

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

March 16, 2017

MARGATE CITY, NEW JERSEY

THE PRESS AND THE DOWNBEACH CURRENT WERE NOTIFIED OF THESE MEETINGS AND A COPY OF 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 4:50 p.m. The meeting began with a flag salute and roll call: Mayor Becker, Mr. Amodeo and Mr. Blumberg were present. Chief Wolfson and Mr. Abbott were also present. The minutes from March 2, 2017, Workshop, Regular and Capital were approved as read on motion by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

PROCLAMATION

Proclaiming March 19-25 as National Poison Prevention Week in the State of New Jersey

A motion to approve Proclamation for National Poison Prevention Week was put forth by Mr. Blumberg, second by Mr. Amodeo.

Public Comment:

John Sewell- 22 West Drive- Speaks on School Board and School closing.

Steve Woerner- 103 N. Sumner Avenue- Speaks on school closing. Speaks on narcotics use and requiring detox program should be taken.

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

Ordinance Introduction:

A motion to introduce Ordinance #04-2017 was put forth by Mr. Blumberg, second by Mr. Amodeo.

**THE CITY OF MARGATE CITY IN
THE COUNTY OF ATLANTIC, NEW JERSEY**

ORDINANCE NO. 04-2017

BOND ORDINANCE APPROPRIATING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY

THE BOARD OF COMMISSIONERS OF THE CITY OF MARGATE CITY IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000), including the aggregate sum of ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000) which is hereby appropriated from the Capital Improvement Fund of the City as the down payments for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States

five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Projects

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	AMOUNT OF BONDS OR NOTES
(a) Purchase of Various Vehicles and Apparatus for Public Works Department.	\$350,000	\$332,500
(b) Various Municipal Roadway and Drainage Improvements under the 2016/2017 Municipal Road Program, including without limitation the Winchester Avenue Reconstruction Project, miscellaneous small road projects, and Washington and Ventnor Avenues intersection improvements project, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$774,000	\$735,300
(c) Construction of improvements to various Municipal Facilities, Buildings and Recreational		

construction inspection and administration.	\$774,000	\$735,300
(c) Construction of improvements to various Municipal Facilities, Buildings and Recreational Facilities, including without limitation dredging, installation of public bathrooms, roof improvements, installation of fueling facility, improvements to Sig Rimm Recreational Complex, Basketball Court repairs, bulkhead repairs, and renovations to Beach Patrol Headquarters, including all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, dredging studies and tests, topographic mapping, legal, permits and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$1,970,000	\$1,871,500
(d) Purchase of Various Equipment and Tools for the Planning Department, Police Department, Fire Department, and Public Works Department.	\$387,000	\$367,650
(e) Various Improvements to Municipal Information Technology Systems, including network equipment and equipment purchases.	\$19,000	\$18,050
TOTAL	<u>\$3,500,000</u>	<u>\$3,325,000</u>

The excess of the appropriation made for such improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as stated above, not including the amount of any grant, is the amount of the said down payments for said purposes.

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal

prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the City of Margate is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

- (a) The said purposes described in Section 3 of this Bond

Ordinance are not current expenses and are properties or improvements which the City may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **18.79 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by of THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding THREE HUNDRED FIFTY-FIVE THOUSAND TWO HUNDRED SEVENTY-FIVE DOLLARS (\$355,275) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City or any member of the same "central group" as the City

such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING:	March 16, 2017
PUBLICATION:	March , 2017
FINAL READING:	March 30 2017

PUBLICATION WITH STATEMENT: April , 2017

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 16, 2017, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 30, 2017, at 5:00 o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway and Drainage Improvements; Construction of Improvements to Various Municipal Facilities, Buildings and Recreational Facilities; Dredging of Bay Area and Improvements to Information Technology Systems

Appropriation: \$3,500,000

Bonds/Notes Authorized: \$3,325,000

Grants (if any) Appropriated: \$390,000

Section 20 Costs: \$355,275

Useful Life: 18.79 years

PUBLICATION WITH STATEMENT: April , 2017

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 16, 2017, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 30, 2017, at 5:00 o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway and Drainage Improvements; Construction of Improvements to Various Municipal Facilities, Buildings and Recreational Facilities; Dredging of Bay Area and Improvements to Information Technology Systems

Appropriation: \$3,500,000

Bonds/Notes Authorized: \$3,325,000

Grants (if any) Appropriated: \$390,000

Section 20 Costs: \$355,275

Useful Life: 18.79 years

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the City of Margate City, in the County of Atlantic, State of New Jersey on March 30, 2017, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$3,325,000) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway and Drainage Improvements; Construction of Improvements to Various Municipal Facilities, Buildings and Recreational Facilities; Dredging of Bay Area and Improvements to Information Technology Systems

Appropriation: \$3,500,000

Bonds/Notes Authorized: \$3,325,000

Grants (if any) Appropriated: \$390,000

Section 20 Costs: \$355,275

Useful Life: 18.79 years

Johanna Casey, RMC, Municipal Clerk

A motion to introduce Ordinance #05-2017 was put forth by Mr. Blumberg, second by Mayor Becker.

**THE CITY OF MARGATE CITY IN
THE COUNTY OF ATLANTIC, NEW JERSEY**

ORDINANCE NO. 05-2017

**BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER
UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE
CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING
FIVE HUNDRED THOUSAND DOLLARS (\$500,000) THEREFORE AND
AUTHORIZING THE ISSUANCE OF FIVE HUNDRED THOUSAND DOLLARS
(\$500,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST
THEREOF**

THE BOARD OF COMMISSIONERS OF THE CITY OF MARGATE CITY IN THE COUNTY
OF ATLANTIC, NEW JERSEY (not less than two-thirds of the full membership thereof
affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made to the water and sewer utility systems of the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FIVE HUNDRED THOUSAND DOLLARS (\$500,000). No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the FIVE

appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FIVE HUNDRED THOUSAND DOLLARS (\$500,000). No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the FIVE HUNDRED THOUSAND DOLLARS (\$500,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Project

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
(a) Design and Reconstruction of Winchester Avenue, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$295,400	\$295,400
(b) Redevelopment of Well No. 5, including all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$204,600	\$204,600
Total	<u>\$500,000</u>	<u>\$500,000</u>

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding FIVE HUNDRED THOUSAND DOLLARS (\$500,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a

rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the City of Margate is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local

Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the City may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **40 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by FIVE HUNDRED THOUSAND DOLLARS (\$500,000), and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding TWO HUNDRED TWO THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$202,825) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said

(d) Amounts not exceeding TWO HUNDRED TWO THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$202,825) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

(e) This bond ordinance authorize obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated

to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING: March 16, 2017

PUBLICATION: March , 2017

FINAL READING: March 30, 2017

PUBLICATION WITH STATEMENT: April , 2017

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 16, 2017, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 30, 2017, at 5:00 o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: **"BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING FIVE HUNDRED THOUSAND DOLLARS (\$500,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF"**

Purpose(s): Design and Reconstruction of Winchester Avenue Improvements; and Redevelopment of Well No. 5.
Appropriation: \$500,000
Bonds/Notes Authorized: \$500,000
Grants (if any) Appropriated: N/A
Section 20 Costs: \$202,825
Useful Life: 40 years

Johanna Casey, RMC, Municipal Clerk

Ordinance Adoption:

A motion to adopt Ordinance #01-2017 was put forth by Mr. Blumberg, second by Mr. Amodeo.

ORDINANCE #01-2017
CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Commissioners of the City of Margate City in the County of Atlantic finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Commissioners hereby determines that a 3.0% increase in the budget for said year, amounting to \$663,907.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the City Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Commissioners of the City of Margate City, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the City of Margate City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$774,558.75, and that the CY 2017 municipal budget for the City of Margate City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Michael Becker, Mayor

Maury Blumberg, Commissioner

John Amodeo, Commissioner

Board of Commissioners of the City of Margate City, NJ

Introduced: March 2, 2017

Adopted: March 16, 2017

A motion to adopt Ordinance #02-2017 was put forth by Mr. Blumberg, second by Mr. Amodeo.

ORDINANCE #02-2017
Chapter 35
Officers and Employees
ARTICLE XXIII
PUBLIC SAFETY TELECOMMUNICATOR TRAINEE
(PART-TIME)

35-48. Creation of Position.

There is hereby created the position of Public Safety Telecommunicator Trainee (Part-Time) in and for the City of Margate City.

35-49. Salary Range.

The compensation to be paid to the Public Safety Telecommunicator Trainee (Part-Time) shall be between the range of \$16.00 per hour and \$18.00 per hour.

Michael Becker, Mayor

Maury Blumberg, Commissioner

John Amodeo, Commissioner

Board of Commissioners of the City of Margate City, NJ

Introduced: March 2, 2017

Adopted: March 16, 2017

A motion to adopt Ordinance #03-2017 was put forth by Mr. Blumberg, second by Mayor Becker.

ORDINANCE #03-2017

**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>Side</u>	<u>Location</u>
221 North Mansfield Avenue	East	From a point 25 feet south of the southerly curbline of Amherst 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.

Michael Becker, Mayor

Maury Blumberg, Commissioner

John Amodeo, Commissioner

Board of Commissioners of the City of Margate City, NJ

Introduction: March 2, 2017
PH/Adoption: March 16, 2017

Resolutions:**RESOLUTION #54-2017 MARGATE CITY BILL LIST / PAYROLL March 16, 2017**

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: \$ 312,766.37

PREVIOUSLY PAID: \$ 338,767.17

PAYROLL ACCOUNT – March 16, 2017

CURRENT ACCOUNT \$ 480,551.91

WATER & SEWER \$ 51,095.19

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			

RESOLUTION #55 – 2017 AUTHORIZING THE CHANGE ORDER #1 TO ELECTROQUEST, LLC TO PROVIDE PROFESSIONAL SERVICES FOR TECHNICAL ASSISTANCE WITH OUTDOOR LIGHTING ORDINANCE

WHEREAS, the City of Margate City has up-dated it's Outdoor Lighting Ordinance with the assistance of Electroquest, LLC; and

WHEREAS, a 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)* to Electroquest, LLC, to provide consulting services in the field of electrical engineering and safety to the City of Margate City at the rate of \$395.00 per hour, with an initial retainer in the amount of \$2,500.00 and at a total cost not to exceed \$5,000.00 and as memorialized in Resolution 141-2016; and

WHEREAS, Electroquest, LLC has submitted additional billing so as to provide the necessary assistance concerning an up-dated outdoor lighting ordinance and related issues which additional services exceed the previously authorized amount by the sum of \$1,957.50; and

WHEREAS, the Governing Body has determined to amend the previously accepted proposal so as to authorize the additional payment as requested in the amount of \$1957.50; and

WHEREAS, the Chief Financial Officer has certified that the \$1,957.50 is the amount owed for the professional services and as such certifies to the City Commissioners that there are sufficient funds available for the payment of this contract under Legal OE 7-01-20-155-255; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that it does hereby amend the previously approved proposal of Electroquest, LLC to provide assistance to the City of Margate City in the preparation and means of enforcement of an updated Outdoor Lighting Ordinance so as to authorize the payment of the amount of \$1,957.50.

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

1. John Tobias, Electroquest, LLC
2. Lisa McLaughlin, CFO

ROLL CALL:

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

RESOLUTION #56-2017 AUTHORIZING CHANGE ORDER #1
For 2015 STATE AID RECONSTRUCTION OF WINCHESTER AVENUE

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey has on November 17, 2016 authorized the awarding of a contract to Perna Finnigan, Inc., 1921 E. Sherman Ave., Vineland, NJ in the amount of \$994,009.95; and

WHEREAS, City Engineer, Ed Walberg, has prepared a letter dated February 28, 2017 regarding increase in Change Order #1 that related to Gate Valves with Valve Box in the amount of \$23,300.00, resulting in a new contract total of \$1,017,309.95; and

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available under Capital Ordinance #2016-06C06-55-908-902 thru re-allocation from C-06-055-908-904; and

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, does hereby authorize the issuance of Change Order No. 1 to the contract with Perna Finnigan, Inc., 1921 E. Sherman Ave., Vineland, NJ; and

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

1. Lisa McLaughlin, CFO
2. Ed Walberg, City Engineer
3. Perna Finnigan, Inc., 1921 E. Sherman Ave., Vineland, NJ

ROLL CALL:

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

RESOLUTION #57-2017 ANNUAL RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation & Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners of the City of Margate City to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City that Margate City hereby endorses the submission of the Recycling Tonnage Grant application for the year 2016 to the New Jersey Department of Environmental Protection and designates Franz Adler to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the Recycling Tonnage Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ROLL CALL:

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

RESOLUTION #58-2017 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the City of Margate City is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Commissioners are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the City Clerk.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to LFN 2008-9.
- (4) A list of the surplus property to be sold is attached.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The City of Margate City reserves the right to accept or reject any bid submitted.

ROLL CALL:

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

MUNICIPAL BUDGET NOTICE			
Section 1.			
Municipal Budget of the	<u>CITY</u>	of	<u>MARGATE</u> , County of <u>ATLANTIC</u> for the Fiscal Year 2017
Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2017			
Be it Further Resolved, that said Budget be published in the		<u>THE PRESS OF ATLANTIC CITY</u>	
in the issue of		<u>MARCH 23RD</u> , 2017	
The Governing Body of the		<u>CITY</u> of <u>MARGATE</u> does hereby approve the following as the Budget for the year 2017.	
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>RECORDED VOTE</p> <p>(INSERT LAST NAME)</p> </div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="margin-bottom: 20px;"> <p>Ayes</p> <div style="border-left: 2px solid black; height: 100px; width: 100px;"></div> </div> <div> <p>Nays</p> <div style="border-left: 2px solid black; height: 100px; width: 100px;"></div> </div> </div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="margin-bottom: 20px;"> <p>Abstained</p> <div style="border-left: 2px solid black; height: 50px; width: 50px;"></div> </div> <div> <p>Absent</p> <div style="border-left: 2px solid black; height: 50px; width: 50px;"></div> </div> </div> </div>			
<p>Notice is hereby given that the Budget and Tax Resolution was approved by the <u>CITY COMMISSION</u> of the <u>CITY</u></p> <p>of <u>MARGATE</u>, County of <u>ATLANTIC</u>, on <u>MARCH 16TH</u>, 2017</p> <p>A Hearing on the Budget and Tax Resolution will be held at <u>MARGATE CITY HALL</u>, on <u>MAY 4TH</u>, 2017 at</p>			
<p><u>5:00</u> o'clock (A-M) (P.M.) (Cross out one) at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.</p>			

**RESOLUTION # 60-2017 AUTHORIZING THE AWARD OF CONTRACT
TO PROVIDE LANDSCAPING MAINTENANCE OF VARIOUS PUBLIC PROPERTIES
AND VENTNOR AVENUE PARKWAY**

WHEREAS, on February 16, 2017, the City of Margate approved Resolution #39-2017 authorizing the receipt of bids to provide 2017 Landscape Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping; and

WHEREAS, the City Clerk did duly advertise for the receipt of said bids to provide Landscape Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping in the Atlantic City Press on February 20, 2017; and

WHEREAS, in connection therewith the following one (1) bid was received by the City Clerk and Purchasing Agent of the City of Margate on March 8, 2017:

Michael Angerman Landscaping, Inc.
PO Box 660 Northfield, NJ 08225

\$78,030.00

, and

WHEREAS, the City Purchasing Agent, Roger McLarnon, submitted his letter dated March 9, 2017, that a contract be awarded to Michael Angerman Landscaping, Inc., PO Box 660 Northfield, NJ 08225 as per their proposal to provide Landscape Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping in an amount \$78,030.00; and.

WHEREAS, Michael Angerman Landscaping, Inc. is the lowest bid for these services; and

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of this award in the following account: Landscape Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping 7-01-226-290-281.

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate, County of Atlantic that it does hereby award a contract to Michael Angerman Landscaping, Inc., PO Box 660 Northfield, NJ 08225 in an amount not to exceed \$78,030.00 as per their proposal to provide Landscape Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping.

BE IT FURTHER RESOLVED that the award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bond as may be required by the specifications.

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

1. Remington, Vernick & Walberg Engineers
2. Chief Financial Officer
3. Michael Angerman Landscaping, Inc.

ROLL CALL:

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

With no further business this meeting was adjourned on motion by Mr. Amodeo, second by Mr. Blumberg 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