to work cooperatively with State and Federal officials on a Beach Replenishment Project; and

BE IT FURTHER RESOLVED that the City of Margate City continues to fully support beach replenishment, exclusive of any dune construction, that provides a larger and wider beachfront with additional improvements to its existing and effective bulkhead system; and

BE IT FURTHER RESOLVED that the City of Margate City is adamantly opposed to drainage plans as currently designed, as said plans are poorly designed and unacceptable to accommodate Margate City’s existing beach block drainage infrastructure; and

BE IT FINALLY RESOLVED that the City of Margate City stands firm in its commitment to honor the will of its citizenry in its opposition to the construction of a dune system and respectfully requests that the City of Margate City be removed from the Beach Replenishment project as proposed at this time.

Date: July 3, 2014

I, THOMAS D. HILTNER, 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 July 3, 2014 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.

 Thomas D. Hiltner, City Clerk

Vote:

Ayes	Nays	Abstain	Absent
Becker	-0-	-0-	-0-
Blumberg			
Taube			