#### MINUTES OF REGULAR COMMISSION MEETING CITY OF MARGATE

**JUNE 1, 2023** 

MARGATE CITY, NEW JERSEY

Meeting Called to Order – 6:00 p.m.

#### Statement of Compliance with the Open Public Meetings Act:

The notice requirements of the Open Public Meetings Act for this meeting have been satisfied; a copy of the Annual Meetings Notice was sent to the Atlantic City Press, and the Star Ledger, posted on the Bulletin Board in the Municipal Building, the Municipal Website, and filed in the office of the Municipal Clerk.

**Johanna Casey, City Clerk:** Reads the statement of compliance, followed with the flag salute and roll call is taken.

#### **Roll Call – Board of Commissioners:**

Mayor Collins, Commissioner Blumberg and Commissioner Horn were present. Chief Dan Adams, Captain Ron Kashon, Frank Ricciotti, Roger McLarnon, Andrew Miles, Johanna Casey, Kenneth Mosca and Scott Abbott, Esquire were also present.

#### **Approval of Minutes:**

The minutes from the May 18, 2023 Workshop/Capital & Regular Meeting were approved as read on motion by Commissioner Horn, seconded by Mayor Collins, with a vote of three ayes.

#### **Public Comment:**

**Dennis Gornioski**, 7702 Amherst Ave.: Speaks on resolutions on tonight's regular agenda and municipal appointments needing input from the public. Speaks on documents

**Johanna Casey:** States it is required for an agenda to be posted 48 hours before a commission meeting in order for the public to view. A list of bill and invoices follows the payments of claims resolution on each agenda.

**Mayor Collins:** The public may make comments on any resolution. By law appointments are to be made by the commission. Speaks on the desire of the Board of Commissioners to receive more public feedback on municipal decisions in the future.

**Commissioner Horn:** The public has put trust in the Board of Commissioners to make decisions. States Mr. Gornioski may apply for a municipal appointment.

**John Irons**, 106 S. Darby Ave.: Owner of Irons Custom Homes. States he is here tonight to defend his businesses' reputation from derogatory comments made about his work during previous regular commission meeting's public comment section and on the Downbeach Buzz website.

Seeing that there were no more comments, a motion to close public comment was put forth by Commissioner Horn, and seconded by Mayor Collins, with a vote of three ayes.

#### **Public Comment (Resolutions Only):**

Seeing that there were no comments, a motion to close public comment on Resolutions only was put forth by Commissioner Horn, and seconded by Mayor Collins, with a vote of three ayes.

Ordinances: Introduction - None

Ordinances: Adoption - None

#### **Resolutions:**

A motion to adopt **Resolution** #133-2023, authorizing bill payments and claims, was put forth by Commissioner Horn, Seconded by Mayor Collins, with a vote of three ayes.

# RESOLUTION #133-2023 PAYMENTS OF CLAIMS MARGATE CITY BILL LIST / PAYROLL JUNE 1, 2023

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

BILLS LIST AMOUNT: \$552,276.43

**PREVIOUSLY PAID**: \$ 36,723.21

PAYROLL ACCOUNT - June 1, 2023

CURRENT ACCOUNT \$493,120.72

**WATER & SEWER** \$ 54,315.77

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.

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

Page No: 1

P.O. Type: All Range: First Format: Condensed

to Last

First Enc Date Range: First

Paid: N Held: N State: Y Void: N

Open: N Rcvd: Y Bid: Y Aprv: N Other: Y

Exempt: Y

Vendors: All

ude	Non-Budgeted:	Y

Enc	Date Kange:	FILZE	10 00/01/23	RIG: A	State:	T	utner
n-B	udgeted: Y						

Rcvd Batch Id Range: First to Last

PO #	PO Date	Vendor		PO Description	Status	Anount	Void Amount PO Type
22-00583	05/02/22		REMINGTON & VERNICK No: T4570000	2021 Tax Map Maintenance	0pen	448.00	0.00 c
22-00694	05/31/22	REMINGTO	REMINGTON & VERNICK No: U1730001	Wall of Fame- design	Open	114.75	0.00 c
22-00903	07/14/22	REMINGTO	REMINGTON & VERNICK No: U1780001	2022 Road Program design	Open	628.00	0.00 c
22-01024	09/02/22	REMINGTO	REMINGTON & VERNICK No: U1710002	22 Curb & Gutter admin	Open	76.50	0.00 c
22-01438	12/30/22	REMINGTO	REMINGTON & VERNICK No: T4650001	2023 CRS Assistance	0pen	306.00	0.00 c
22-01439	12/30/22		REMINGTON & VERNICK No: T4660001	Flood Warning & Response Plan	Open	114.00	0.00 c
22-01440	12/30/22	REMINGTO	REMINGTON & VERNICK No: T4680001	GIS Hosting Services-Muni Web	0pen	250.00	0.00 c
22-01441	12/30/22	REMINGTO	REMINGTON & VERNICK No: T4670001	Clerk's Record Storage Eval	Open	3,486.00	0.00 c
23-00002	01/06/23		NJ DIV OF PENSION & BENEFITS	employee health	Open	236,522.56	0.00 B
	01/09/23			Supplies	Open	664.49	0.00
	01/09/23			MARKETING AND EVENT PLANNING	Open	27,500.00	0.00 c
23-00000	01/03/23		No: C2300018	MARKETING AND EVENT PENNING	open	27,300.00	0.00 C
23-00013	01/09/23		RICH FIRE PROTECTION . No: C2100036	Annual inspection fire systems	Open	470.00	0.00 c
23-00015	01/09/23	DELTADEN	DELTA DENTAL PLAN OF NJ No: C2200002	Employee Dental Ins	Open	905.85	0.00 C
23-00016	01/09/23	SWIFT LA	James P. Swift, Jr. No: C2300001	2023 Public Defender	0pen	400.00	0.00 C
23-00018	01/09/23	SEAS1005	Seaside Serenity Counseling No: C2300003	2023 Employee Assistance Prgm	0pen	465.00	0.00 c
23-00022	01/09/23	CARL	Law Offices Carl N. Tripician No: C2300007	2023 Alt Prosecutor	0pen	300.00	0.00 c
23-00028	02/01/23	RELIA005	Reliance Standard Life No: C2300013	Supplemental Life and AD&D	0pen	449.49	0.00 C
23-00029	01/09/23	VIDEO	MOBILE DREDGING VIDEO PIPE INC No: C2300014	2023 Cleaning of Sewer System	0pen	49,140.00	0.00 C
23-00064	01/10/23		OLD CAPE, INC.	Concrete / Asphalt Mix	Open	151.80	0.00
				copier contract	Open	165.96	0.00 B
		HORIZON2	HORIZON EYE CARE PA No: C2200001	Employee Vision Care	Open	1,188.00	0.00 c
23-00079	01/10/23	FORDSCOT	FORD, SCOTT & ASSOCIATES, LLC No: C2200024	2023 Accounting Services	0pen	2,500.00	0.00 C
23-00080	01/10/23	J SCOTT	John Scott Abbott, Esq. No: C2200014	Municipal Solicitor	0pen	7,350.00	0.00 C
23-00084	01/11/23	FORKED	FORKED RIVER DIESEL & GENERATO No: C2200021	Generator service inspection	Open	5,700.00	0.00 C
23-00101	01/11/23	BRWNBRWN	Brown & Brown Metro, LLC No: C2200025	2023 Health Broker Services	Open	1,041.67	0.00 C
23-00102	01/11/23		W.B. MASON CO., INC.	Finance Office Supplies	Open	86.99	0.00

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

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PO #	PO Date	Vendor		PO Description	Status	Amount	Void Amount PO Ty
23-00111	01/11/23		PROFESSIONAL BENEFIT No: C2200026	2023 Health Broker Services	Open	1,041.67	0.00 C
3-00112	01/11/23	WINDHAM	Windham Weaponry	TRAINING	0pen	450.00	0.00
3-00124	01/12/23	GENTILIN	GENTILINI FORD, INC.	Vehicle Parts	Open	374.24	0.00
3-00125	01/12/23	GROFF005	GT Mid Atlantic LLC	CASE Supplies	Open	5,078.00	0.00
			Fastenal Company		Open	84.41	0.00
			Suasion Communications Group	Monthly Comunications	Open	585.00	0.00
				Monthly Rental/Serv-Winchester	Open	170.00	0.00
			Colonial Electrical Supply Inc		Open	441.24	0.00
			Lowe's Commercial Services	PW front bathroom	Open	1,559.19	0.00
			W.B. MASON CO., INC.		Open	921.36	0.00
			W.B. MASON CO., INC.	Clerk's Office Supplies 2023	Open	208.63	0.00
			PEDRONI FUEL COMPANY	Fuel Gas/Diesel			0.00
					Open Open	9,262.61	
			Witmer Public Safety Group Inc		Open	497.33	0.00
			Geraldine Medoff	Tai-Chi & Chair Yoga Classes	Open .	400.00	0.00
			Margaret Jewitt	Exercise Class	0pen	450.00	0.00
		Contract	Command Company, Inc. No: U1760000	Sig Rimm Batting Cages	Open	43,560.00	0.00 C
			Horizon Healthcare	Horizon Healthcare FSA fees	Open .	25.00	0.00 B
3-00320	02/10/23	COREMO05	Core & Main LP	W/S PVC Pipe	0pen	2,540.40	0.00
3-00330	02/15/23	MIRACLE	MIRACLE CHEMICAL COMPANY	Sodium Hypochlorite	Open .	3,713.25	0.00
3-00352	02/22/23	9TOSSEAT	9to5 Seating LLC	Seating for Pavilion	Open	1,954.74	0.00
		REMINGTO	REMINGTON & VERNICK No: T4700001	Tax Map Services for Reval	Open	3,131.00	0.00 C
3-00369	02/27/23	WB MASON	W.B. MASON CO., INC.	2023 Fire Dept. Janitorial Sup	Open	1,299.73	0.00
			Ocean Professional Theatre Co.		Open	3,047.25	0.00
	03/08/23		CSL WATER QUALITY, INC.	Water Treatment	Open	950.00	0.00
			TACTICAL PUBLIC SAFETY LLC	RADIO EQUIPMENT/REPAIR	Open	180.00	0.00
			SUPER SEER CORPORATION	MOTORCYCLE EQUIPMENT	Open	546.80	0.00
			JOHANNA CASEY	mileage reimbursement		35.13	0.00
			REMINGTON & VERNICK		Open		
		Contract	No: U1480002	7 2	0pen	879.75	0.00 C
		Contract	Shore Top Construction Corp. No: U1800000	Sig Rimm tennis courts 1-4	0pen	44,083.34	0.00 C
			Staples Business Credit	Printer Toner Cartridges	Open	836.78	0.00
			Young's Skating Center	Summer Camp Trip - 7/27/23	0pen	340.00	0.00
	04/03/23		R & R RADAR, INC.	RADAR MAINTENANCE	0pen	544.68	0.00
			Boardwalk Adventures	Summer Camp Trip	Open	3,870.00	0.00
			House of Gamez	Summer Camp Special Event	Open	745.00	0.00
			Staples Business Credit	2023 Tax/Utility Office Supply	Open	263.66	0.00
			Staples Business Credit	Printer Toner and Supplies	Open	594.14	0.00
			East Coast Flag & Flagpole Inc	(2) Flag Pole Repair	Open	4,250.00	0.00
			Barbary Coast Marina, LLC	Planning Escrow P274	Open	688.00	0.00
			ACTION UNIFORM CO. LLC	2023 Summer Uniforms	Open	1,986.25	0.00
			Amazon Capital Services, Inc.	Misc Supplies	Open	401.08	0.00
			Philadelphia Police Department	Motorcycle Officer Training	Open	800.00	0.00
3-00637	04/25/23	AUTREV S	Autrey Supply Company	Field Paint	Open	1,023.75	0.00
			CAPE MAY COUNTY TREASURER				
				Summer Camp Trip	Open Open	570.00	0.00
			Sheppard Bus Service	Summer Camp Bus Rentals	Open	1,620.00	0.00
			H.A. DeHart & Son, Inc.	M36 Sensor	Open	74.41	0.00
	04/28/23		DELL MARKETING L.P.	Purchase of Computers	Open	4,966.38	0.00
3-00063	04/28/23	SJWELDIN	SOUTH JERSEY WELDING SUPPLY CO		Open	50.40	0.00
5-00681	02/02/23		REMINGTON & VERNICK No: U1760002	Sig Rimm Batting Cages-Admin	Open	2,000.00	0.00 C

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

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PO #	PO Date	Vendor		PO Description	Status	Amount	Void Amount	РО Туре
23-00682	02/16/23		REMINGTON & VERNICK No: U1800002	Sig Rimm tennis courts-Admin	0pen	5,051.50	0.00	С
23-00683	05/03/23	REMINGTO	REMINGTON & VERNICK No: U1780002	2022 Road Program- Admin/Obser	0pen	11,828.75	0.00	С
23-00684	05/03/23		Enhanced Web Services	Electronic Signature File	Open	29.95	0.00	
			Atlantic County FF's Assoc.	2023 Annual Dues - Margate FD	Open	100.00	0.00	
			GALLOWAY WHOLESALE NURSERY LLC		Open	3,628.80	0.00	
			GALLOWAY WHOLESALE NURSERY LLC		Open	3,134.00	0.00	
			Ocean City Theatre Company	Summer Camp Trip	Open	450.00	0.00	
			Wm. Schoppy, Inc.	Name Plates	Open	30.00	0.00	
			Winsupply Absecon NJ Co.	Hot Water Heater	Open	505.52	0.00	
			Home Depot Credit Services	Fountain Supplies	Open	422.70	0.00	
			Cutter Drill & Machine Inc.	Insertion Valive	Open	6,485.50	0.00	
			GALLOWAY WHOLESALE NURSERY LLC		Open	4,408.08	0.00	
			GALLOWAY WHOLESALE NURSERY LLC		Open	401.50	0.00	
			Performance Marketing-NJ, Inc.		Open	425.00	0.00	
	05/10/23		BOCCA COAL FIRED BISTRO	Bingo/Trivia Lunch	Open	80.00	0.00	
			ACTION SUPPLY INC	Road gravel	Open	570.32	0.00	
			Amazon Capital Services, Inc.	W/S Office Supplies	Open	547.72	0.00	
			PROFORMA DYNAMIC RESOURCES	Tennis Signs	Open	105.60	0.00	
			Amazon Capital Services, Inc.	•	Open	135.66	0.00	
			Magical Results	Ross Recycling Performance	Open	900.00	0.00	
			PATRICK ARMSTRONG	EMT Class Reimbursement	Open	225.00	0.00	
			DEBRA BOYLE	EMT Class Reimbursement	Open	125.00	0.00	
			Andrew J. Niesen	Pickleball Clinic Instructor	Open	150.00	0.00	
			Shelley R. Safer	Pickleball Clinic Instructor	Open	450.00	0.00	
			James McClain, Jr.	Water/Wastewater License	Open	51.65	0.00	
			NORTHERN SAFETY CO., INC.	W/S Safety Supplies	Open	572.68	0.00	
			Assoc of Flood Plain Managers	ASFM Galantino 2023 Membership		120.00	0.00	
			isolved Benefit Service	Cobra Notices Admin	Open	1,191.84	0.00	
			Amazon Capital Services, Inc.	Gloves for Beach Cleanup	Open	118.89	0.00	
			SITEONE LANDSCAPE SUPPLY LLC	Landscape Supplies	Open	133.84	0.00	
			Allegra Marketing Print & Mail		Open	187.50	0.00	
			CivicPlus, LLC	Annual Renewal	Open	3,568.55	0.00	
			Elayne Z. Solof	POLL WORKER MAY MUNICIPAL 2023		325.00	0.00	
			Allan D. Bilofsky	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			Carol Bilofsky	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			Elizabeth Gerner	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			Marsha Alterman	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			Rose Ann Burke	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			CHARILYNDRA MCINTOSH	POLL WORKER MAY MUNICIPAL 2023		325.00	0.00	
			Claudette Savino	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			Neil Alterman	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			John J. Pitts	POLL WORKER MAY MUNICIPAL 2023		300.00	0.00	
			CHRIS GIANNONE PLUMBING,	Repair Toilet- Court Office		650.00	0.00	
			Bluewater Graphics	Beach Patrol Stand Graphics	Open Open	1,692.00	0.00	
				Battery Historic City Hall AED	Open Open			
			V.E. RALPH & SON, INC. W.S. Darley & Co.	FD Accountability Tags		140.00 137.20	0.00	
					Open Open			
			Preferred Choice Supply Co. Sam's Club	Curb Stop Boxes	Open	2,993.00	0.00	
	05/24/23			Beach Cleanup	Open	69.02	0.00	
			James Barkalow III	Mens League Referee	Open Open	350.00	0.00	
	05/25/23		Douglas Hiltner	Mens League Referee	Open Open	250.00	0.00	
			CHRIS KANE	Mens League Referee	Open Open	450.00	0.00	
5-00814	05/25/23	JORDAN D	Jordan Davis	Mens League Referee	Open	150.00	0.00	

May 26, 2023 11:59 AM City of Margate City Purchase Order Listing By P.O. Number

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PO #	PO Date	Vendor		PO Description	Status	Amount V	oid Amount PO Typ
23-00815	05/25/23	DBOSSERT	Darrin Bossert	Mens League Referee	Open	100.00	0.00
			Kelli A. Johnson	Mens League Referee	Open	200.00	0.00
			Amanda Lynn Feldman	Mens League Referee	Open	100.00	0.00
			CHESTER'S PLANTS & FLOWERS	Flowers-Swearing in Ceremony	Open	390.00	0.00
			Enforsys, Inc.	Fire Inspection System	Open	1,900.00	0.00
Total Pur	rchase Ori	ders:	131 Total P.O. Line Items:	O Total List Amount: 5	52,276.43	Total Void Amou	nt: 0.0

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

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Totals by Year-Fund						
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
APPROPRIATIONS	2-01	48,278.75	0.00	0.00	48,278.75	
APPROPRIATIONS	3-01	355,388.64	0.00	0.00	355,388.64	
	3-05 Year Total:	70,598.66 425,987.30	0.00	0.00	70,598.66 425,987.30	
	C-04	57,685.47	0.00	0.00	57,685.47	
	C-06 Year Total:	11,828.75 69,514.22	0.00	0.00	11,828.75 69,514.22	
	G-01	1,087.91	0.00	0.00	1,087.91	
	T-09	2,993.00	0.00	0.00	2,993.00	
	T-14 Year Total:	4,415.25 7,408.25	0.00	0.00	4,415.25 7,408.25	
То	tal Of All Funds:	552,276.43	0.00	0.00	552,276.43	

City of Margate Additional Bill List - Previously Paid

For meeting on

6/1/2023

Current Fund					
PO#	Vendor	Description	Amount	Date Paid	Check #
23-00105	Atlantic City Electric	General Elec bills	\$ 11,359.50	5/17/2023	89338
23-00106	Atlantic City Electric	Street Lights	\$ 690.37	5/17/2023	89339
23-00107	Atlantic City Electric	Temp	\$ 193.18	5/17/2023	89340
23-00757	Selective Ins	Flood Renewal 101 benson	\$ 10,765.00	5/17/2023	89341

		Total Current Account	\$ 23,008.11		
Water Sewer					
PO#	Vendor	Description	Amount	Date Paid	Check #
23-00108	AC Electric	Eater & Sewer	\$ 13,715.10	5/17/2023	64679
		Total Water Sewer	\$ 13,715.10		

Total Paid All Funds

\$ 36,723.21

5/26/2023

PAY#11	Y OF MARGATE		
PAY PERIOD 6/1/2023		FORDINALSAKALIS	
(GET FROM CHECK REGISTER SUMMARY)		PAY FROM:	PAYABLE TO:
CURRENT FUND	V 469,892.15	Current ck #	PAYROLL ACCT
UTILITY FUND (USE MULTI-ALLOCATION LABOR DISTRIBUTION)			
8000 SEWER	21,104.29		
9000 WATER	33,211 48		
	√ 54,315.77	Water & Sewer ck #	PAYROLL ACCT
TOTAL PAYROLL EXPENSE* TOTAL EARNINGS-SICK BENEFITS-GROUP TERM LIFE	524,207 92		
EMPLOYER PAYROLL TAXES ( USE CHECK REGISTER SUMMARY)			
SOCIAL SECURITY (FICA + MEDICARE	21,254.14		
DISABILITY (SDI + SUI + WFD)	1,602 67		
DCRP	371.76		
TOTAL EMPLOYER EXPENSE	√23,228.57	Current ck #	PAYROLL ACCT
ADJUSTED GROSS + ER EXPENSE	547,438.49		
ADDUSTED GROSS - EN ENFERISE	347,430.49		
(USE CHECK REGISTER SUMMARY)	,		
GARNISHMENTS (TOTAL DEDUCTIONS + TOTAL CONTRIBUTIONS)	236,493.95	Payroll ck #	PAYROLL DEDUCTION ACCT
INDIVIDUAL CHECKS & DIRECT DEPOSIT (FUNDS COLLECTION REPORT)	310,942.54		
TOTAL PAYROLL EXPENSE	547,438.49		
PROOF			

A motion to adopt **Resolution #134-2023**, authorizing the payment to Colmar Home Center, was put forth by Commissioner Horn, Seconded by Mayor Collins, with a vote of two ayes. Mayor Collins abstained form vote.

#### RESOLUTION #134-2023 AUTHORIZED PAYMENT - COLMAR HOME CENTER

**WHEREAS**, the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey are in receipt of the monthly claim as submitted by the Chief Financial Officer for payment as follows:

COLMAR HOME CENTER

\$978.46

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the City of Margate City does hereby approve the Margate City Bill for Colmar Home Center, attached hereto be paid in full.

A motion to adopt **Resolution** #135-2023, authorizing moving 2019 Recycling Tonnage Grant from grant account to operations account, was put forth by Commissioner Horn, Seconded by Mayor Collins, with a vote of three ayes.

#### R E S O L U T I O N #135-2023 AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL GRANT APPROPRIATION RESERVES AGAINST GRANTS RECEIVABLE, SURPLUS AND SUCH OTHER ACCOUNTS AS APPROPRIATE

WHEREAS, the Chief Financial Officer has informed the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey of the need to cancel grant appropriations and grants receivable prior to year end; and

WHEREAS, the following grants are complete and the appropriation balances no longer needed to be maintained on the books and records of the City of Margate City; and

**WHEREAS**, the Chief Financial Officer recommends that the following adjustments to the books and records of the City be made.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Margate

City that the adjustments, appearing below, being a permanent part hereto, are hereby made.

GRANT	APPROPRIATION RESERVES	RECEIVABLE
2019 Recycling Tonnage Grant	\$1,257.42	\$1,257.42
TOTAL	\$1,257.42	\$1,257.42

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

1. Lisa McLaughlin, Chief Financial Officer

#### **Consent Agenda:**

A motion to adopt the Consent Agenda for Resolution #136-2023 thru Resolution #141-2023 was put forth by Commissioner Horn, Second by Mayor Collins, with a vote of three ayes.

#### RESOLUTION #136-2023 AUTHORIZING RECEIPT OF BIDS REMEDIATION OF THE SOIL AT THE PUBLIC WORKS SITE 123 NORTH BENSON AVENUE

WHEREAS, the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey, is desirous of receiving bids for the remediation of the soil at the public works site 123 North Benson Avenue; 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 Board of Commissioners of the City of Margate City that it does hereby authorize the City Clerk to advertise for bids for the aforesaid item as per the specifications on file in the Municipal Clerk's office. Bids will be received by the City Clerk and the bid opening will be conducted in the Municipal All Purpose Room, 9001 Winchester Avenue, Margate City, 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, Chief Financial Officer
- 2. Frank Ricciotti, Superintendent of Public Works
- 3. Roger McLarnon, Qualified Purchasing Agent

## R E S O L U T I O N #137-2023 AUTHORIZING AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, the City of Margate City, County of Atlantic, has a Memorandum of Understanding with the New Jersey Office of Emergency Management, hereinafter referred to as the "NJOEM"; and

WHEREAS, the City of Margate City, on June 12, 2013 appointed Richard Deaney, Municipal Administrator, as Authorized Representative and Mayor Michael Becker, Mayor, as Alternate Representative; and

**WHEREAS**, the City of Margate City, on January 19, 2023 appointed Kenneth Mosca as Municipal Administrator; and

WHEREAS, Mayor Michael Becker is no longer an elected official; and

WHEREAS, the Board of Commissioners of the City of Margate City wish to appoint Kenneth Mosca, Municipal Administrator, as Authorized Representative and Fire Chief Daniel Adams as Alternate Representative.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Margate City, Atlantic County, New Jersey, Kenneth Mosca, Municipal Administrator is hereby authorized to act as Authorized Representative for the City of Margate City and NJOEM.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Board of Commissioners of the City of Margate City, Atlantic County, New Jersey, Daniel Adams, Fire Chief is hereby authorized to act as Alternate Representative for the City of Margate City and NJOEM.

#### RESOLUTION #138-2023

AUTHORIZING AMENDMENT TO PORTIONS OF RESOLUTION #119-2023, ADOPTED MAY 16, 2023, RESOLUTION #120-2023 ADOPTED ON MAY 16, 2023 AND RESOLUTION #121-2023 ADOPTED ON MAY 16, 2023 WHICH DESIGNATES THE DIRECTORS POWERS AND DUTIES OF THE VARIOUS CITY DEPARTMENTS AND ASSIGNING THE POWERS AND DUTIES OF EACH DEPARTMENT AND RESTATING ALL POWERS AND DUTIES IN ENTIRETY

WHEREAS, on May 16, 2023 the Board of Commissioners of the City of Margate City authorized Resolution #116-2023, Resolution #117-2023 and Resolution #118-2023 designating City Commissioners as Directors of the Various City Departments; and

WHEREAS, on May 16, 2023 the Board of Commissioners of the City of Margate City authorized Resolution #119-2023, Resolution #120-2023 and Resolution #121-2023 designated City Commissioners as Directors of the Various City Departments and Assigning the Power and Duties of each Department; and

WHEREAS, the Board of Commissioners desires to amend certain provisions of Resolution #119-2023, Resolution #120-2023 and Resolution #121-2023 and Restate Powers and Duties in entirety as set forth herein (added language is <u>underlined</u>, deleted language is <u>stricken</u>).

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

**BE IT RESOLVED** by the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey, that:

**SECTION 1.** In accordance with the provisions of N.J.S.A. 40:70-76 "Commission Form of Government Law", the executive, administrative, judicial and legislative powers and duties are to be exercised by the Board of Commissioners who shall have complete control over the affairs of this municipality.

**SECTION 2.** BOARD OF COMMISSIONERS; GENERAL POWERS. In accordance with N.J.S.A. 40:72-3, et seq., through N.J.S.A. 40:75-1, et seq., the Board of Commissioners shall have all the powers conveyed therein necessary for the operation of municipal government. Consistent with the powers conferred by statute, the Board of Commissioners may make, amend, repeal and enforce ordinances for the following purposes:

- A. The protection of life, health and property;
- B. The declaration, prevention and summary abatement of nuisances;
- C. The preservation and enforcement of good government and the general welfare, order and security of the municipality.

In addition thereto, the Board of Commissioners shall:

- 1. Levy taxes;
- 2. Apportion funds;
- 3. Audit and appropriate funds;
- 4. Make or authorize contracts;
- 5. Execute resolutions;
- 6. Authorize assessments, including emergency and/or special assessments.

SECTION 3. JURISDICTION OF COMMISSION OVER DEPARTMENTS AND OFFICERS THEREOF. The Board of Commissioners shall determine the powers and duties to be performed by each department and shall assign such powers and duties to each department as it may deem appropriate. The Board shall prescribe the powers and duties of all officers and employees and may assign, by resolution, particular officers and employees to one or more departments and may require any officer or employee to perform duties in two (2) or more departments if the work required of such officer or employee in such different departments is similar in character, and shall make such other rules and regulations as my be necessary or proper for the efficient and economical conduct of the business of the municipality.

All directors of departments and officers are the agents of the Commission and all their acts shall be subject to the review and approval or revocation by the Commission subject to law. Every director or officer shall, from time to time, as required by law or ordinance or when requested by the Commission or whenever he shall deem it necessary for the good of the public service, report to the Commission, in writing, respecting the business of his department or office on matters concerned therewith.

SECTION 4. DEPARTMENT OF PUBLIC SAFETY AND PUBLIC AFFAIRS. The Commissioner of Public Safety and Public Affairs shall have charge of supervision and direction over all officers and employees assigned to said department, and the purchase of all vehicles, apparatus and supplies for said department or the officers and departments assigned thereto. He shall have supervision of negotiations of contracts relative to his departments as well as:

- Animal <u>Control</u> and Regulations
- Beach Patrol and lifeguards
- <u>Chief of Police</u> and Police Department
- Chief of the Fire Department and Fire Department Operations
- Code Enforcement
- <u>Public Safety Telecommunications</u>
- Department of Health
- Emergency Management Services
- Municipal Court
- Municipal Prosecutor
- Public Defender
- Housing Inspections
- Vital Statistics

He shall serve as Class III member of the Margate City Planning Board, and He shall be the management representative of the Commission for the negotiation of, and if so authorized, execution of all employee contracts, as well as all departmental budgeting.

**SECTION 5.** DEPARTMENT OF REVENUE AND FINANCE. The Commissioner of the Department of Revenue and Finance shall have charge of and supervision and direction over all officers and employees assigned to said department, shall have charge of and cause to be prepared and published all statements and reports required by law or ordinance or by resolution of the Commission. The Commissioner of the Department of Revenue and Finance shall have charge of and supervision over all accounts and records of the City and all officers, boards or departments required to keep or make accounts and records or reports. He shall inspect or cause to be inspected all records or accounts required to be kept in any of the offices or departments of the City and shall cause proper accounts and records to be made. He shall audit or cause to be audited, at frequent intervals, the accounts of every employee who does or may receive or disperse money. He shall have charge of the purchases care and distribution of all supplies or other articles not otherwise provided by law. He shall examine or cause to be examined and report to the Commission upon all bills, accounts, payrolls and claims before they are acted upon or allowed, unless otherwise provided by law. He shall cause to be collected all taxes, assessments, franchise taxes, license fees or other monies which may become due to the City. He shall report to the Commission any failure to make reports or to pay monies due to the City, with such recommendation in relation thereto as he may deem proper. He shall have supervision of negotiations of contracts relative to his departments as well as:

- Contingency Fund
- Chief Financial Officer / Treasurer
- Codification and Revision of ordinances
- Foreclosure (Liquidation of TTL & Foreclosed Property)
- Grants Administration
- Green Team
- Group Insurance & Hospitalization
- Insurance and Employee's Bonds
- Insurance Matters
- Municipal Administrator (Reports to all three Commissioners)
- Municipal Budget
- Municipal Clerk
- Municipal or State Uniform Construction Office and Construction Official
- Tax Assessor
- Tax Collector
- Water/Utility Billings
- Zoning Official

SECTION 6. DEPARTMENT OF PUBLIC WORKS AND PARKS AND PUBLIC PROPERTY. The Mayor shall be the Commissioner of Public Works and Parks and Public Property and, as such, shall be the President of the Board of Commissioners and shall preside at its meetings, supervise all departments and report to the board for its action all matters requiring the attention of the Board or any department. He shall have the exercise of all powers and perform all the duties provided or prescribed by law or the ordinances of the City not in conflict with the provisions of this resolution. He shall, sign all checks and contracts, on behalf of the City. He shall have supervision and direction over the negotiation and execution of all employee contracts, purchase of all vehicles, apparatus and supplies for said department and shall have supervision and responsibility for maintenance of:

- Beach Inspectors
- Beach Maintenance
- Beautification of Public Property
- City Engineer
- Clean Communities Program
- Gasoline and Oil
- Lot Clearing
- Maintenance of Free Public Library
- Municipal Vehicle Maintenance
- Parks and Grounds
- Playgrounds
- Public Buildings
- Public Property
- Property and Improvements
- Public Relations
- Public Works

- Recreation Department
- Recycling
- Rubbish Removal Contract
- Sanitation
- Special Events
- Street Lighting
- Street Repairs and Maintenance
- Technology /IT for Departments
- Water and Sewer Utilities

He shall serve as Class I member of the Planning Board and have charge of all utilities; sewer sanitation system and all public buildings shall be assigned to the Department of Public Works and Parks and Public Property.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the City of Margate City, New Jersey, that the following amendments shall take effect upon passage of this resolution.

#### R E S O L U T I O N #139-2023 AUTHORIZING CHANGE ORDER #2 (INCREASE) 2022 ROAD PROGRAM

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey authorized Resolution #55-2023, February 16, 2023, awarding a contract to L. Feriozzi Concrete Company, 3010 Sunset Avenue, Atlantic City, NJ 08401 as per their proposal for 2022 Road Program in an amount of \$722,745.25; and

WHEREAS, Ed Dennis, City Engineer, prepared a letter dated April 27, 2023 regarding an increase in Change Order #1 that relates to water service feeds to 120 S. Jefferson and 9504 Atlantic Avenues in the amount of \$41,385.70 resulting in an increase of \$41,385.70 and a new contract total of \$764,130.95; and

WHEREAS, Ed Dennis, City Engineer, prepared a letter dated May 24, 2023 regarding an increase in Change Order #2 for Wall of Fame footing in the amount of \$10,380.00 and Fire Department concrete driveway in the amount of \$47,280.00, resulting in an increase of \$57,660.00 and a new contract total of \$821,790.95; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds in the amount not to exceed \$57,660.00 available under Ordinance #03-2022 account C-04-55-988-903 for award of this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey does hereby approve Change Order #2 (Increase) in the amount \$57,660.00 to the contract with L. Feriozzi Concrete Company, 3010 Sunset Avenue, Atlantic City, NJ 08401 to the new contract amount \$821,790.95.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Ed Dennis, City Engineer
- 3. L. Feriozzi Concrete Company, 3010 Sunset Avenue, Atlantic City, NJ 08401

#### 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: 821,790.95 Resolution Date: 06/01/23 Resolution Number: 139-2023

Vendor: FERIOZZI L FERIOZZI CONCRETE COMPANY

3010 SUNSET AVENUE ATLANTIC CITY, NJ 08401

Contract: U1780000 FY2022 Road Program

Account Number Amount Department Description

C-04-55-988-903 57,660.00 Ordinance 03-2022

Total 57,660.00

Only amounts for the 2023 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

Lisa McLaughlin
Chief Financial Officer

#### R E S O L U T I O N #140-2023 AUTHORIZING CHANGE ORDER #1 (DECREASE) SIGMUND S. RIMM RECREATIONAL COMPLEX RECONSTRUCITON TENNIS COURTS 1-4

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey authorized Resolution #44-2023, February 16, 2023, awarding the contract to Shore Top Construction Corp., 23 Yellowbrook Road, Freehold N.J. 07728, as per their bid proposal for Sigmund S. Rimm Recreational Complex Reconstruction Tennis Courts 1-4, in an amount of \$289,460.00; and

WHEREAS, the City Engineer, Edward Dennis, prepared a letter dated May 24, 2023 regarding Change Order #1 that related to a decrease in contract due to final as-built quantities in an amount of (\$9,457.00), resulting in a new contract amount of \$280,003.00; 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(Decrease) to the contract with Shore Top Construction Corp., 23 Yellowbrook Road, Freehold N.J. 07728.

**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, City Engineer
- 3. Shore Top Construction Corp., 23 Yellowbrook Road, Freehold N.J. 07728

#### RESOLUTION NO. #141-2023 AUTHORIZING THE APPOINTMENT OF CITY SOLICITOR JOHN SCOTT ABBOTT, ESQUIRE

WHEREAS, the Board of Commissioners of the City of Margate City has determined it has a need for a City Solicitor to assist with legal matters on behalf of the City of Margate City; and

WHEREAS, John Scott Abbott, Esquire, 9 South Washington Avenue, Margate City, New Jersey 08402, has performed the services of City Solicitor for the time period of June 15, 2023 through June 20, 2024; and

WHEREAS, the Board of Commissioners desires to reappoint John Scott Abbott, Esquire, as City Solicitor for the year June 20, 2023 through June 19, 2024; and

**WHEREAS**, this contract is awarded without competitive bidding because it is a Professional Services Contract and is as an exception to the Local Public Contracts Law *N.J.S.A.* 40:11A-5 (1) (a) (i).

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available under Legal 3-01-20-155-254, in an amount not the exceed \$69,000.00 for award of this contract in 2023. Amounts for future years are contingent upon sufficient funds being appropriated.

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

- 1. The Mayor is hereby authorized to execute on behalf of the City of Margate City and the City Clerk to attest to a contract with a retainer amount of \$88,200.00 and a Contract amount including legal services litigation and special projects not to exceed \$75,000.00 between the City of Margate City and John Scott Abbott, Esquire, to serve as City Solicitor and to provide services as stated in the Contract.
- **2.** This contract is awarded without competitive bidding because it is a Professional Services Contract and is as an exception to the Local Public Contracts Law *N.J.S.A.* 40:11A-5 (1) (a) (i).
- **3.** The hourly fee for legal services is \$165.00 for all work outside the scope of services as stated in the contract.
  - 4. The contract shall not exceed twelve consecutive months in accordance with N.J.S.A.40A:11-5

#### AGREEMENT FOR LEGAL SERVICES

**THIS AGREEMENT** made and entered into this 15th day of June, 2023 by and between the CITY OF MARGATE CITY, (hereinafter "CITY"), a municipal corporation of the State of New Jersey, having an address at 9001 Winchester, Margate City, New Jersey 08402, and JOHN SCOTT ABBOTT, ESQUIRE, 9 South Washington Avenue, Margate, New Jersey 08402 (hereinafter "City Solicitor"); and

WHEREAS, the City requires the services of a City Solicitor to represent and advise the City, as well as attend all Regular, Work, and Special Meetings, communicate with elected and non-elected officials and employees, prepare and/or review resolutions and ordinances, miscellaneous correspondence, etc., and communicate and assist with any litigation attorneys in all necessary matters including those not involving litigation; and

**WHEREAS**, City Solicitor has the necessary qualifications and expertise to perform such services for the City.

**NOW, THEREFORE**, pursuant to Resolution #141-2023 duly approved by the Board of Commissioners of the City of Margate City on June 1, 2023, the parties agree as follows:

#### 1. APPOINTMENT

JOHN SCOTT ABBOTT is hereby employed as City Solicitor for the City as of June 20, 2023 and ending June 19, 2024. The City and Board of Commissioners may renew this Agreement for Legal Services for any subsequent yearly periods by Resolution reflecting mutually-agreeable amendments, if any.

#### 2. SCOPE OF SERVICES

- A. The basic scope of service for which the annual remuneration will be paid includes:
  - (a) Attend all Regular, Work and Special Meetings of the Governing Body.
  - (b) Communicate with City elected and non-elected officials and employees and give legal advice and direction as required.
  - (c) Advise and prepare Letters, Resolutions and Ordinances as needed.
  - (d) Communicate with and coordinate services of any litigation attorneys.
  - (e) Review and Prepare all Contracts and Agreements considered by the Governing body.
  - (f) Assist as required in other matters not involved in litigation.
- B. Additional scope of services shall include:
  - (a) Oversee and coordinate all litigation with the City.
  - (b) Special and non-repetitive matters and assignments. These matters must be approved by at least one Commissioner or the City Administrator for City Solicitor to begin work.

#### 3. REMUNERATION

- A. The annual remuneration for basic scope of services shall be \$88,200.00, payable in twelve installments of \$7,350.00 per month with no health or pension benefits.
- B. The remuneration for litigation and special and non-repetitive matters and assignments as requested by Members of the Governing Body and Officials shall be remunerated on the basis of \$165.00 per hour, not exceeding \$75,000.00 without amendment to this contract. Billing is to be submitted monthly by detailed voucher of services rendered. No payments shall be made for services fist invoiced more than 90 days after being performed unless previously encumbered by mutual agreement.

#### 4. MONTHLY BILLING BY COUNSEL.

City Solicitor shall submit to the City its itemized billing by the 15<sup>th</sup> day of the month following the month in which authorized services are rendered and payment shall be made in 12 monthly installments. All billings shall provide details of work performed.

#### 5. PROFESSIONAL LIABILITY COVERAGE AND OTHER INSURANCES

City Solicitor shall carry Professional Liability Coverage with limits of liability not less than \$1,000,000.00 per wrongful act, \$2,000,000.00 aggregate combined single limit, and shall provide his own coverage for commercial general liability insurance, motor vehicle liability insurance and worker's compensation insurance, with proof of coverage to be furnished to the City.

#### 6. <u>CERTIFICATION OF COMPLIANCE</u>

City Solicitor represents that he is in compliance with all the laws of the United States, the State of New Jersey, and all ordinances of the City of Margate. City Solicitor acknowledges that this Agreement must be carried out in accordance with the Affirmative Action requirements of the State of New Jersey and the Americans with Disabilities Act. Accordingly, during the term of this Agreement and during the performance of all duties under this Agreement, City Solicitor will comply with all of the Affirmative Action and Americans with Disabilities Act requirements of the State of New Jersey.

#### 7. LAW GOVERNING CONTRACT

This Agreement shall be governed by and enforced in accordance with the laws of the State of New Jersey. Any dispute that arises under this Agreement shall be initiated in the Courts of Atlantic County, New Jersey.

#### 8. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties. Any prior understanding or representation shall be binding only if in writing and signed by both parties.

#### 9. MODIFICATION OF AGREEMENT

This Agreement can only be modified in writing and signed by both parties.

#### 10. POLITICAL CONTRIBUTION PROHIBITION

This Agreement has been awarded to City Solicitor based on the merits and abilities of City Solicitor to provide the services described herein. It is not awarded pursuant to a "fair and open" process. City Solicitor does hereby attest that City Solicitor, its subsidiaries, assigns, employees or principals have not made any contributions to the Mayor or Commissioners of the City of Margate City or to any candidate for the Office of Mayor or Commissioner of the City of Margate City. City Solicitor further attests that it has not made any contribution in violation of Margate City Ordinance No. 36 of 2005 the "Pay to Play" Ordinance, and is in compliance with the State of New Jersey "Pay to Play" regulations set forth in P.L. 2004, c.19 and P.L. 2005, c.271. City Counsel acknowledges that it has a continuing duty to report any violations of the "Pay to Play" laws during the term of this Agreement.

IN WITNESS WHEREOF, the	parties have executed this Agreement as of the date first above written.
ATTEST:	CITY OF MARGATE
Johanna Casey, City Clerk	Michael Collins, Mayor
ATTEST:	
Johanna Casey, City Clerk	John Scott Abbott, Esquire

**Executive Session:** None

**Update**:

Adjournment:
There being no further business, Mayor Collins called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Horn, and seconded by Mayor Collins, to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 6:16p.m.

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

Commissioner Maury Blumberg

Commissioner Catherine Horn

Attest: Johanna Casey, Municipal Clerk