

REGULAR MEETING MINUTES

CITY COMMISSION – MARGATE CITY

APRIL 18, 2019

MARGATE CITY, NEW JERSEY

THE ATLANTIC CITY PRESS AND THE STAR LEDGER WERE NOTIFIED OF THIS MEETING AND A COPY OF THE 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 4:40p.m. at the Margate City Hall, 1 South Washington Avenue, Margate, NJ 08402. The meeting began with a flag salute and roll call: Mayor Michael Becker, Commissioner John Amodeo and Commissioner Maury Blumberg were present. Johanna Casey, Rich Deaney, and Scott Abbott were also present. The minutes from the April 4, 2019 Capital, Workshop and Regular Meetings were approved as read on motion by Commissioner Amodeo, seconded by Commissioner Blumberg with a vote three ayes.

Public Comment:

John Sewell: 22 West Drive, Speaks on how much Margate tax payers have to pay for the Margate school system and standardized testing.

Barry Sherman: 9510 Amherst Ave., Questioning the commissioners knowing about permits being approved for a water park by the Department of the Environment.

Commissioner Amodeo: Since over the water the city has no authority. The Department of Environment has the authority. No application for a water park has been received by the city. Assures him there will not be Port-A-Pots on city property. Clarifies areas covered under the Margate Planning Board. The city has no control over a decision made by the DEP pertaining to applications having to do with over the water.

Barry Sherman: Inquires as to the city having a say over who bought the marina.

Mayor Becker: The marina is privately owned, the city has no say over who purchases. Suggest Mr. Sherman make an appointment to discuss.

Barry Sherman: Will do that.

Scott Abbott: Requests to see the documents Mr. Sherman has with him.

Commissioner Amodeo: At this time no application pertaining to the water park has been received by the city.

Scott Abbott: Clarifies this is only a notification of an application with the DEP.

Commissioner Amodeo: The DEP is a state entity, which overrides any decisions by the city.

Barry Sherman: Clarifies with Mr. Abbott that this is only a notification along with set of plans for the water park.

Scott Abbott: Reads part of the notification. Requests Mr. Sherman to send to him a copy of the papers he has regarding the water park.

Barry Sherman: States the notification is for a water park and dredging approval.

Mayor Becker: Requests moving on with the meeting.

Joe Kelly: 9510 Amherst Ave., Represents the residents of Margate Mariner Condos. Inquires how anyone could open a business without permanent toilets and parking. On behalf on the residents states their opposition to the water park.

Steve Worner: 103 N. Sumner Ave., Speaks in favor of the water park for the kids to have something to do. Dredging would enhance the city.

Seeing that there were no additional comments, a motion to close Public Comments was put forth by Commissioner Blumberg, seconded by Commissioner Amodeo, with a vote of three ayes.

Public Comment Resolutions Adoption:

Seeing that there were no comments, a motion to close Public Comments on Resolutions and Ordinances was put forth by Commissioner Amodeo seconded by Commissioner Blumberg, with a vote of three ayes.

ORDINANCES: Introduction

A motion to introduce Ordinance #04-2019 was put forth by Mayor Becker seconded by Commissioner Amodeo, with a vote of three ayes.

ORDINANCE #04-2019

AN ORDINANCE AMENDING CHAPTER 275 POLICE-PUBLIC TOWING, 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 275, Police –Public Towing, shall be amended as follows:

SECTION 2. Section 275-1, Definitions.

For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meanings given herein:

AUTOMOBILE — A motor vehicle of a private passenger or station wagon type that is owned or leased and is neither used as a public or livery conveyance for passengers nor rented to others with a driver; and a motor vehicle with a pickup body or delivery sedan, a van or a panel truck or camper-type vehicle used for recreational purposes owned by an individual or by husband and wife who are residents of the same household, not customarily used in the occupation, profession or business of the owner(s).

BASIC TOWING SERVICE — The removal and transport of an automobile from a highway, street or other public or private road or a parking area or from a storage facility, and other services normally incident thereto, but does not include recovery of an automobile from a position beyond the right-of-way or berm or from being impaled upon any other object within the right-of-way or berm.

COMMERCIAL VEHICLE — Any vehicle other than that as defined as an "automobile" pursuant to the definitions as contained in this chapter.

MOTOR VEHICLE ACCIDENT — An occurrence in which a private passenger automobile comes in contact with any other object for which the private passenger automobile must be towed or removed for placement in storage facility. This includes all situations which are accidental as to the owner or operator of the motor vehicle even if they were caused by the intentional acts of a perpetrator where the perpetrator was not the owner or operator of the motor vehicle.

PARKING — The standing or waiting on any private or quasi-public property of a vehicle.

TOW VEHICLE — Only those vehicles equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or under reach equipment specifically designed by its manufacturer for the removal or transport of motor vehicles.

TOW VEHICLE'S BASE OF SERVICE-The towing operator's principle place of business where the tow vehicle is stationed when not in use.

SECTION 3. Section 275-2, Official towers to be appointed; towers' list; license required; term.

- A. The Mayor and Commission shall appoint persons or companies meeting the criteria set forth in this chapter and engaged in the business of offering the services of a motor vehicle towing or wrecker service, whereby damaged or disabled motor vehicles are towed or otherwise removed from the place where they are damaged or disabled, by use of a tow vehicle, as defined in this chapter. Such persons or companies shall be known as "official towers."

- B. Official towers shall be identified by means of a license that shall be issued in accordance with provisions of this chapter.
- C. Not less than 45 days prior to the beginning of each one-year term of official towers' licenses, the City shall advertise for applications for towing licenses for providing towing service pursuant to this chapter. The advertisement shall be published in the official City newspaper.
- D. All applicants shall submit their applications at least 30 days prior to the commencement date for each one-year period, and the applications shall be reviewed in accordance with the procedures set forth in this chapter. The award of a license to the successful applicants shall be subject to compliance with the license requirements of the chapter.
- E. Licenses issued thereafter shall be for a one-year period commencing on January 1 of the year in which it was issued and terminating one year on December 31 of the same year.
- F. Notwithstanding the provisions of this chapter that provide for a one-year term of the license, official towers shall subject no later than December 1 of each year that the towing license is in effect a detailed certification certifying that the official tower meets the requirements of this chapter in regard to the issuance of licenses. The certification shall be submitted to the Chief of Police for his review and approval. Failure to subject the certification or failure to continue to abide by requirements of this chapter in regard to the issuance of a towing license shall subject the official tower to revocation of the license in accordance with the procedures contained herein.

SECTION 4. Section 275-3, Services to be furnished.

- A. Official towers shall furnish adequate and proper wrecking, towing and storage to motor vehicles damaged or disabled within the limits of the City of Margate when requested to do so by the Chief of Police or his authorized designee.
- B. No official tower shall subcontract any work to be performed pursuant to this chapter without having first obtained prior written approval from the Chief of Police, except for the use of heavy equipment in time of emergency. Any official tower to whom approval to subcontract work has been given shall be responsible for the services performed by the subcontractor and shall remain liable for any violation of this chapter by the subcontractor.
- C. Removal and towing of vehicles.
 - (1) In the event that the official tower has been summoned by the City for the purpose of towing a vehicle, and the owner of the vehicle arrives on the scene prior to the removal of the vehicle by the official tower, the owner may be charged by the official tower the drop fee listed in the rate schedule only if the vehicle in question has been actually hooked up.
 - (2) The official tower shall be responsible for the towing of any disabled City-owned vehicles when requested by the City and, if required, the changing of tires on those vehicles.
 - (3) The official tower will be responsible to clean up all broken glass and debris at the scene of accidents.
 - (4) Prior to the official tower towing any vehicle from any portion of the beach located in Margate City, he shall first contact the Police Department and secure from it permission to enter upon the beach and tow the vehicle. The official tower shall take all necessary steps to prevent damage to the beach, sand dunes, or bulkhead in towing any vehicle from the beach. The official tower shall be responsible for any damage occasioned to the beach, any dunes, vegetation, snow fence, bulkheads or any other structure located on or adjacent to the beach.
 - (5) The official tower shall have the right to utilize another towing contractor to perform towing services upon the beach, if the official tower believes his equipment is inadequate or insufficient to accomplish the towing. In the event that another towing contractor performs the towing, the fees shall be those specified in the contract, and said towing contractor shall comply with all the terms and conditions of the original contract.

SECTION 5. Section 275-4, Application process.

A. Applications for inclusion on the official towers' list shall be made to the Mayor and Commission upon a form prepared by the Chief of Police and approved by the City Attorney and shall contain all of the following information:

(1) The name, residence and business address and telephone number of the owner of the towing company. If the owner is a corporation, the application shall contain the name, residence and business address and telephone number of every stockholder owning more than 10% of the issued stock.

(2) Such information as may be required by the Mayor and Commission concerning the personnel, vehicles, equipment and storage facilities of such application, as hereinafter provided, showing that the applicant meets the minimum standards of performance.

(3) A certificate or certificates of insurance evidencing adequate insurance coverage as hereinafter provided.

(4) The names and addresses of two business references who have known the applicant for at least two years.

(5) Certification that the applicant will be able to provide towing services anywhere in the City with a maximum response time of 20 minutes, except when extraordinary circumstances occur.

(6) Certification that the applicant will be available for service on business premises 24 hours a day and that it will abide by the fees contained in or referred to in this section.

(7) Consent to certification that will consent to appointment of the City Clerk as the applicant's true and lawful attorney for the purpose of acknowledging service out of any court of competent jurisdiction to be served against the applicant.

(8) Towing company storage facility shall be no further than 4.5 miles from the Margate City Police Department.

B. The applicant shall submit completed duplicate applications to the City Clerk, who shall forward a copy to the Chief of Police for his review and approval. The review by the Chief of Police shall consist of the following:

(1) A background check to determine if either the applicant or the applicant's personnel have been convicted of a criminal offense or have had their drivers' licenses suspended or revoked within the past year. Conviction of a criminal offense or suspension of drivers' license within the past year shall be a cause for disqualification from inclusion on the official towers' list.

(2) An inspection of the personnel, vehicles and equipment proposed to be utilized by the application to verify the accuracy of the information contained in the application and to determine compliance with applicable laws and regulations and the standards of performance required by this chapter.

C. An applicant may be included on the official towers' list by the Mayor and Commission, by resolution adopted at a regular public meeting, when, from a consideration of the application and from such other information as may otherwise be obtained, they find that all of the following circumstances exist:

(1) The applicant has not knowingly and with intent to deceive made any false, misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.

(2) The applicant has met the standards in this chapter and has furnished the required hold harmless agreement and certificates of insurance.

(3) The application has been reviewed and approved by the Chief of Police.

(4) Neither the applicant nor the applicant's personnel have been convicted of a criminal offense or had their drivers' license suspended within the past year.

D. The Chief of Police shall conduct his review and render a report to the Mayor and Commission recommending either approval or denial of the application. The Mayor and Commission shall take action with regard to the application after receipt of the report of the Chief of Police. The applicant or its representative shall be given notice of the date on which the Mayor and Commission will consider the application and shall be permitted to appear and be heard at that time.

- E. Written notice of the approval or denial of the application shall be provided to the applicant within seven days of the decision of the Mayor and Commission.
- F. If the Mayor and Commission fail to take action within 30 days of receipt of a complete application, the application shall be deemed to have been denied.

SECTION 6. Section 275-5, Licenses; fees.

- A. Upon approval of the application as herein provided and payment of the required fees, the City Clerk shall issue the applicant an official tower's license for each tow vehicle or flatbed vehicle to be utilized in providing services pursuant to this chapter.
- B. The licenses, which shall be in a form approved by the Mayor and Commission, shall be displayed on the tow vehicle or flatbed vehicle at all times.
- C. The licenses shall be valid for the one-year period as set forth in the chapter, shall be nontransferable and shall be subject to revocation by the Mayor and Commission for any of the following reasons:
 - (1) If it is subsequently determined that the applicant knowingly and with intent to deceive made false, misleading or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter.
 - (2) Unsatisfactory service provided pursuant to this chapter.
 - (3) Failure to annually certify compliance with the requirements of this chapter as required by § 275-2F.
- D. Every license granted shall entitle the licensee to operate the towing facility or to drive a tow truck for a period of one year.

- E. The mercantile license fees are as follows:

Name of License	Fee
Towing operator	\$300
Tow truck employee	\$100

- F. Licenses shall not be transferable from one vehicle to another without the consent of the Chief of Police. Consent may be granted at the sole discretion of the Chief, if the licensee demonstrates that the transferee vehicle complies with all of the requirements of this chapter.

SECTION 7. Section 275-6, Minimum standards of performance.

To qualify for inclusion on the list of official towers, applicants must meet the following minimum standards:

- A. Minimum vehicle requirements.
 - (1) Every official tower shall maintain and have available to render services required by this chapter a minimum of one regular tow vehicle and one flatbed vehicle.
 - (2) Vehicle classes:
 - (a) Regular tow vehicles must be equipped with a boom or winch assembly mounted on the chassis, a dolly assembly, a tow sling or wheel lift assembly and at least 100 feet of either three-eighths-inch or seven-sixteenths-inch cable attached to motor-driven winch.

- (b) Flatbed vehicles must be equipped with a winch or hydraulically operated bed which slides or tilts to accommodate transporting of vehicles.
- (3) All equipment shall comply with all state and federal regulations, and all vehicle operators shall possess a CDL license for over 26,000 pounds.
- (4) Each applicant shall submit, along with its application, proof of ownership or lease of the vehicles which will be utilized to provide services pursuant to this chapter.

B. Minimum equipment requirements.

- (1) Every tow vehicle or flatbed vehicle shall be equipped with the following:
 - (a) At least one amber rotating beacon or strobe light mounted on the highest practical location of the vehicles, visible from 360° when in use and visible at a minimum distance of 500 feet during daylight hours.
 - (b) One snatch block per winch.
 - (c) Safety tow lights or magnetic tow lights for towing vehicles at night, amber colored.
 - (d) Extra chains and cable for pulling or securing a towed vehicle.
 - (e) At least one heavy-duty broom, a shovel, a crowbar or pry bar, a set of jumper cables, a flashlight, one two-pound or larger fire extinguisher of dry chemical type, one dozen flares or similar warning devices for placement at the scene of an accident or behind a disabled vehicle, at least 10 pounds of dry sand or drying compound for gasoline and oil spilled onto the roadway and a sufficient quantity and types of tools to enable the tow operator to perform proper and adequate emergency repair services for the tow.
- (2) Every tow vehicle or flatbed vehicle shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment requirements and shall be subject to inspection by the Chief of Police or his designee at any time. No changes may be made in said vehicles or equipment unless prior written approval is obtained from the City.
- (3) Every tow vehicle or flatbed vehicle shall display the official tower's license and shall have the name of the official tower displayed on the vehicle in such manner and of such lettering as conforms to the provisions of N.J.S.A. 39:4-46.

C. Minimum personnel requirements. Official towers shall have available, at all times, a minimum of two persons to provide the services required by this chapter. All persons employed by official towers to provide the services required by this chapter shall meet the following requirements and be subject to the following regulations. They shall:

- (1) Be competent mechanics able to provide minimum road service for disabled vehicles.
- (2) Have a valid driver's license having no restrictions or conditional endorsements other than a condition requiring the wearing of eyeglasses.
- (3) Be mentally alert and present a neat appearance at all times.
- (4) Obey all traffic laws and regulations.
- (5) Be subject to inspection by the Chief of Police of the City and shall be approved by the Chief prior to rendering any services pursuant to this chapter.
- (6) Not have been convicted of a crime nor had their driving privileges suspended or revoked within the past year.

SECTION 8. Section 275-7, Utilization of the official towers' list.

- A. Official towers shall be placed on the official towers' list at the beginning of each one-year period in accordance with the procedures as set forth in this chapter. The official towers shall rotate on the list for one week at a time or for such a period as designated by the Chief of Police in accordance with his rule-making authority under this chapter. Unless otherwise changed by the Chief of Police under his rule-making authority, the one-week rotation shall commence at 12:00 midnight Wednesday and terminate at 11:59 p.m. the following Tuesday.

B. The City shall request wrecking, towing and storage services from each official tower in rotation. When called, the tower shall advise the dispatcher if a vehicle is available and the estimated time of arrival. If no tow vehicle is available or if, in the discretion of the City official making the request, the response time is insufficient under the circumstances to properly protect the public health, safety or welfare, the next official tower on the list shall be called for that particular towing event. The official tower who is at the top of the list, however, shall remain on the top of the list for any subsequent calls until that tower's one-week period at the top of the list is finished.

C. All requests for service shall be made by the Chief of Police or his official designee.

D. During adverse weather conditions, heavy traffic conditions or emergency conditions, official towers shall give priority to requests from the City over any other requests which may be received by the official towers.

SECTION 9. Section 275-8, Hold harmless agreement.

The applicant shall agree, in writing, to assume the defense of and indemnify and hold harmless the City, its elected officials, boards, commissions, officers, employees and agents from all suits, actions, damages or claims to which the City may be subjected of any kind and nature whatsoever resulting from, caused by, arising out of or as a consequence of the provisions of towing, wrecking, storage and/or emergency services provided at the request of the City pursuant to this chapter. Official towers shall enter into a hold harmless agreement in a form to be prepared by the City Attorney prior to being included on the official towers' list.

SECTION 10. Section 275-9, Insurance.

A. No person shall be included on the official towers' list unless and until such person has provided to the City a certificate or certificates of insurance evidencing that there is in effect the following insurance coverages:

(1) Automobile liability insurance in an amount not less than \$1,000,000 combined single limits.

(2) Workers' compensation as required by law.

(3) Sufficient comprehensive general public liability insurance to protect the City from any liability loss or damage arising out of the activities to be conducted. Such insurance shall be in the minimum amount of \$1,000,000 for each person and \$3,000,000 for each accident.

B. Policies of insurance shall contain endorsements to provide collision coverage for vehicles in tow.

C. Policies of insurance shall be written by insurance companies authorized to do business in the State of New Jersey. Insurance companies shall be acceptable to the City and shall have at least a B+ rating by a recognized rating service.

D. The City of Margate City shall be named as an additional insured on all policies of insurance provided pursuant to this chapter. All certificates of insurance shall provide that the policies may not be canceled or terminated or the coverage decreased without 30 days' written notice to the City.

E. Policies of insurance required by this chapter shall be maintained in full force and effect at all times. In the event that any coverage is canceled, terminated, interrupted or decreased in amount, the tower shall be removed from the official towers' list until such time as the required coverage is reinstated or replaced.

SECTION 11. Section 275-10, Towing and storage fee schedule; releases; damage to be

reported. [Amended 8-7-2003 by Ord. No. 2003-11]

A. The following are the approved fees:

- (1) Transporting of illegally parked, impounded or disabled motor vehicle 7,000 gross volume weight or less: \$100.
- (2) Transporting of illegally parked, impounded or disabled motor vehicle exceeding 7,000 gross volume weight but less than 12,000 gross volume weight: \$200.
- (3) Transporting of illegally parked, impounded or disabled motor vehicle exceeding 12,000 gross volume weight: \$350.
- (4) Transporting of motor vehicle 7,000 gross volume weight or less from accident scene to include cleaning and removal of area debris: \$125.
- (5) Transporting of motor vehicle exceeding 7,000 gross volume weight but less than 12,000 gross volume weight from accident scene, to include cleaning and removal of debris: \$225.
- (6) Transporting of motor vehicle exceeding 12,000 gross volume weight from accident scene to include cleaning and removal of debris: \$375.
- (7) Extra winching service: \$100 per hour.
- (8) Drop fee (vehicle must be hooked to collect drop fee): 50% of applicable tow fee.
- (9) Towing of all City-owned vehicles within the limits of Atlantic County: no charge.
- (10) Towing of all City-owned vehicles outside the limits of Atlantic County: \$2 per mile.
- (11) Storage Lot: \$30 per day.
- (12) Emergency after-hours release fee: \$25.

- (a) Monday through Thursday, 11:00 p.m. to 8:30 a.m.
- (b) Saturday, Sunday and holidays, 5:00 a.m. to 8:30 a.m.

- (13) Labor and additional equipment: \$50.

B. Accident and impounded vehicles (not to include illegally parked vehicles) will be released Monday through Friday, 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m.

C. No charge for towing of any motor vehicle or impounding of motor vehicle for police investigative purposes at the direction of the Chief of Police or his designee.

D. Official police towers shall respond to releases within 30 minutes of being notified or the Chief of Police, or his designee, may waive the towing fee and release the vehicle.

E. All damage to towed vehicles is to be reported immediately.

SECTION 12. Section 275-11, City's responsibility for towing and/or storage fees.

- A. The City will not be responsible to the official tower for the collection or payment of any charges for towing regardless of where the vehicle is stored, regardless of by whom the vehicle was towed, and regardless of the reason for towing, inclusive of but not limited to abandonment, accidents, traffic violations, theft or police investigations.
- B. The City will not be responsible to the official tower for any charges due and owing from a vehicle, nor will it assist the official tower in collecting any towing and/or storage charges for any vehicle, whether it has been stolen, abandoned or involved in an accident or traffic violations and regardless of where the vehicle is stored.

SECTION 13. Section 275-12, Miscellaneous provisions.

- A. Copies of this chapter and the schedule of fees that may be charged by official towers shall be made available to the public during normal business hours at the City Municipal Building.

Copies shall also be made available to the public at each official tower's place of business.

- B. All official towers shall post, in a prominent place at each storage area clearly visible to the public, a schedule of the fees that may be charged for all services provided pursuant to this chapter.
- C. The City reserves the right to make periodic unannounced inspections of the personnel, vehicles, equipment and storage areas of all official towers.
- D. The relationship between an official tower and the City is one of an independent contractor. Neither party shall be construed in any manner whatsoever to be an employee of the other, nor shall any employee or agent furnished by any party be construed to be an employee or agent of the other party. Inclusion on the official towers' list shall not be construed or considered as a joint venture, partnership, association, contract of employment or profit sharing agreement.
- E. The municipality shall not be liable or responsible for compensating the official towers for any of the services performed under this chapter unless those services are performed for the City vehicles. Compensation shall be the responsibility of the owner of the tow motor vehicle, and the official tower shall proceed directly against the owner.
- F. The official tower shall, at all times, be solely responsible for the conduct of its employees.
- G. Each official tower shall keep and maintain adequate and complete records showing all vehicles towed, stored and released, all services rendered and all fees charged and collected. All records shall be available for inspection by the City at any time during normal business hours. Records shall be kept and maintained by the official tower at one central location and shall be retained for a period of seven years. Records may be written, printed or computerized as long as the requirements of this subsection are met.

SECTION 14. Section 275-13, Dispute resolution and license revocation.

- A. In the event that a complaint is received by the City involving the improper conduct or actions of the tower or unsatisfactory performance of services by an official tower, excessive charges or damage to a motor vehicle while in custody of the tower, written notice of the same shall be provided by the City Clerk to the official tower involved. The towershell have the opportunity to respond, in writing, within five days.
- B. Within 14 days of receipt of the tower's response or within 21 days of receipt of the complaint, if no response is received, the matter shall be presented by the City Clerk to the Mayor and Commission.
- C. The Mayor and Commission shall consider the matter at a regular public meeting and may request that the complainant and the tower involved appear and give testimony regarding the complainant.
- D. If, after considering the matter, the Mayor and Commission shall determine that one of the causes for revocation of the official tower's license as set forth in § 275-5C exists, the license shall be revoked and the tower shall surrender the same to the City Clerk within one day.
- E. Failure to surrender the license upon revocation shall constitute a violation of this chapter.
- F. Nothing contained herein shall prevent or limit the right of any person to commence or maintain an action for damages or any other relief directly against an official tower in a court of competent jurisdiction.

SECTION 15. Section 275-14, Violations and penalties.

- A. Any person who shall violate any of the provisions of this chapter shall, upon conviction be punished by a fine not to exceed \$1,000; and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate

and distinct offense.

- B. In addition to the fine provided above, a violation of any of the provisions of this chapter shall be cause for revocation of the official tower's license.

SECTION 16. All ordinances or parts of ordinances inconsistent with any terms of this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 17. This ordinance shall take effect upon its final passage and publication as required by law.

A motion to introduce Ordinance #05-2019 was put forth by Mayor Becker seconded by Commissioner Blumberg, with a vote of three ayes.

**City of Margate City
ORDINANCE #05-2019
AMENDING CHAPTER 205-4
PARKING LOTS, MUNICIPAL
USE RULES AND HOURS OF OPERATION**

§ 205-4 Use rules and hours of operation.

- A. Rules of use of Margate City Municipal Parking Lot during the off-season. Between ~~September 15~~ **October 31** and ~~May 15~~ **May 1** the Municipal Parking Lot shall be open and available for use in accordance with municipal regulation during daylight hours for all permitted vehicles without charge or limitation.
- B. Rules of use of the Margate City Municipal Lot during the summer season. Between ~~May 15~~ **May 1** and ~~September 15~~ **October 31** the following rules shall apply in the operation of said lot:
- (1) The lot will be open for use by permitted vehicles from 6:00 a.m. to ~~10:00 p.m.~~ **12:00 AM** daily.
 - (2) (Reserved)
 - (3) The public shall be permitted to park their vehicles upon the lot for two-hour periods between the hours of 6:00 a.m. and ~~10:00 p.m.~~ **12:00 AM** [Amended 4-15-2004 by Ord. No. 2004-5]
 - (4) The Margate City Municipal Parking Lot will be closed to the general public at ~~10:00 p.m.~~ **12:00 AM**, and all vehicles must be removed from the lot at that time.
 - (5) The City of Margate shall issue a minimum of 15 parking permits for residents who live in the area of the Margate City Municipal Parking Lot, specifically residents who live on the unit block of North Washington Avenue, the unit block of South Washington Avenue, the unit block of North Decatur Avenue, and Winchester Avenue between Washington and Decatur Avenues. The permit shall grant permission for a resident to park on the Margate City Municipal Parking Lot during the hours of ~~10:00 p.m.~~ **12:00 AM** and 6:00 a.m. daily. Vehicles must be parked on the lot no later than ~~10:30 p.m.~~ **12:30 AM** and cannot be removed from the lot until 6:00 a.m. in order to minimize noise and disturbance to the neighbors. The parking permits shall be issued in accordance with Margate City Code § 257-22. The City reserves the right to increase or decrease the number of parking permits issued. [Added 8-5-2004 by Ord. No. 2004-14]

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

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

ORDINANCES: Public/Adoption**RESOLUTIONS**

**RESOLUTION #81-2019
MARGATE CITY BILL LIST / PAYROLL
APRIL 18, 2019**

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

BILLS LIST AMOUNT: \$793,095.96

PREVIOUSLY PAID: \$ 19,450.45

PAYROLL ACCOUNT – April 11, 2019

CURRENT ACCOUNT \$450,939.78

WATER & SEWER \$ 54,922.00

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			

April 16, 2019
01:19 PM

City of Margate City
Purchase Order Listing By P.O. Number

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed
Include Non-Budgeted: Y
First Enc Date Range: First to 12/31/19
Open: N
Paid: N
Void: N
Rcvd: Y
Held: N
Aprv: Y
Bid: Y
State: Y
Other: Y
Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-00963	06/21/18	PERNA Perna Finnigan, Inc. Contract No: U1190001	FY2016 State Aid-Winchester	Open	86,673.61	0.00	C
18-01487	10/04/18	REMGTO REMINGTON & VERNICK Contract No: U1190002	Admin & Oberv-2016 State Aid	Open	6,722.25	0.00	C
18-01489	10/04/18	REMGTO REMINGTON & VERNICK Contract No: U1290002	Burk Ave admin & observation	Open	7,178.42	0.00	C
18-01490	10/04/18	REMGTO REMINGTON & VERNICK Contract No: U1320002	well #8 admin & observ	Open	742.50	0.00	C
18-01537	10/12/18	REMGTO REMINGTON & VERNICK Contract No: U1370001	2017 CDBG Access- Design	Open	942.10	0.00	C
18-01539	10/12/18	REMGTO REMINGTON & VERNICK Contract No: U1380001	Anherst bulkhead project mgmt	Open	67.50	0.00	C
18-01540	10/12/18	REMGTO REMINGTON & VERNICK Contract No: U1340001	2017 Muni Aid design	Open	17,041.00	0.00	C
18-01541	10/12/18	REMGTO REMINGTON & VERNICK Contract No: U1350001	Safe Route to School design	Open	2,160.00	0.00	C
18-01581	10/26/18	DOROT005 McCrosson & Stanton, PC	Special counsel-tax attorney	Open	5,724.80	0.00	B
18-01615	11/01/18	REMGTO REMINGTON & VERNICK Contract No: U1330002	Benson tank ext. paint A&O	Open	371.25	0.00	C
18-01650	11/15/18	HACKN005 Hackney Concrete, Inc. Contract No: U1310000	17/18 Curb & Gutter	Open	46,863.60	0.00	C
19-00028	01/01/19	ROVILLAR HANK ROVILLARD, ESQ., LLC Contract No: C1900007	Tax attorney- tax appeals	Open	6,349.65	0.00	C
19-00029	01/01/19	JPM JERSEY PROFESSIONAL MANAGEMENT Contract No: C1900008	Acting administrator	Open	5,225.00	0.00	C
19-00034	01/01/19	ANIMAL SAMUEL W. HOLLAND DBA Contract No: C1900011	Animal control services	Open	650.00	0.00	C
19-00039	01/01/19	BARKER Barker, Gelfand, Contract No: C1900016	HR service- employment law	Open	945.40	0.00	C
19-00043	01/01/19	BARRIER BARRIER PEST CONTROL	2019 Pest Control	Open	650.00	0.00	B
19-00046	01/01/19	CASA CASA PAYROLL SERVICE	2019 Payroll service	Open	438.60	0.00	B
19-00047	01/01/19	CASA 2 CASA REPORTING SERVICES	2019 ACA reporting service	Open	575.85	0.00	B
19-00053	01/11/19	SAMS Sam's Club	Supplies	Open	125.94	0.00	
19-00060	01/11/19	FRYES Frye's Auto Repair	Auto Repairs/Supplies	Open	267.98	0.00	
19-00063	01/11/19	STAPLCRE Staples Business Credit	Officer Supplies	Open	116.49	0.00	
19-00080	01/11/19	MCANJ MCANJ	Municipal Clerks membership	Open	75.00	0.00	
19-00097	01/15/19	LOWES Lowe's Commercial Services	MATERIALS & SUPPLIES	Open	1,043.10	0.00	
19-00100	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/General Account	Open	8,302.30	0.00	
19-00101	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ w/s Accounts	Open	7,837.28	0.00	
19-00102	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ St.Lt. Account	Open	483.01	0.00	
19-00103	01/15/19	ACELECTR ATLANTIC CITY ELECTRIC	Monthly Charge/ Temp. Account	Open	219.31	0.00	
19-00107	01/15/19	ACPRESS PRESS OF ATLANTIC CITY	City Clerk Legal Ads	Open	462.72	0.00	
19-00109	01/15/19	SJGASCOM SOUTH JERSEY GAS COMPANY	2019 monthly charges	Open	7,021.37	0.00	
19-00112	01/15/19	CONSTELL Constellation New Energy, Inc.	2019 monthly electric charges	Open	3,333.28	0.00	
19-00113	01/15/19	J CINCOT Joseph Cincotta	2019 LG Pension	Open	535.76	0.00	
19-00114	01/15/19	JGALLAGH JAMES GALLAGHER	2019 LG Pension	Open	247.15	0.00	
19-00115	01/15/19	JOHN SLA John Slattery, III	2019 LG Pension	Open	157.72	0.00	
19-00116	01/15/19	KING GEORGE KING	2019 LG Pension	Open	384.13	0.00	
19-00117	01/15/19	MICHAELB Michael Baylinson	2019 LG Pension	Open	532.64	0.00	

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19-00118	01/15/19	RICHKUGE RICHARD H. KUGEL	2019 LG Pension	Open	1,959.75	0.00	
19-00119	01/15/19	SMALLWOOD CARL SMALLWOOD	2019 LG Pension	Open	536.62	0.00	
19-00125	01/16/19	HOT BAGE HOT BAGELS AND MORE MMM LLC	Bagels	Open	546.00	0.00	B
19-00129	01/16/19	FASTENAL Fastenal Company	MATERIALS & SUPPLIES	Open	1,145.60	0.00	
19-00130	01/16/19	COLONIAL Colonial Electrical Supply Inc	MATERIALS & SUPPLIES	Open	505.25	0.00	
19-00142	01/22/19	METER The Meter Guy, LLC.	SCADA WEBSITE ADMIN FEE	Open	250.00	0.00	
19-00146	01/22/19	GOLDEN Golden Equipment Co., Inc.	SWEeper PARTS	Open	541.61	0.00	
19-00188	01/29/19	MARYANNC Mary Ann Cairo	Yoga Instructor	Open	550.00	0.00	
19-00189	01/29/19	SHEPPARD Sheppard Bus Service	Bus Trips	Open	1,550.00	0.00	
19-00222	01/31/19	PEDRONI PEDRONI FUEL COMPANY	FUEL CONTRACT 2019	Open	7,589.98	0.00	
19-00224	01/25/19	ACUA ATLANTIC COUNTY UTILITIES AUTH	Quarterly user fees	Open	295,418.00	0.00	B
19-00240	02/01/19	NAPA AU Val-U Auto LLC	MATERIALS & SUPPLIES	Open	803.47	0.00	
19-00252	01/15/19	REMINGTON REMINGTON & VERNICK	Amherst bulkhead project mgmt	Open	555.73	0.00	C
		Contract No: U1400002					
19-00284	02/07/19	REMINGTON REMINGTON & VERNICK	Beach vehicle access points	Open	5,490.00	0.00	C
		Contract No: U1390001					
19-00293	02/07/19	REMINGTON REMINGTON & VERNICK	Playground upgrade-Design	Open	2,754.99	0.00	C
		Contract No: U1410001					
19-00302	02/13/19	NJWEA RE New Jersey Water Env. Ass. Reg	CLASS W & S Dept.3/4,5,6,7/19	Open	1,020.00	0.00	
19-00323	01/01/19	MANOS Manos Law Firm, LLC.	Planning Bd solicitor	Open	1,200.00	0.00	B
19-00339	02/20/19	GLOBAL I Global Industrial Equipment	DUNE BENCHES	Open	4,561.98	0.00	
19-00427	04/12/19	MCAA MCAA Of New Jersey	Seminar	Open	30.00	0.00	
19-00428	03/05/19	CATAMA CATAMARAN MEDIA COMPANY	Yard Sale 2019	Open	411.41	0.00	
19-00442	03/06/19	SOMERS P SOMERS POINT LUMBER, INC.	MATERIALS & SUPPLIES	Open	2,511.65	0.00	
19-00444	01/02/19	REMINGTON REMINGTON & VERNICK	2017 curb & gutter admin/obser	Open	573.75	0.00	C
		Contract No: U1280002					
19-00447	03/06/19	TPGALL2 Thomas P. Gallagher	2019 Lifeguard Pension	Open	122.00	0.00	
19-00455	03/07/19	NCS National Credit-reporting Syst	Employment Background Check	Open	33.00	0.00	
19-00471	03/12/19	COCONLLC County Conservation LLC	100 YDS CERT. PLAYGROUND MULCH	Open	3,315.00	0.00	
19-00482	03/15/19	GRIFFIN1 Griffin Automotive Inc.	MECHANICSHOP-DIAGNOSTICSCANNER	Open	2,495.00	0.00	
19-00499	03/19/19	PRM STIP Prime Stripe Inc.	Field Paint	Open	880.40	0.00	
19-00500	03/01/19	UGI UGI Energy Services, LLC	Natural Gas commodity	Open	12,014.57	0.00	
19-00503	03/20/19	WB MASON W.B. MASON CO., INC.	janitorial supplies	Open	878.11	0.00	
19-00504	03/20/19	ACSHADE ATLANTIC CITY SHADE SHOP	Pavilion Shades and Blinds	Open	4,089.00	0.00	
19-00505	03/20/19	STAPLCRE Staples Business Credit	Office Supplies	Open	532.83	0.00	
19-00506	03/20/19	ACPRESS PRESS OF ATLANTIC CITY	Accreditation	Open	1,097.28	0.00	
19-00507	03/20/19	CATA 2 Catamaran Classified	Accreditation Ad	Open	645.50	0.00	
19-00515	03/22/19	GRAINGER WM GRAINGER INC.	W&S - SMALL TOOLS	Open	280.11	0.00	
19-00522	03/25/19	PROFORMA PROFORMA DYNAMIC RESOURCES	Program Brochures	Open	3,520.00	0.00	
19-00525	03/26/19	WB MASON W.B. MASON CO., INC.	Chair	Open	675.00	0.00	
19-00529	03/27/19	GARDENST GARDEN STATE HIGHWAY PRODUCTS	Signs and Parts for Signs	Open	122.00	0.00	
19-00535	03/27/19	STAPLCRE Staples Business Credit	Zoning/Building Supplies	Open	154.53	0.00	
19-00542	03/29/19	SJNIGP Southern New Jersey NIGP	membership for zoning officer	Open	65.00	0.00	
19-00544	04/01/19	GOODYEAR GOODYEAR AUTO SERVICE	W & S - JIM D & M21	Open	718.08	0.00	
19-00546	04/01/19	GALLOWAY GALLOWAY WHOLESALE NURSERY	SHRUBS FOR CITY /LUCY	Open	338.00	0.00	
19-00556	04/01/19	DOVETAIL Dovetail Presentations	Summer Camp Magic Show	Open	350.00	0.00	
19-00559	04/03/19	HARRING Harring Fire Protection, LLC	Fire Protection Services	Open	430.00	0.00	
19-00560	04/03/19	APC LLC Awareness Protect. Consultants	Officer Training	Open	145.00	0.00	
19-00561	04/03/19	ATXTELEC Broadview Networks	Telephone Service-march 2019	Open	3,631.10	0.00	
19-00562	04/03/19	VERIZON1 Verizon Wireless	cellular service-march 2019	Open	918.86	0.00	
19-00563	04/03/19	VERIZONPRO Verizon	Annual Pole Attachments	Open	260.00	0.00	
19-00564	04/03/19	VERIZON VERIZON	ISDN Circuit Court Room	Open	215.82	0.00	
19-00566	04/03/19	CAPE-ATL Cape-Atlantic Conservation Dis	Soil/sediment applic-Atlantic	Open	555.00	0.00	
19-00587	04/09/19	GARDEN S Garden State Investment	Lien Redemption #17-00006	Open	3,117.38	0.00	

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00588	04/09/19	US BANK	USBank Cust Tower DBVIII	Lien redemption # 18-00010	Open	63,154.38	0.00
19-00589	04/09/19	SITEONE	SITEONE LANDSCAPE SUPPLY LLC	W & S SPRINKLER SUPPLIES	Open	671.49	0.00
19-00591	03/04/19	RICH FIR	RICH FIRE PROTECTION	MUNICIPAL BLDG-FIRE EXT MAINT	Open	25.00	0.00
19-00593	04/09/19	WILLIAMS	WILLIAMS SCOTSMAN, INC.	Sta. 2 Trailer Rental - 3/2019	Open	286.00	0.00
19-00594	03/25/19	ACTION U	ACTION UNIFORM CO. LLC	Fire Dept. Supplies	Open	32.99	0.00
19-00598	03/31/19	SWELDIN	SOUTH JERSEY WELDING SUPPLY CO	March 2019 - Oxygen Rental	Open	35.34	0.00
19-00601	04/06/19	MCCULLY	Matthew McCully	Reimbursement of EMT Class	Open	80.00	0.00
19-00603	03/21/19	HUBER	HUBER LOCKSMITHS, INC.	Reprogram Station Door Locks	Open	145.00	0.00
19-00604	03/29/19	BATTERY	Batteries Plus Bulbs	Fire Department Batteries	Open	223.11	0.00
19-00605	03/26/19	J MCLERN	John McLernon Mental Health SV	Payment for Treatment of FF	Open	180.00	0.00
19-00606	03/13/19	VERALPH	V.E. RALPH & SON, INC.	EMS Supplies Fire Department	Open	133.00	0.00
19-00609	04/11/19	NETW0005	Networkfleet, Inc.	PW Vehicle GPS-march 2019	Open	399.00	0.00
19-00610	04/11/19	VERIZON1	Verizon Wireless	Air Cards PD vehicles-mar 2019	Open	220.60	0.00
19-00611	04/11/19	IRONMOUN	IRON MOUNTAIN	record storage - april 2019	Open	469.12	0.00
19-00612	04/11/19	MOSSMANS	MOSSMANS BUSINESS MACHINE INC	copier contract - march 2019	Open	350.28	0.00
19-00613	04/02/19	ATLAN005	Atlanticare Physician Group PA	Pre-Employment Physical - Shea	Open	565.00	0.00
19-00614	04/11/19	TELVUE	TelVue	Webus qly Support	Open	300.00	0.00
19-00616	04/06/19	HUNTERP	Hunter Pizagno	EMT Class Reimbursement	Open	255.00	0.00
19-00617	04/07/19	TIMFRIEL	Timothy Friel	EMT Class Reimbursement	Open	80.00	0.00
19-00622	03/25/19	SHORECPR	SHORE MEDICAL CENTER	BLS Instructor Course	Open	500.00	0.00
19-00623	04/11/19	STAPLCRE	Staples Business Credit	Supply order- Finance/clerk	Open	227.75	0.00
19-00624	04/12/19	COMCAST	COMCAST	INTERNET ACCESS-APRIL 2019	Open	1,621.95	0.00
19-00630	04/12/19	WESTM005	West Marine Products, Inc	Fire Department Supplies	Open	29.96	0.00
19-00636	04/15/19	MGLFORMS	MGL PRINTING SOLUTIONS	Capital Checks	Open	178.00	0.00
19-00638	04/15/19	ACPRESS	PRESS OF ATLANTIC CITY	2019 8 week subscription	Open	95.84	0.00
19-00642	04/16/19	GSPECTOR	Gabriel Spector	Tax Lien Redemption #18-00015	Open	2,051.58	0.00
19-00643	04/16/19	MAGUIRE	Jim and Lana Maguire	FEMA4264 grant reimbursement	Open	128,214.50	0.00
Total Purchase Orders:		112	Total P.O. Line Items:	0	Total List Amount:	793,095.96	Total Void Amount: 0.00

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Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
Fund Description					
APPROPRIATIONS	8-01	5,724.80	0.00	0.00	5,724.80
APPROPRIATIONS	9-01	164,158.23	0.00	0.00	164,158.23
	9-05	309,734.96	0.00	0.00	309,734.96
Year Total:		473,893.19	0.00	0.00	473,893.19
	C-04	151,576.34	0.00	0.00	151,576.34
	C-06	27,115.36	0.00	0.00	27,115.36
Year Total:		178,691.70	0.00	0.00	178,691.70
	G-01	128,214.50	0.00	0.00	128,214.50
	T-14	6,571.77	0.00	0.00	6,571.77
Total of All Funds:		793,095.96	0.00	0.00	793,095.96

City of Margate
Additional Bill List - Previously Paid

For meeting on 4/18/2019

CURRENT FUND

PO #	Vendor	Description	Amount	Date Paid	Check #
19-00247	Delta Dental	monthly payment	\$ 9,823.15	4/5/2019	81581
19-00508	Tara Mazza	reimbursement	\$ 450.95	4/5/2019	81626
19-00578	Pleasantville Post Office	summer brochures	\$ 1,000.00	4/9/2019	81627
19-00249	Horizon Eye	monthly payment	\$ 1,163.75	4/5/2019	81595
19-00019	J. Scott Abbott, Esq.	solicitor monthly payment	\$ 7,000.00	4/5/2019	81597

Total Current Account	\$ 19,437.85
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WS UTILITY FUND

Total Water /Sewer Account	\$ -
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DOG LICENSE TRUST

19-00261	NJDHSS	dog license report	\$ 12.60	4/8/2019
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Total Dog License Account	\$ 12.60
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Total Paid All Funds	\$ 19,450.45
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RESOLUTION #82-2019

**AUTHORIZING CHANGE ORDER #4 (TIME EXTENSION))
HISTORIC CITY HALL GENERATOR REPAIR**

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey has on August 2, 2018 authorized the awarding a contract to Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758, as per their proposal in an amount of \$140,3357.00; and

WHEREAS, the City Engineer , Edward Walberg prepared a letter dated January 16, 2019 regarding Change Order #2 that related to a change providing for an extension of seventy three (73) days, resulting in a contract completion date of March 31, 2019; and

WHEREAS, the City Engineer, Edward Walberg prepared a letter dated March 12, 2019 regarding Change Order #3 that related to a change in contract due to Generator Housing Lead time providing for an extension of fifteen (15) calendar days, resulting in a new contract completion date of April 15, 2019; and

WHEREAS, the Acting City Engineer, Edward Dennis prepared a letter dated April 12, 2019 regarding Change Order #4 that related to a change in contract due to Generator Housing Lead time providing for an extension of fifteen (15) calendar days, resulting in a new contract completion date of April 30, 2019; 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 #4 to the contract with Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758: and

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

1. Lisa McLaughlin, Chief Financial Officer
2. Edward Dennis, Acting City Engineer
3. Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758

ROLL CALL:

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

RESOLUTION #83-2019
AUTHORIZING RECEIPT OF MUNICIPAL PARKING LOT BIDS

WHEREAS, the City of Margate City is the owner of a certain Municipal Parking Lot located at 15 N. Washington Avenue, also known as Block 226, Lot 9, as shown on the Tax Map of the City of Margate City. The Commissioners of the City of Margate City have decided that it is of the best interest of the City to rent eighteen (18) of the parking spaces on the parking lot to the local merchants and residents on a yearly basis in accordance with NJSA 40A:12-14.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City, Atlantic County, New Jersey, that:

1. The City of Margate City, Atlantic County, New Jersey, hereinafter in this Resolution referred to as the “City” shall conduct a public bid to lease parking spaces in the Municipal Lot located at 15 North Washington Avenue on the 23th day of April 2019 at 10:00 a.m. in the Margate Municipal Building, 9001 Winchester Avenue. Eighteen (18) parking spaces will be leased to the highest bidders.
2. The minimum bid per parking space will be TWO HUNDRED (\$200.00) DOLLARS to lease a parking space from May 1, 2019 through October 31, 2019. The City reserves the right to reject all bids where the highest bid is not accepted.
3. The successful bidders shall submit cash or certified check made out to the City of Margate City in the amount of twenty (20%) percent of the bid price. It shall be paid at the time of the Certificate of lease and bidder shall bind himself to comply with all of the conditions of the sale embodied in this Resolution. Persons bidding on behalf of someone other than themselves shall be required to submit, in writing, satisfactory evidence of their authority. The balance of eighty (80%) percent of the lease price shall be paid in cash or certified check within ten (10) days from the date of this auction. The City shall withhold the lease until full purchase price is paid.
4. Notice of this leasing shall be given by public advertisement in the newspaper circulating in the municipality at least once a week during two (2) consecutive weeks with the last publication to be at least seven (7) days prior to the lease and the notice shall be substantially in accordance with the terms of this Resolution.

ROLL CALL:

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

RESOLUTION #84-2019
AUTHORIZING RECEIPT OF RE-BID FOR
MARGATE CITY BEACH VENDING

WHEREAS, it is in the interest of the City of Margate City to award ONE (1) beach vending license for the 2019 summer season pursuant to the terms and conditions of the Margate City Beach Vending Ordinance, the rules and regulations promulgated thereunder; and

WHEREAS, an Open Public Bid Action was held on December 18, 2018 and there were no bids received,

WHEREAS, an Open Public Bid Auction was held on March 19, 2019 and there no bids were received; and

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 City of Margate City shall conduct a Sealed Bid Opening on April 30, 2019 at 11:00A.M. The bid opening will commenced in the Conference Room, located at 9001 Winchester Avenue, Margate, New Jersey for the awarding of ONE EXCLUSIVE LICENSE to sell water, ice cream and ice cream related products on the City of Margate City Beaches between Coolidge Avenue and Fredericksburg Avenue for the 2019 summer season commencing on May 1, 2019 and terminating on October 1, 2019. *This license is not applicable to street vending.*
2. The minimum bid is \$50,000.00. The successful bidder is required to make full payment of the difference between the final bid and \$20,000 deposit no later than May 3, 2019. The City of Margate City reserves the right to adjourn or cancel the bid opening without prior notice and to reject any and all bids.
3. NOTICE IS HEREBY GIVEN THAT VETERANS ARE PERMITTED, IN ACCORDANCE WITH NEW JERSEY STATE LAW, TO VEND WATER, ICE CREAM AND ICE CREAM RELATED PRODUCTS, IN NON-MOTORIZED VEHICLES, AT THE BEACH BLOCK STREET ENDS OF THE CITY OF MARGATE.
4. In order to be eligible to bid, each bidder must post a deposit in the form of a certified check in the amount of \$20,000.00 made payable to the City of Margate City. The deposits of the unsuccessful bidders shall be returned immediately after bid opening. Under no circumstances shall interest be due or payable to any bidder.

ROLL CALL:

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

RESOLUTION #85-2019
AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, at the Margate City Municipal Tax Sale held on December 13, 2018 a lien was sold on Block 215 Lot 7 also known as 7 N. Osborne Avenue in Margate City for 2017 unpaid taxes, & water,

WHEREAS, this lien, known as Tax Sale Certificate #18-00010 was sold to US BANK CUST TOWER DBVIII For 0% redemption fee and a \$37,000.00 premium; and,

WHEREAS, Certificate #18-00010 has been redeemed in the amount of \$26,154.38,

NOW, THEREFORE, BE IT RESOLVED, that the treasurer be authorized to issue a check in the amount of \$26,154.38 payable to US BANK CUST TOWER DBVIII for redemption of Tax Sale Certificate #18-00010.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$37,000.00 (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			

R E S O L U T I O N #86-2019
AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, at the Margate City Municipal Tax Sale held on December 15, 2017 a lien was sold on Block 129 Lot 201 C0002 also known as 21 S. Madison Avenue in Margate City for 2016 unpaid water and sewer,

WHEREAS, this lien, known as Tax Sale Certificate #17-00006 was sold to Garden State Investment For 0% redemption fee and a \$1,100.00 premium; and,

WHEREAS, Certificate #17-00006 has been redeemed in the amount of \$2,017.38.

NOW, THEREFORE, BE IT RESOLVED, that the treasurer be authorized to issue a check in the amount of \$2,017.38 payable to Garden State Investment for redemption of Tax Sale Certificate #17-00006.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,100.00 (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			

R E S O L U T I O N # 87-2019
AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, at the Margate City Municipal Tax Sale held on December 13, 2018 a lien was sold on Block 331 Lot 401 also known as Coolidge Avenue in Margate City for 2017 unpaid taxes,

WHEREAS, this lien, known as Tax Sale Certificate #18-00015 was sold to Gabriel Spector For 18% redemption fee,

WHEREAS, Certificate #18-00015 has been redeemed in the amount of \$2,051.58.

NOW, THEREFORE, BE IT RESOLVED, that the treasurer be authorized to issue a check in the amount of \$2,051.58 payable to Gabriel Spector for redemption of Tax Sale Certificate #18-00015.

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 #88-2019**AUTHORIZING RECEIPT OF BIDS****FY 2016 SAFE ROUTES TO SCHOOL INFRASTRUCTURE PLAN PROJECT**

WHEREAS, the Board of Commissioners of the City of Margate City wishes receipt bids for the FY 2016 Safe Route to School Infrastructure Plan Project; 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 City, County of Atlantic, State of New Jersey that it does hereby authorize the City Clerk to advertise for bids for the aforesaid item as per the specifications on file and bids will be received by the City Clerk's Office in the Municipal All Purpose 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. Edward Dennis, Acting City Engineer

ROLL CALL:

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

RESOLUTION #89-2019**AUTHORIZING EXECUTION OF REVOCABLE LICENSE AGREEMENT
FOR CITY PROPERTY IDENTIFIED AS BLOCK 602.03,
PART OF LOT 9, ADJACENT TO 7509 FREMONT AVENUE**

WHEREAS, the City of Margate is the owner of certain real property located adjacent to 7509 Fremont Avenue which property is unimproved land being a 10' wide vacant lot identified as Lot 9 in Block 602.03 on the Tax Map of the City of Margate; and

WHEREAS, Douglas Pierce and Bridget Pierce, husband and wife, (hereinafter "Licensee") are the owners of certain real property located at 7509 Fremont Avenue, Margate City, New Jersey, designated on the Tax Map of the City of Margate as Lot 5, Block 602.03, which is used as Licensees' primary residence; and

WHEREAS, Licensee has requested that the City of Margate grant them a Revocable License for a portion of Lot 9 in Block 602.03 consisting of a 10' x 58', 588 sq. foot area of the City property adjacent to their residence for the purpose of installing a 5' tall fence 10' from the curb line, landscaping, and a driveway for a future garage to be placed on Licensees property; and

WHEREAS, the Governing Body of the City of Margate has determined that a 10' x 58' area being a portion of Lot 9 of the City property located adjacent to Licensees' property as more particularly described on the attached Exhibits "A" and "B" is not required for public use; and

WHEREAS, the Governing Body of the City of Margate City has determined that it would be in the best interest of the public to permit Licensees to utilize the requested Licensed Area and to landscape same with fencing, flowers and shrubbery; and

WHEREAS, the Board of Commissioners has determined that a License Agreement would not be detrimental to the surrounding properties; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Margate City, Atlantic County, New Jersey that:

1. For a consideration of ONE DOLLAR (\$1.00) paid by Licensee to the City of Margate, does hereby directs that the Mayor is hereby authorized to execute and the City Clerk to attest to the attached Revocable License Agreement which authorizes Licensee to install a 5 foot fence 10 feet from the curb line and a driveway off of Belmont Drive for a future garage to be placed on Licensees property, as more particularly described on the attached Exhibits "A" and "B" and as more particularly set forth and described in the attached Revocable License Agreement.
2. The description of the property upon which the Revocable License Agreement is given is described as a portion of Lot 9 in Block 602.03 consisting of 10' x 58' amounting to an area of 580 sq. feet adjacent to Lot 5, Block 602.03 and as further described in the attached Exhibit "A" survey and Exhibit "B" metes and bounds description.
3. The Licensed Area shall only be used for the purposes herein described.

BE IT FURTHER RESOLVED that Licensee shall enter into a Revocable License Agreement with the City for the encroachments and shall be subject to the following terms and conditions.

1. Licensee shall hold harmless and indemnify the City of Margate for all costs, liabilities and claims arising out of or related to the existence, maintenance, or use of the City's right-of-way.
2. At all times during which the License shall be in effect, Licensee shall maintain a general liability policy of insurance to cover the Licensed Area with minimum limits the same as the current limits they now maintain on the premises located at 7509 Fremont Avenue, Margate City, New Jersey and naming the City as an additional insured, insuring the City against any and all liability or claims arising out of or resulting from any accident or otherwise in or about the Licensed Area, or for injuries to any person or persons. A copy of the policy shall be supplied to the City.
3. At all times during the term of this Revocable License Agreement, the City of Margate shall have the right to enter upon the Licensed Area.
4. Licensee shall be responsible for all costs and expenses related to the purchase and maintenance of the modifications to the Licensed Area, along with flowers, shrubs and trees planted in the License Area.
5. Licensee shall maintain the Licensed Area in good and clean condition free from trash and debris and in conformance with all applicable local, State and Federal laws, rules and regulations.

ROLL CALL:

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

RESOLUTION #90-2019

RESOLUTION CONFIRMING ACCEPTANCE OF
NJ ELECTRIC CHARGING GRANT AGREEMENT BETWEEN THE CITY OF
MARGATE CITY, NEW JERSEY AND THE STATE OF NEW JERSEY BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Commissioners of the City of Margate City, in the County of Atlantic and State of New Jersey previously adopted Resolution #35-2018 on January 18, 2018 which authorized the grant application for NJ Electric Charging Station; and

WHEREAS, the governing body of the City of Margate City, County of Atlantic, State of New Jersey, desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately up to \$12,000.00 to fund the following project: Purchase the installation of two dual-port Level 2 charging stations, Charge-Point CT 4021, at 1 South Washington Avenue and 8100 Atlantic Avenue in Margate, NJ 08402; and

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that it does hereby resolve that Michael Becker or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not more than \$12,000.00, and (c) execute any agreements thereto.

The Grantee agrees to comply with all applicable Federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. James Rutala

ROLL CALL:

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

RESOLUTION #91-2019

AUTHORIZING CHANGE ORDER #1 (TIME EXTENSION))
FY 2017 CDBG BEACH BULKHEAD ACCESS PROJECT

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey has on March 7, 2019 authorized the awarding a contract to KG Marine, 46 Indian Road, Manahawkin, NJ 08050, for FY 2017 CDBG Beach Bulkhead Access Project, as per their proposal in an amount of \$39,495.00; and

WHEREAS, the Acting City Engineer, Edward Dennis, has prepared a letter dated April 16, 2019 regarding Change Order #1 that related to a change in contract due to Material Delivery time providing for an extension of twenty one (21) days, resulting in a new contract completion date of May 24, 2019; 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 #1 to the contract with KG Marine, 46 Indian Road, Manahawkin, NJ 08050: and

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Edward Dennis, Acting City Engineer
- 3. KG Marine, 46 Indian Road, Manahawkin, NJ 08050

ROLL CALL:

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

RESOLUTION #92-2019

RESOLUTION ADOPTING AND IMPLEMENTING THE WATER SYSTEM ASSET MANAGEMENT PLAN

WHEREAS, the State of New Jersey adopted the Water Quality Accountability Act which supplements Title 58, Chapter 31 of the revised Statutes of the State of New Jersey; and

WHEREAS, a requirement of the Act is that a water purveyor implement an asset management plan within 18 months of the effective date of the Act; and

WHEREAS, the Governing Body of the City of Margate City desires to comply with the requirement to adopt an implement a water system asset management plan as indicated in the Act..

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, that it does hereby adopt and implement the Margate City Water System Asset Management Plan, dated April 17, 2019, as prepared by Edward D. Dennis, Jr., P.E., P.P., C.M.E. of the firm Remington and Vernick Engineers as the City’s water system asset management plan; and

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

- 1. Frank Ricciotti, Superintendent of Public Works
- 2. Edward Dennis, Acting City Engineer

ROLL CALL:

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

RESOLUTION #93-2019
AUTHORIZING THE AWARD OF CONTRACT
2019 MUNICIPAL PLAYGROUND UPGRADES

WHEREAS, the Board of Commissioners of the City of Margate City wish to provide Municipal Playground Upgrades; and

WHEREAS, the Acting City Engineer, Edward Dennis, did duly request for the receipt of said bids to provide Municipal Playground Upgrades; and

WHEREAS, in connection therewith the following one (1) bid was received by the Acting City Engineer of the City of Margate City on April 16, 2019:

Arthur Henry, Inc. 3031 Ocean Heights Ave., Egg Harbor Township, NJ \$137,572.35
, and

WHEREAS, the Acting City Engineer, Edward Dennis, submitted his letter dated April 17, 2019, that a contract be awarded to Arthur Henry, Inc. 3031 Ocean Heights Ave., Egg Harbor Township, NJ 08234 as per their bid to provide Municipal Playground Upgrades in an amount \$137,572.35; and.

WHEREAS, Arthur Henry, Inc. 3031 Ocean Heights Ave., Egg Harbor Township, NJ 08234 is the lowest bid responsive and responsible bidder 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: Capital Ordinance 2017-04 C-04-55-980-904.

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate, County of Atlantic, State of New Jersey, that it does hereby award a contract to Arthur Henry, Inc. 3031 Ocean Heights Ave., Egg Harbor Township, NJ 08234 in an amount not to exceed \$137,572.35 as per their bid for 2019 Municipal Playground Upgrades.

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. Frank Ricciotti, Superintendent of Public Works
- 2. Lisa McLaughlin, Chief Financial Officer
- 3. Arthur Henry, Inc. 3031 Ocean Heights Ave., Egg Harbor Township, NJ

ROLL CALL:

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

Certification Of Availability of Funds

This is to certify to the of the City of Margate City that funds for the following resolutions are available.

Contract Amount: 137,572.35
Resolution Date: 04/18/19
Resolution Number: 93-2019

Vendor: ARTHUR ARTHUR R. HENRY, INC.
3031 OCEAN HEIGHTS AVENUE
EGG HARBOR TWP., NJ 08234

Contract: U1410000 2019 Municipal Playground
Upgrades- Pickle Ball Courts

Account Number	Amount	Department Description
C-04-55-978-904	137,572.35	Ordinance 2016-05
Total	137,572.35	

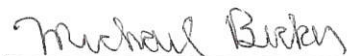
Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

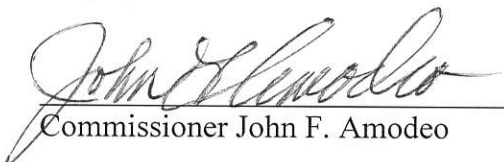
Adjournment:

There being no further business, Mayor Becker called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Amodeo and seconded by Commissioner Blumberg to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 4:55p.m.

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



Mayor, Michael Becker


Commissioner John F. Amodeo


Commissioner Maury Blumberg

Attest:  Johanna Casey, RMC Municipal Clerk