

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

January 7, 2016

MARGATE CITY, NEW JERSEY

The Regular Meeting of the Board of Commissioners was held on the above date at 5:00 p.m. The meeting began with a flag salute and roll call: Mr. Becker, Mr. Amodeo, and Mr. Blumberg were present. Mr. Deaney, Mr. Abbott and Chief Wolfson were also present. The minutes from December 17, Workshop and Regular were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment:

John Sewell, 22 West Drive, speaks on consolidating school systems.
Steve Worner, 103 S. Sumner Ave., speaks on Police Accreditation and Fire Department policies on discipline.
Seeing that there were no other comments a motion to close the Public Portion was put forth by Mr. Amodeo, second by Mr. Blumberg with a vote of three ayes.

Public Comment on Agenda Items:

John Sewell, 22 West Drive, speaks against Resolution #03-2016.
Seeing that there were no other comments a motion to close the Public Comments on Agenda Items was put forth by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Being that there was no discussion the consent agenda for Resolution #01-2016 thru Resolution 15-2016 was put forth by Mr. Amodeo and second by Mayor Becker.

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Becker	X			
Amodeo	X			
Blumberg	X			

**RESOLUTION # 1-2016MARGATE CITY BILL LIST / PAYROLL
JANUARY 7, 2016**

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

BILLS LIST AMOUNT: \$1,309,344.50

PAYROLL ACCOUNT – December 23, 2015

CURRENT ACCOUNT \$ 436,066.30

WATER & SEWER \$ 51,942.20

PAYROLL ACCOUNT – January 7, 2016

CURRENT ACCOUNT \$ 448,241.16

WATER & SEWER \$ 53,995.99

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.

RESOLUTION #02-2016 APPROVING THE PURCHASE OF FOUR 2016 FORD EXPLORERS

Whereas, the Board of Commissioners of the City of Margate City, New Jersey desires to purchase items as follows through a GSA (General Services Administration) Contract, which items when combined with prior purchases exceed the prevailing bid threshold:

VENDOR(S):	Cherry Hill Winner Ford 250 Haddonfield-Berlin Road Cherry Hill, NJ 08034
ITEMS:	Four (4) 2016 Ford Explorers
COST:	\$24,906.00 per unit price, total price \$99,624.00 per N.J. State Contract #88728

Whereas, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form.

Now, Therefore, Be It Resolved that the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey does hereby authorize the City Clerk to execute a contract with the above named vendor to purchase the specific items under N.J. State Contract.

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

1. Chief David Wolfson, Margate City Police Chief
2. Lisa McLaughlin, Chief Financial Officer
3. Winner Ford

RESOLUTION #03-2016 APPOINTMENT OF MUNICIPAL PROSECUTOR JOSEPH SAYEGH, ESQUIRE

WHEREAS, the Board of Commissioners of the City of Margate City, Atlantic County, have determined that it is necessary to appoint a Municipal Prosecutor; and

WHEREAS, pursuant to N.J.S.A. 2B:12-27 a municipality may employ an attorney-at-law as the Municipal Prosecutor under the supervision of the County Prosecutor and that attorney may represent the municipality in any matter within the jurisdiction of the central municipal court and any other municipal court; and

WHEREAS, Joseph Sayegh, Esquire of the Law Office of Goldenberg, Mackler, Sayegh & Mintz, 1030 Atlantic Avenue, Atlantic City, New Jersey 08401 has the necessary experience and qualifications to perform the duties of municipal prosecutor.

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available under General Funds

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey that Joseph Sayegh, Esquire is hereby re-appointed chief municipal prosecutor for the City of Margate City for a term of one year commencing January 1, 2016.

BE IT RESOLVED that in the event a substitute, conflict or cross complaint municipal prosecutor is needed, then each duly appointed municipal prosecutor in Atlantic County is cross assigned to the City of Margate for the aforesaid purposes.

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

1. Maureen Larkin, Court Administrator
2. Chief Financial Officer
3. Joseph Sayegh, Esq.

**RESOLUTION # 04-2016 APPOINTMENT OF ALTERNATE/CONFLICT PROSEUTOR
CARL TRIPICIAN, ESQ.**

WHEREAS, in the absence of the appointed Municipal Prosecutor, an Alternate/Conflict Prosecutor would be required; and

WHEREAS, pursuant to N.J.S.A. 2B:12-27 a municipality may employ an attorney-at-law as the Municipal Prosecutor under the supervision of the County Prosecutor and that attorney may represent the municipality in any matter within the jurisdiction of the central municipal court and any other municipal court; and

WHEREAS, the State of New Jersey requires that every municipality identify its Prosecutor and Alternate/Conflict Prosecutor.

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available under General Funds and,

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey that Carl Tripician, Esq., 1230 New Road, Northfield, NJ 08225 is hereby appointed Conflict/Alternate Prosecutor & that the City of Margate City maintain and draw from a list of duly-authorized Municipal Prosecutors in the County of Atlantic who are qualified to act as Alternate/Conflict Prosecutors if needed for a term of one year commencing January 1, 2016.

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

1. Maureen Larkin, Court Administrator
2. Chief Financial Officer
3. Carl Tripician, Esq.

RESOLUTION #05-2016 APPOINTMENT OF PUBLIC DEFENDER JAMES SWIFT, ESQ.

WHEREAS, pursuant to N.J.S.A. 2B:24-3 the Board of Commissioners of the City of Margate have the authority to appoint a municipal public defender to represent indigent defendants in the Margate City Municipal Court; and

WHEREAS, James P. Swift, Esquire of Swift Law Firm, LLC, 1335 Tilton Road, Northfield, NJ 08225 has the necessary experience and qualifications to perform the duties of public defender.

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey that James P. Swift, Esquire is hereby appointed chief municipal public defender for the City of Margate City for a term of one year commencing January 1, 2016 with an annual salary not to exceed \$3,600.00.

BE IT RESOLVED that in the event a substitute, conflict or cross complaint public defender is needed, the Municipal Court Administrator is authorized to appoint a substitute, conflict or cross complaint public defender as needed.

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

1. Maureen Larkin, Court Administrator
2. Chief Financial Officer
3. James P. Swift, Esq.

ROLL CALL: Becker – Yes, Amodeo - Yes, Blumberg - Yes

**RESOLUTION #06-2016 APOINTMENT OF CONFLICT PUBLIC DEFENDER
DARRIN LORD, ESQ.**

WHEREAS, in the absence of the appointed Municipal Public Defender, an Alternate/Conflict Public Defender would be required; and

WHEREAS, Darrin Lord, Esquire LLC, of 2312 New Road, Northfield, NJ 08225 has the necessary experience and qualifications to perform the duties of public defender.

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available under General Funds and,

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey that Darrin M. Lord, Esq., 2312 New Road, Northfield, NJ 08225 is hereby designated as the Alternate/Conflict Public Defender as needed with the compensation of \$300 per session. City for a term of one year commencing January 1, 2016

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

- 1. Maureen Larkin, Court Administrator
- 2. Chief Financial Officer
- 3. Darin M. Lord, Esq.

RESOLUTION #07-2016 2016 PETTY CASH FUNDS Finance Department, Fire Department, Martin Bloom Pavilion, Police Department

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and

WHEREAS, it is the desire of the Board of Commissioners, of the City of Margate, County of Atlantic to establish and maintain a 2016 petty cash fund for the various departments within the City of Margate as follows:

<u>DEPARTMENTS</u>	<u>CUSTODIAN</u>	<u>AMOUNT</u>
Finance Department	Lisa McLaughlin	\$250.00
Fire Department	Anthony Tabasso	\$500.00
Martin Bloom Pavilion	Marianne Christian	\$100.00
Police Department	David Wolfson	\$200.00

; and

WHEREAS, the department/custodian are required to maintain proper records for funds conducive to proper accounting and auditing procedures as required by the City auditor.

WHEREAS, all custodians as referenced above will bonded in the amount of \$1,000,000.00; and

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners, of the City of Margate, County of Atlantic does hereby authorizes such action and that two copies of this resolution to be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

- 1. Lisa McLaughlin, CFO, Chief Financial Officer
- 2. Chief Anthony Tabasso, Fire Chief
- 3. Marianne Christian
- 4. Chief David Wolfson, Police Chief

RESOLUTION #08-2016 ESTABLISHING DEPOSITORIES AND SIGNATORIES

BE IT RESOLVED by the Board of Commissioners of the City of Margate City, New Jersey that the Chief Financial Officer, or her designee, is hereby authorized to utilize funds of the City of Margate City for investment purposes in any of the following institutions:

Bank of America
Cape Bank
PNC Bank
Wells Fargo
Ocean City Home Bank

BE IT FURTHER RESOLVED that the following City Officials are hereby authorized as signatories:

1. For all City of Margate Operating and Trust Accounts:

Lisa McLaughlin, Chief Finance Officer
Michael Becker, Mayor
Johanna Casey, City Clerk

2. City of Margate Municipal Court Bail and Fines Operating Accounts:

Maureen Larkin, Court Administrator
Deanna Krupp, Deputy Court Administrator

3. City of Margate Building Department Operating Account:

James Galantino, Construction Official
Jan McMeekin, Clerk Typist

NOW, THEREFORE, BE IT RESOLVED, that the above authorizations of depositories and signatories be adopted by the governing body of the City of Margate, effective for the 2016 calendar year.

RESOLUTION #09-2016
AUTHORIZING A CASH MANAGEMENT PLAN

WHEREAS, it is the desire of the governing body to adopt a cash management plan to comply with the requirements of NJSA 40A:5-14 and to provide a guide to municipal officials and employees in carrying out their duties concerning the receipt and disbursement of all funds of the municipality.

WHEREAS, the following requirement shall be adhered to:

I. Statement of Purpose

The Cash Management Plan is prepared pursuant to the provisions of NJSA 40A:5-14 in order to set forth the basis for the deposit and investment of certain public funds of the City of Margate, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits, Transfers and the Permitted Investments will be done to ensure the safety, liquidity, and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Authorized Depositories

The Municipality shall annually designate the legal depositories, funds in certificates of deposits, and other time deposits in banks by resolution in accordance with NJSA 40A: 5-15.1, that must be covered by the Governmental Unit Depository Protection Act, NJSA 17:9-14 et seq. (GUDPA). The Municipality is also authorized to invest its assets in the New Jersey Cash Management Fund and the New Jersey Asset and Rebate Management program. This resolution may be amended or supplemented from time to time, as the Municipality deems necessary. Such resolution shall be deemed a part of the Cash Management Plan.

III. Authorized Investment

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by the Plan, to the extent not otherwise held in deposits, in the following permitted investments:

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.

2. Government money market mutual funds.
3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bond or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local government investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section I of P.L. 1977, c. 281 (C.52:18A-90.4); or Agreement for the repurchase of fully collateralized securities if
 - a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - b) the custody of collateral is transferred to a third party;
 - c) the maturity of the agreement is not more than 30 days;
 - d) the underlying securities are purchased through a public depository as defined in section I of P.L. 1970. C.236 (C.17:9-41); and
 - e) a master repurchase agreement providing for the custody and security of collateral is executed.

IV. Authorized Signatures

The Municipality shall annually establish by resolution and adopted at its annual reorganization meeting the required signatories to all bank accounts.

V. Identification of Funds and Accounts to be Covered by the Plan

The Plan is intended to cover the deposit and/or investment of the following funds and accounts contained in each fund of the City of Margate:

Capital Fund
 Current Fund
 Developer's Escrow
 Dog License Fund
 Law Enforcement Trust Funds
 Lifeguard Pension
 Recreation Trust
 Trust- Other
 Water & Sewer Utility Fund

The following funds shall not be required to be maintained in interest bearing accounts:

Change Funds
 Petty Cash Funds
 Payroll Funds
 Trust Funds – to the extent that the deposit of such funds to an interest bearing account would require by law the payment of interest to the provider of funds.
 Checking Accounts – established for the express purpose of paying bills approved by the governing body. The balances in these funds shall be kept at the minimum amount required for the orderly operation of the account.
 Compensating Balances – maintained for the purpose of obtaining specific services from financial institutions. Such accounts shall be established only under terms of written agreements approved by the governing body.

VI. Designation of Officials of the City of Margate City Authorized to Make Deposits, Transfers and Investments Under the Plan.

The Chief Financial Officer of The City of Margate and the CFO's designee are hereby authorized and directed to deposit, transfer and/or invest the funds referred to in the Plan. The CFO or CFO designee shall each have the authority to transfer and invest funds in excess of requirement in accordance with this plan in insured obligations, overnight repurchase agreements, collateralized

repurchase agreements and certificates of deposit with eligible public depositories qualified by this plan.

In the absence of the Chief Finance Officer, the CFO's designee is authorized to transfer required funds to the payroll and checking accounts for the purposes of, and to the extent necessary for, issuance of required payroll and payment of claims and payables.

Prior to making any such Deposits, Transfers, or any Permitted Investments, such officials of the City of Margate are directed to supply to all active depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan.

No municipal funds shall be disbursed by any municipal official prior to approval of the governing body except for:

Debt Service payments
Investments and/or Transfers to/from Margate's Current, Capital,
Utility or Trust Funds.
Payroll turnovers to agencies
Discount vouchers or immediate needs

Debt Service payments, discount vouchers and immediate needs must be ratified after payment.

VII. Responsibilities

The Chief Finance Officer or Designee of the Chief Finance Officer:

1. Shall ensure that all funds held by the City are safeguarded in accordance with these procedures and applicable law.
2. Shall maximize the City's interest income by prudently investing funds in excess of immediate needs in assets providing a high level of security for both principal and interest earnings, and in accordance with the rules and regulations of the State of New Jersey and the City's Bond Documents.
3. Shall maintain records and control of all City bank accounts, petty cash and change funds, investments, and certificate of deposits.
4. Shall ensure adequate separation of duties between authority to transfer or invest funds and the responsibility for recording in, accounting for and reconciling the City's ledgers and other books of account.
5. Shall provide a monthly report that provides the summary of financial balances for revenues and appropriations.
6. Shall provide a report that summarizes investment made or redeemed in the past month, each organization holding local unit funds, and the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments as of the report date, and any other information that the governing body may request or the CFO deems prudent to report.

VIII. Liability

Provided that local unit funds are deposited or invested as designated or authorized by this cash management plan, the Chief Financial Officer and the CFO designee is relieved of any liability for any loss of such moneys due to the insolvency or closing of any depository designated by, or for the decrease in value of any investment authorized by, the cash management plan.

IX. Audit

This plan, and all matters pertaining to the implementation of it, shall be subject to the Municipality's annual audit.

NOW, THEREFORE, BE IT RESOLVED, that the above cash management plan be adopted by the governing body of the City of Margate, effective for the 2016 calendar year.

RESOLUTION #10-2016 AUTHORIZING THE APPOINTMENT OF A TEMPORARY ASSISTANT BUSINESS ADMINISTRATOR

WHEREAS, Richard W. Deaney has served as the Margate Business Administrator since January 1, 2012; and

WHEREAS, the provisions of the contract provide for hourly compensation only, without paid vacation or any other benefits; and

WHEREAS, the Business Administrator will be out of State from January 8, 2016 through April 8, 2016; and

WHEREAS, although available by telephone and email to each of the Commissioners and the Solicitor, there is a need for an onsite administrative presence during this period; and

WHEREAS, the Business Administrator has recommended that the Commissioners support his designation of Police Chief David Wolfson as Temporary Assistant Administrator during this period of time without added compensation, to execute any documents required on behalf of the Business Administrator and to provide a physical administrative presence to coordinate interdepartmental staff activities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that it does hereby appoint Police Chief David Wolfson as Temporary Assistant Business Administrator for the period of January 8, 2016 through April 8, 2016 during the time when the Business Administrator is out of the State of New Jersey.

RESOLUTION #11-2016 Temporary Purchasing Agent ROGER McLARNON

WHEREAS, the Commissioners of the City of Margate City has the need for the position of a "Qualified Purchasing Agent", and

WHEREAS, N.J.A.C. establishes the criteria to appoint a Temporary Purchasing Agent for a period of one year when a vacancy occurs for the position of Qualified Purchasing Agent, and

WHEREAS, Fred Verna was appointed Temporary Purchasing Agent as per Resolution #40-2015 dated February 19, 2015 and has submitted his resignation from the position; and

NOW, THEREFORE, BE IT RESOLVED, that the City Commissioners of the City of Margate agreed to appoint Roger McLarnon as the Temporary Purchasing Agent

BE IT FURTHER RESOLVED that Roger McLarnon is required to successfully completed five courses and State QPA Examination in order to obtain the certification as a Qualified Purchasing Agent.

BE IT RESOLVED, the City Clerk is authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

R E S O L U T I O N # 12-2016 AUTHORIZING TEMPORARY BUDGET

Whereas, , the Board of Commissioners of the City of Margate find the need for the fiscal year 2016 to adopt a Temporary Budget. Funds from budgetary appropriations have been submitted and certified by the Chief Financial Officer and,

Whereas, N.J.S.A. 40A:4-19 permits a Temporary Budget to be adopted, and

Whereas, the total amount appropriation so made shall not exceed 26.25% of the total of the appropriations made for the purpose in the budget for the preceding fiscal year and,

Whereas, this total excludes in both instances appropriations made for interest and debt redemption charges, capital improvement fund and public assistance.

RESOLUTION #13-2016 AUTHORIZING APPOINTMENT OF SPECIAL PROFESSIONAL SERVICE OF JAMES M. RUTALA ASSOCIATES, LLC CITY OF MARGATE PLANNING & GRANT ASSISTANCE

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services of James M. Rutala Associates, LLC for assistance to the City of Margate with the implementation of 2016 Planning and Grant Assistance; and

WHEREAS, James Rutala Associates, LLC. has demonstrated that they have the necessary experience and qualifications to perform same; and

WHEREAS, this Contract is 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)*.; and

WHEREAS, James Rutala will continue to provide planning and grant services in the areas of energy, economic development and management: and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in an amount not to exceed \$12,000.00 available under Financial Admin-Professional Fees he award of this contract.

NOW, THEREFORE BE IT RESOLVED by the Board of 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 and the City Clerk to attest to a contract in an amount not to exceed \$12,000.00 between the City of Margate and James M. Rutala Associates, LLC, 717 River Drive, Linwood, NJ 08221 for the performance of the above noted matter.
2. This contract is 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)*.
3. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.
- 4.

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

1. James M. Rutala
2. Lisa McLaughlin, CFO
3. Jim Rutala, Grant Manager

RESOLUTION #14-2016 AUTHORIZING REDEMPTION OF TAX LIEN
Block107 Lot 17 C000C, 13 S Frontenac Avenue

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

Block/Lot	Certificate #	Amount
107/17 C000C	#13-1	\$3,309.67

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

1. Lisa McLaughlin, Finance Manager
2. Linda Morgan, Tax Collector

RESOLUTION #15-2016 AUTHORIZING REDEMPTION OF TAX LIEN
Block 429 Lot 53.151, 9510 Amherst Avenue

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

Block/Lot	Certificate #	Amount
429/53.151	#13-6	\$4,050.50

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

1. Lisa McLaughlin, Finance Manager
2. Linda Morgan, Tax Collector

With no further business this meeting was adjourned on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

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

Mayor, Michael Becker Commissioner John F. Amodeo Commissioner Maury Blumberg

Attest: _____ Johanna Casey, Municipal Clerk