

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

November 3, 2016

MARGATE CITY, NEW JERSEY

The Regular Meeting of the Board of Commissioners was held on the above date at 4:45 p.m. The meeting began with a flag salute and roll call: Mayor Becker, Mr. Amodeo and Mr. Blumberg were present. Mr. Deaney, Chief Wolfson and Mr. Abbott were also present. The minutes from October 20th, 2016, Workshop/Regular and Capital were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment:

John Sewell- 22 West Drive- Speaks on school closing and inefficiency in education.
Art Cautilli- 114 N. Lancaster Ave. – Speaks on school closing and supporting the residence of Margate.
Steve Worner- 103 N. Sumner Ave. – Speaks on school closing and feels Tighe School should be left open.

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

Public Comment on Resolutions and Ordinance Adoption:

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

ORDINANCES: Public/Adoption

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

**ORDINANCE #23 – 2016
AN ORDINANCE AMENDING CHAPTER 175, LAND USE, OF THE CODE OF
THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF
NEW JERSEY**

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

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

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

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

Add the following:

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

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

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

Michael Becker, Mayor

John Amodeo, Commissioner

Maury Blumberg, Commissioner

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

Introduction: October 20, 2016
Published:
PH/Adopted:
Published:

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

ORDINANCE #24-2016

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

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

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

257-15 Handicapped Parking on Streets

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

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

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

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

Introduction: October 20, 2016
Published:
PH/Adoption:
Published:

RESOLUTIONS:

RESOLUTION #194-2016 AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, at the Margate City Municipal Tax Sale held on December 12, 2014 a lien was sold on Block 405.01 Lot 17 , also known as 218 N. Douglas Ave. in Margate City for 2013 unpaid taxes and,

WHEREAS, this lien, known as Tax Sale Certificate #14-19 was sold to MTAG CUST FOR EMPIRE VII NJ , for a 0% redemption fee and a \$15,900 premium; and,

WHEREAS, Certificate 14-19 has been redeemed in the amount of \$16,833.82.

NOW, THEREFORE, BE IT RESOLVED, that the treasurer be authorized to issue a check in the amount of \$16,833.82, payable to MTAG CUST EMPIRE VII NJ, for redemption of Tax Sale Certificate #14-19

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$15,900 (Premium) to the aforementioned lienholder.

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

ROLL CALL:

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

RESOLUTION # 195-2016 OPPOSING BALLOT QUESTION #1 NORTH JERSEY CASINO NOVEMBER 3, 2016

WHEREAS, Public Question No. 1 proposes a State constitutional amendment to permit casino gambling in two additional counties in this State; and,

WHEREAS, the voters will consider Public Question No.1 on the November 8, 2016; and,

WHEREAS, a history of studies conclude expanding gaming outside of Atlantic City would not increase revenues for the State and, in fact, lead to a net loss of jobs, small businesses, and revenue to the State. Those studies include:

- * The American Gaming Association found the rate of those who gambled in casinos at least once per year has remained relatively constant for decades.
- * The Pennsylvania Legislative Budget and Finance Committee confirms that as each new casino opens, it only serves locals as a greater share of its patronage.
- * Stockton University concluded one casino alone in North Jersey would draw from 41.8% of Atlantic City's existing customer base. This was confirmed by a Deutsche Bank study which said a North Jersey casino will draw from a 40 miles radius, cutting deep into Monmouth County which is critical to Atlantic City's market.
- * While Deutsche Bank estimates two North Jersey casinos will generate \$500 million in gaming revenue, Stockton University estimates Atlantic City casinos will lose \$500 million in gaming revenue.
- * The Greater Atlantic City Chamber estimates there would be 14,500 job losses and the closure of two to four Atlantic City casinos if casino expansion were approved.
- * The Morowitz Study concludes there will be a loss of up to 30,000 jobs, a loss of up to \$1.4 billion in gaming revenue, and the closure of three to five additional casinos, creating a significant increase in regional unemployment and housing foreclosures.

WHEREAS, the legislative sponsor of Public Question No. 1 testified before the Assembly Judiciary Committee that there were no independent studies supporting North Jersey casinos, and:

WHEREAS, there is no specific tax rate set on the possible North Jersey casinos making it impossible to determine how much if any tax revenue will be generate and, therefore, no guarantee that seniors, the disabled, the horse racing industry, or Atlantic City will receive any funding from North Jersey casinos, and;

WHEREAS, any North Jersey casinos will require substantial infrastructure improvements at their location and there is no additional State funding for those improvement, and;

WHEREAS, unemployment in Atlantic County remains above the state average and Atlantic County's foreclosure rate is still the highest in the nation, and;

WHEREAS, the net loss of casino jobs will hurt the hard working middle class men and women of Atlantic County, who are the very people the casino industry was intended to help; and,

WHEREAS, any further decline in casino property values in Atlantic City will increase property taxes throughout Atlantic County; and

WHEREAS, the legalization of casino gaming in surrounding states has already oversaturated the gaming market, opening casinos in other locations in New Jersey municipalities will only serve to cannibalize our own gaming market.

NOW, THEREFORE, BE IT RESOLVED, this governing body opposes Public Question No. 1 and strongly urges all of our residents to also oppose Public Question No. 1 on November 8, 2016.

ROLL CALL:

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

**RESOLUTION #196-2016 AUTHORIZING RECEIPT OF BIDS
MUNICIPAL BUILDING PLAYGROUNDS**

WHEREAS, the City Commissioners is desirous of receiving bids for the following:

- 1. Municipal Building Playground Upgrades
- , and

WHEREAS, specifications for the aforesaid items will be on file in the City Clerk’s Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Commissioners of the City of Margate, County of Atlantic that it does hereby authorize the City Clerk to advertise for bids for the aforesaid item as per the specifications on file and will be received by the City Clerk’s Office in the Municipal Conference Room, 9001 Winchester Avenue, Margate, New Jersey on a date to be determined.

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

- 1. Lisa McLaughlin, Finance Manager
- 2. Frank Ricciotti, Public Works Department
- 3. Ed Walberg, City Engineer

ROLL CALL:

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

Resolution #197-2016 Approval to Submit a Grant Application and Execute a Grant Agreement with the The Federal Emergency Management Agency for an Federal Emergency Management Agency FY 2016 Assistance to Firefighter Grant

WHEREAS, the Federal Emergency Management Agency is accepting applications for the Assistance to Firefighter Grant (AFG); and

WHEREAS, this program is available to municipalities with full time Fire Departments and volunteer firefighter organizations: and

WHEREAS, the primary goal of the AFG to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical service organizations; and

WHEREAS, the City of Margate is eligible to apply for this grant program; 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 governing body of the City of Margate formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the Federal Emergency Management Agency on behalf of the City of Margate.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Margate and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

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

RESOLUTION #198-2016 AUTHORIZING RENEWAL OF SPECIAL PROFESSIONAL SERVICE OF THE COASTAL RESEARCH CENTER OF STOCKTON UNIVERSITY FOR MARSH ASSESSMENT and RESTORATION PLAN

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for special professional services of Dr. Stuart Farrell of Stockton University for assistance in Marsh Assessment and Restoration Plan; and

WHEREAS, Dr. Stuart Farrell, of Richard Stockton University Coastal Research Center, 30 Wilson Avenue, Port Republic, New Jersey 08241 has demonstrated that he has the necessary experience and qualifications to perform same; and

WHEREAS, Resolution #181-2015 awarded the contract 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, The National Fish and Wildlife Grant was adopted on June 18, 2015 and will fund this contract; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in the amount of \$47,677.26 available under Coastal Resiliency NFWF – State Share G-01-41-705-001 for the 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 wish to renew the contract for twelve consecutive months or until the project is completed.

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

- 1. Richard Stockton University Coastal Research Center
- 2. Lisa McLaughlin, CFO
- 3. Jim Rutala, Grant Manager

ROLL CALL:

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

RESOLUTION #199-2016 TAX ASSESSMENT SERVICES January 1, 2017 through December 31, 2017

WHEREAS, the Board of Commissioners of the City of Margate City has a need to provide Tax Assessment Services to assist in the Tax Assessor’s Office; and

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

WHEREAS, the City of Margate is in receipt of a proposal for a one year contract from *Vital Communications, Inc., 900 South Broad Street, Trenton, NJ 08611 in the amount of \$14,560.08;* and

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of contract in the following account:
Computer & Software Maintenance – future year budget 7-01-20-150-212 \$15,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City hereby authorizes the Mayor and City Clerk to execute the award of contract without competitive biddings as an Extraordinary, Unspecifiable Services pursuant to N.J.S.A. 40A:11-5(1)(a)(ii). to Vital Communications, Inc. Trenton, NJ in the amount of \$15,000.00 for a one year period (January 1, 2017 through December 31, 2017).

BE IT RESOLVED that the City Clerk is hereby authorized to advertise this award of contract according to law in the Atlantic Press and is further authorized to forward a copy of this resolution to the following:

- 1. Vital Communications, Inc.
- 2. Lisa McLaughlin, Chief Financial Officer
- 3. James Manghan, Tax Assessor

ROLL CALL:

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

RESOLUTION #200-2016 AUTHORIZING THE PROFESSIONAL SERVICES OF DM MEDICAL BILLINGS

WHEREAS, there exists a need for the City of Margate to retain medical third party billing services; and

WHEREAS, the services to be provided are considered to be “Professional Services” pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “Professional Services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the City Commission, having considered the same, now wishes to authorize DM Medical Billings to provide the aforesaid services with regard to the proposed refunding transaction.

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of contract in the following account: Ambulance Billing; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC as follows:

1. That the Mayor, or his designee, is authorized to execute and the City Clerk to attest to an agreement in a form acceptable to the City Solicitor between the City of Margate and DM Medical Billings with regard to the aforesaid services, as per the proposal submitted by DM Medical Billings dated November 1, 2016, a copy of which is attached hereto.
2. That, in accordance with said agreement, DM Medical Billings is hereby authorized to provide the aforesaid services with regard to the refunding of the City’s ambulance billing.
3. That the total fee for the services including expenses, are 6.50% of amount collected.
4. That this contract is awarded without competitive bidding as a “Professional Service”, in accordance with *N.J.S.A. 40A:11-5*, of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
5. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the City.
6. That a certified copy of this Resolution shall be provided to each of the following:
 - a. DM Medical Billings(Attn: Amy Gifford)
 - b. City Administrator
 - c. City Chief Financial Officer
 - d. City Clerk
7. This Resolution shall take effect December 1, 2016.

ROLL CALL:

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

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

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

Mayor, Michael Becker

Commissioner John F. Amodeo

Commissioner Maury Blumberg

Attest: _____ Johanna Casey, Municipal