

REGULAR MEETING MINUTES
CITY COMMISSION – MARGATE CITY

MARCH 5, 2020MARGATE CITY, NEW JERSEY

THE 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 4:46 p.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 and Tom Ciccarone were also present. The minutes from the February 20, 2020 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 the need for the commission to act now on consolidating the two Margate schools.

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 on Ordinances and Resolution Adoption:

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

Ordinances: Introduction

A motion to introduce Ordinance #04-2020 was put forth by Commissioner Blumberg, seconded by Mayor Becker, with a vote of three ayes.

ORDINANCE #04-2020
AN ORDINANCE AMENDING ONE-WAY STREETS, IN THE CITY OF MARGATE CITY,
COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

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

SECTION 1: That the one-way flow of traffic for the following streets or parts of streets is hereby reversed as indicated, and any ordinance or Margate City Code Chapter to the contrary is hereby repealed, rescinded and deleted.

<u>Name of Street</u>	<u>Direction</u>	<u>Limits</u>	<u>Parking Permitted</u>
Huntington Avenue	South	From Amherst to Ventnor Avenue	Both
Edgmar Circle	East	From Jerome to Huntington Avenue	Both

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: This ordinance shall take effect upon final adoption and publication in the manner provided by law.

A motion to introduce Ordinance #05-2020 was put forth by Commissioner Amodeo, seconded by Mayor Becker, with a vote of three ayes.

ORDINANCE #05-2020
CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the City Commissioners of the City of Margate City in the County of Atlantic finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, City Commissioners of the City of Margate City hereby determines that a 1% increase in the budget for said year, amounting to \$230,590.22 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the City Commissioners of the City of Margate City, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of Margate City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$807,065.77, and that the CY 2020 municipal budget for the City of Margate City be approved and adopted in accordance with this ordinance; and,

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

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

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

A motion to introduce Ordinance #06-2020 was put forth by Mayor Becker, seconded by Commissioner Blumberg, with a vote of three ayes.

CITY OF MARGATE CITY
ORDINANCE # 06-2020

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 145
"FLOOD DAMAGE PREVENTION" OF THE CODE OF THE CITY OF
MARGATE CITY, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

BE IT ORDAINED by the Board of Commissioners of the City of Margate City as follows:

WHEREAS, The Mayor and Board of Commissioners of the City of Margate City, New Jersey find that the prevention of flooding is an urgent matter; and

WHEREAS, the State of New Jersey, Department of Environmental Protection, Office of Engineering and Construction, Bureau of Dam Safety and Flood Control, by letter of February 4, 2013 has instructed the Mayor and local Floodplain Administrator that in order for the residents of the City of Margate City to be eligible for Increased Cost of Compliance (ICC) and other federal hazard mitigation grant funds, it is recommended that your community readopt its current Local flood Damage Prevention Ordinance to meet or exceed the requirements of the amended Flood Hazard Area Control Act Rules; and

WHEREAS, The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry.

THEREFORE, the Mayor and Board of Commissioners of the City of Margate City, New Jersey does ordain as follows.

SECTION 1
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND
OBJECTIVES

145-1: STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. **40:48-1**et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Board of Commissioners of the City of Margate City, Atlantic County, New Jersey does ordain as follows:

145-2: FINDINGS OF FACT

(A) The flood hazard areas of the City of Margate City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(B) These flood losses are caused by the cumulative effect of obstructions in floodplains which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

145-3: PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

145-4: METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage throughout their intended life span;
- C. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

D. Controlling filling, grading, dredging, and other development which may increase flood damage; and,

E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION II DEFINITIONS

145-5. DEFINITIONS

A. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its' most reasonable application.

"Advisory Base Flood Elevation (ABFE)" The elevation shown on a community's Advisory Flood Hazard Area Map that indicates the advisory stillwater elevation plus wave effect ($ABFE = SWEL + \text{wave effect}$) resulting from a flood that has a one-percent (1%) or greater chance of being equaled or exceeded in any given year.

"Advisory Flood Hazard Area (AFH)" The land in the floodplain within a community subject to flooding from the one-percent (1 %) annual chance event depicted on the Advisory Flood Hazard Area Map.

"Advisory Flood Hazard Area Map" The official map on which the Federal Emergency Management Agency has delineated the areas of advisory flood hazards applicable to the community.

"Agency" The Federal Emergency Management Agency, Washington, DC.

AH ZONE

Areas subject to inundation by 1 -percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONE

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

"Appeal" A request for a review of the Construction Official/Floodplain Manager's interpretation of any provision of this ordinance or a request for a variance.

"Appurtenant Structure" "Accessory Structure" A structure that is located on the same parcel of property as the principle structure and the use of which is incidental to the use of the principle structure.

"Area of shallow flooding" A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, VI-30, A, AO, AI-A30, AE, A99 or AH.

BASE FLOOD A flood having a one percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and AI-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For zones VE and VI -30 the elevation represents the Stillwater elevation (SWEL) plus wave effect ($BFE = SWEL + \text{wave effect}$) resulting from a flood that has a one-percent-or-greater chance of being equaled or exceeded in any given year.

"Basement" Any area of the building having its floor sub-grade (below ground level) on all sides.

"Best Available Flood Hazard Data" The effective Flood Insurance Risk Maps or most recent Advisory Flood Hazard Area Maps FEMA has provided.

"Best Available Flood Hazard Data Elevation" " Is depicted on the effective FIRM or FIS, or an Advisory Flood Hazard Area Map or Advisory FIS.

"Breakaway wall" A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Building" see structure.

"Building Height" (Margate Requirement) the vertical height of a structure or building measured from the minimum first floor elevation of the structure or building to the highest point of the coping of a flat roof, or the highest gable of a pitched roof. The first floor elevation for all new construction, substantial improvements and substantial additions shall be based on *three feet of* one foot freeboard **to the bottom of the flooring system** in any A Zone and two feet in any V Zone **(to the lowest horizontal structural member)** above the **effective Base Flood Elevation. In all "X" zones, the building floor elevation shall be based on the most conservative (or highest) adjacent AE Zone Base Flood Elevation plus the required freeboard as defined above.**

"Coastal A Zone" – The portion of the Special Flood Hazard Area (SFHA) starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coastal A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones is to be regulated the same as V Zones/Coastal High Hazard Areas.

"Certification" means a certification by a registered professional engineer or other party, does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analysis is a statement that the analysis has been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood.

"Certification of "as built" conditions" is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.

"Coastal High-Hazard Area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area designated on a Flood Insurance Rate Map (FIRM) as Zone VI-V30.

"Community Rating System" means the National Flood Insurance Program's (NFIP) Community Rating System (CRS) which is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements.

"Critical Facility" means a facility for which a moderate chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

"Cumulative Substantial Damage" Any reconstruction, rehabilitation, addition or other improvement of a structure that equals or exceeds 50% of the market value of the structure at the time of the improvement or repair when counted accumulatively for seven years.

"Cumulative Substantial Improvement" Any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds 50 percent of the market value of the structure at the time of the improvement or repair when counted cumulatively for seven (7) years.

"Design Flood Elevation" (DFE) shall be the base flood elevation plus three feet and in the V-zone shall be base flood elevation plus two feet. All materials below DFE shall be water resistant as defined in ASCE -24.

"Development" means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging,

filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

"Digital Flood Insurance Rate Map (DFIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Elevated Building" A non-basement building (i) built in the case of a building in an Area of Special Flood Hazard to have the top of the elevated floor or in the case of a building in a coastal high hazard area or coastal A zone, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of coastal high hazard and coastal A zones "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

"Enclosure" A non-habitable, unfinished or flood-resistant space below the base flood elevation (BFE) usable solely for parking of vehicles, storage and building access to the first floor. Such space shall not be partitioned into multiple rooms, temperature-controlled, or used for human habitation. The storage permitted in an enclosure shall be limited to that which is incidental and accessory to the principal use of the structure. Storage should be limited to items such as lawn and garden equipment, beach chairs, and bicycles which either have a low damage potential or that can be easily moved to the elevated portion of the building if there is a flood.

"Erosion" The process of gradual wearing away of land masses.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION A

manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

"Flood or flooding" A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Rate Map" (FIRM) The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" (FIS) The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

"Floodplain" Any land area susceptible to being inundated by water from any source.

"Floodplain Management" The operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to emergency preparedness plans, requirements for zoning, subdivision or building, and special purpose floodplain management regulations.

"Floodplain Management Regulations" Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such federal, state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Flood-proofing" Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Freeboard" A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many

unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

"Higher Regulatory Standard" Any floodplain management regulations adopted by the State or Local Community which are more restrictive than the criteria set forth in the NFIP regulations.

"Highest Adjacent Grade" The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

"Historic Structure" Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

"Increase Cost of Compliance (ICC)" The coverage by a standard flood insurance policy under the NFIP that provides for the payment of a claim for the cost to comply with the State of New Jersey and the City of Margate Floodplain management laws or ordinances after a direct physical loss by flood, the City of Margate City declares the structure to be "substantially" or "repetitively" flood damaged. ICC coverage is provided for in every standard NFIP flood policy, and will help pay for the cost to flood proof, relocate, elevate, or demolish the structure.

"Lateral Addition" Improvements that increase the square footage and footprint of a structure. Commonly, this includes the structural attachment of a bedroom, den, recreational room, enclosed porch, or other type of addition to an existing structure. If the addition is a substantial improvement, then the existing home and addition needs to be elevated to the higher regulatory standard plus freeboard pursuant to the 1) base flood elevation (BFE), 2) advisory base flood elevation (ABFEs), 3) best available data, whichever is greater, or any subsequently released flood hazard maps as established by FEMA.

Limit of Moderate Wave Action (LiMWA) – Inland limit of the area affected by waves greater than 1.5 feet during the Base Flood. Base Flood conditions between the V Zone and the LiMWA will be similar to, but less severe than those in the V Zone.

"Lowest Floor" The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

"Manufactured Home" A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

"Manufactured Home Park or Manufactured Home Subdivision" A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" The Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

"Market Value" Pertains to the structure in question, not the land, landscaping or detached accessory structures on the property. The market value of a structure reflects its original quality, subsequent improvements, physical age of the building components and current condition.

"New Construction" Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

"New Manufactured Home Park or Subdivision" A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

ADD:

"Non-Conversion Agreement" A form provided by the floodplain administrator to be signed by the owner and recorded on the property deed in official records of the Atlantic County Clerk of the courts, for the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings.

"Participating Community" also known as an eligible community, means a community in which FEMA has authorized the sale of flood insurance.

"Primary Frontal Dune" A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

"Recreational vehicle" means a vehicle which is i) built on a single chassis; ii) 400 square feet or less when measured at the longest horizontal projections; iii) designed to be self-propelled or permanently towable by a light duty truck; and iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Repetitive Loss"

- a. Four or more paid flood losses of more than \$1,000 each or,
- b. Two paid flood losses within a 10-year period that, in the aggregate, equal or exceed the current value of the insured property; or
- c. Three or more paid losses that, in the aggregate, equal or exceed the current value of the insured property.

"Sand Dunes" Naturally occurring or man-made accumulations of sand in ridges or mounds landward of the beach.

"Severe Repetitive Loss"

- (1) Any residential property that is covered under an NFIP flood insurance policy and:
- (a) That has at least four NFIP claim payments (building payments and contents) over \$5,000 each, and the cumulative amount of such claims payments exceeds \$20,000; or
 - (b) For which at least two separate payments (building payments only) have been made with the cumulative amount of the building portion of such claims exceeding the market value of the building.
- (2) For both (a) and (b) above, at least two of the referenced claims have occurred within any ten-year period, and must be greater than 10 days apart.

"Start of Construction" (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means

the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed **50 percent** of the market value of the structure before the damage occurred. Substantial Damage also means flood related damages sustained by a structure on two or more separate occasions during a seven year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

"Substantial Improvement" Any reconstruction, rehabilitation, addition, or other improvement of a structure during a **seven year period** the cost of which equals or exceeds **50%** of the market value of the structure before the start of construction of the improvement. Substantial improvement also means cumulative substantial improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed or repetitive loss. The term does not, however, include either:

(1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

(2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Variance" A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

"Violation" The failure of a structure or other development to be fully compliant with this chapter. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter or 44 CFR S60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5), is presumed to be in violation until such time as that documentation is provided.

SECTION 111 GENERAL PROVISIONS

145-6 LANDS TO WHICH THIS ORDINANCE APPLIES - APPLICABILITY

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Margate City, Atlantic County, New Jersey.

145-7. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

1. The areas of special flood hazard for the City of Margate City Community No. 345304, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (a) A scientific and engineering report entitled "Flood Insurance Study, **Atlantic County, New Jersey (All Jurisdictions)**" dated **August 28, 2018**.
- (b) Flood Insurance Rate Map for, Atlantic County, New Jersey (**All Jurisdictions**)" as shown on **Index and Panels 34001C0432F, 34001C0434F, 34001C0453F** whose effective date is **August 28, 2018**.
- (c) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. **Where the effective mapping or Advisory Base Flood Elevation conflict or overlap**, whichever imposes the more stringent requirement shall prevail.

2. The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at the Municipal Building, 9001 Winchester Avenue, Margate City, New Jersey 08402.

145-8. PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, **re-located to**, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure

to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than (\$500) or imprisoned for not more than (30) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Each and every day any violation continues shall be considered a separate offense, punishable by a like fine and/or jail sentence. Nothing herein contained shall prevent the City of Margate City, from taking such other lawful action as is necessary to prevent or remedy any violation.

145-9. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

145-10 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

"145-11 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the City of Margate City, or by any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

SECTION IV

ADMINISTRATION

§ 145-12. Measurement of elevations; development permit.

A. All elevations shall be measured in feet relative to the North American Vertical Datum of 1988 (NAVD88). The use of National Geodetic Vertical Datum of 1929 shall not be acceptable.

A development permit shall be submitted, prior to undertaking any development activities, to the Floodplain Management Administrator on forms furnished by him or her, and must include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area under consideration for development; existing structure(s) and other features; proposed structure(s), earthen fill, storage of materials or equipment, drainage facilities, perimeter setbacks, environmental features such as base floodplain areas, wetlands, and other protected areas; the location of the foregoing. Specifically, the following information, certified by a professional who is authorized to certify such information in the State of New Jersey, is required:

- (1) Application stage:
 - (a) Elevation, in relation to mean sea level, of the lowest floor (including basement) of all Structures;
 - (b) Elevation in relation to mean sea level to which any structure has been flood proofed.
 - (c) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in section ;
 - (d) Existing and proposed infrastructure;

- (e) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development; and
- (f) Building plans for any walls to be used to enclose space below the base flood elevation.

(2) Construction stage. Upon the placement of the top of block, the lowest floor or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor or flood proofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer who is authorized to certify such information in the State of New Jersey, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk.

(3) The Floodplain Administrator shall review the lowest floor elevation and flood-proofing certificate. Should these documents be found not in conformance with the requirements of this chapter, the permit holder shall immediately cease further work, and shall correct any deficiencies. Failure of the permit holder to submit the surveyed lowest floor elevation and flood proofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop-work order for the project.

145-13. **DESIGNATION OF THE FLOODPLAIN MANAGEMENT ADMINISTRATOR**

The Governing Body of the City of Margate City hereby appoints the Construction Official/Floodplain Administrator to administer and implement the provisions of this ordinance, by granting or denying development permit applications in accordance with its provisions and is hereby referred to as the Floodplain Management Administrator, or the Floodplain Administrator.

145-14. **DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Construction Official/Floodplain Administrator shall include, but not be limited to:

A. PERMIT REVIEW. The Construction Official Shall:

- (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- (3) Review certified plans and specifications for compliance with the requirements of this ordinance.
- (4) Review all development permits in the areas of special flood hazard except in the coastal high-hazard area to determine if the proposed development adversely affects the flood carrying capacity of the areas of special flood hazard. For the purpose of this chapter, "adversely affects" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface of the base flood more than 0.2 foot at any point.
- (5) Review all development permits in the coastal high-hazard area and coastal A zone of the area of special flood hazard to determine if the proposed development alters sand dunes or other natural coastal protections so as to increase potential flood damage.
- (6) Review plans for walls to be used to enclose space below the base flood elevation.

- (7) Coordinate with Planning, Zoning, and Public Works and other Departments in the community to assure that the requirements of this ordinance are fully met.
- (8) Participate actively in evaluating the variance requests and provide input and recommendations in variance hearings/proceedings.

B. Use of other base flood and floodway data. When base flood elevation ~~and floodway~~ data has not been provided in accordance with 145.7, Basis for establishing the areas of special flood hazard, the Construction Official/Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer 145-18A, Specific Provisions for Flood Hazard Reduction, Residential Construction, and 145-18B, Specific Provisions for Flood Hazard Reduction, Nonresidential Construction.

C. Information to be obtained and maintained:

- (1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved flood-proofed structures:
 - a. verify and record the actual elevation (in relation to mean sea level); and
 - b. maintain the flood-proofing certifications required in Section 145-13 B(c).
- (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.
- (4) In coastal high hazard areas and coastal A zones, obtain certification from a registered professional engineer or architect that the elevation requirements of Section 145-19 B(1) and anchoring requirements of Sections 145-19 B(2).

D. Alteration of watercourses:

(1) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

E. Interpretation of FIRM boundaries: Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this chapter.

F. Critical facilities: Construction of new Critical Facilities shall have the lowest floor elevated at 2 feet above the base flood elevation. Flood-proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevations shall be provided to all critical facilities to the maximum extent possible.

G. Substantial damage review.

(1) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.

(2) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.

Ensure substantial improvements meet the requirements of sections 145-17 and 145-18.

145-15. VARIANCE PROCEDURE

A. APPEAL BOARD

- (1) The Planning Board, as established by the City of Margate City shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (2) The Planning Board of the City of Margate City shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official/Floodplain Manager in the enforcement or administration of this ordinance.
- (3) Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided in NJSA 40:55D-17h & 18.
- (2) In passing upon such applications, the Planning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - (a) the danger that materials may be swept onto other lands to the injury of others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity to the facility of a waterfront location, where applicable;
 - (f) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (g) the compatibility of the proposed use with existing and anticipated development;
 - (h) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - (k) the costs. of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges; and
- (l) The request for a variance is not an after-the-fact request.
- (3) Upon consideration of the factors of this chapter and the purposes of this ordinance the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (4) The Construction Code Official/Floodplain Administrator shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

B. CONDITIONS FOR VARIANCES

- (l) Generally variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures below the base flood level, providing items (a-I) in Section 145-16A have been fully considered. As the lot size increases

beyond the one-half acre, the technical justification for issuing the variance increases.

- (2) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance.
- (4) Variances may be issued when there is:
 - (a) A showing of good and sufficient cause.
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and.
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public **as identified in section 145-15**, or conflict with existing local laws or ordinance.
- (5) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION V

PROVISIONS FOR FLOOD HAZARD REDUCTION

145-16. GENERAL PROVISIONS FOR FLOOD HAZARD REDUCTION

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

A. ANCHORING

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

B. CONSTRUCTION MATERIALS AND METHODS

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. UTILITIES

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

(4) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. SUBDIVISION PROPOSALS

(1) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least 50 lots or 5 acres (whichever is less).

E. ENCLOSURE OPENINGS. All new construction and substantial improvements having fully enclosed areas below the lowest floor that are non-habitable, unfinished or flood resistant space below the base flood elevation (BFE) usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- (1) A minimum of two (2) openings **in at least two (2) exterior walls of each enclosed area** having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
- (2) The bottom of all openings shall be no higher than one (1) foot above grade.
- (3) Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

ADD SECTION F TO READ AS FOLLOWS:

F. ENCLOSURE CONVERSION. No enclosure below the flood-protection level shall be converted to habitable living space, and it shall not be utilized for any use other than parking, access to the first floor and storage.

(1) Prior to the issuance of a Certificate of Occupancy (CO), the developer and or owner of the property will file a non-conversion agreement and/or deed restriction with the Atlantic County Clerk's office to be recorded with the deed.

(2) The developer and/or owner shall grant the staff of the City of Margate Building Department entry and permission to inspect the enclosed area at any time to ensure compliance with the non-conversion agreement.

(3) The agreement shall run with the land and be enforceable while the approved structure is extant, regardless of ownership. Information regarding the non-conversion agreement shall be disclosed to successive property owners.

(4) Any breach of this agreement shall constitute a violation of Chapter 145 of the City of Margate City Code of Ordinances.

§ 145-17. Specific Provisions for Flood Hazard Reduction.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 145-7, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 145-15B , Use of Other Base Flood Data, the following standards are required:

A. RESIDENTIAL CONSTRUCTION

1. **For coastal A zone construction see section 145-18 Coastal high-hazard areas and coastal A zones.**

2. New construction and substantial improvement of any residential structure located in an A or AE zone, shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating , ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the base flood elevation, or as required by ASCE/SEI 24-14, Table 2-1, or the best available flood hazard data elevation, **plus** three feet to the underside of floor joist, whichever is more restrictive .
3. Require within any AO, AH or VO Zone on the municipality's **DFIRM** that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, **together with the attendant utilities and sanitary facilities**, elevated above the highest adjacent grade at least one foot above the depth number specified in feet (at least three feet if no depth number is specified) or at above the best available flood hazard data elevation, **plus** three feet to the underside floor joist, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwater around and away from proposed structures.
4. New construction and substantial improvement of any residential structure located in an X zone, shall have the lowest floor, including basement, together with the attendant utilities including all electrical, heating , ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the highest adjacent AE Zone base flood elevation or as required by ASCE/SEI 24-14, Table 2-1, or the best available flood hazard data elevation, three feet to the underside of floor joist, whichever is more restrictive in any adjacent A or AE Zone .

b. Non-residential construction. In an Area of Special Flood Hazard Area (SFHA), all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone (for coastal A zone construction see section 145-18), shall either have the lowest floor, including basement, together with the attendant utilities and sanitary facilities:

(1) Elevated to or above the base flood elevation, or as required by ASCE/SEI 24-14, Table 2-1, or the best available flood hazard data elevation, whichever is more restrictive, plus one foot of freeboard-; and require within any AO, AH or VO zone on the municipality's **DFIRM** to elevate, above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth number specified and require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or

(2) Be flood proofed so that below the base flood level plus one foot, as required by ASCE/SEI 24-14, Table 6-1, **or the best available flood hazard data elevation**; the structure is watertight with walls substantially impermeable to the passage of water; have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and, be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection shall be required. Such certification shall be provided to the official as set forth in S 145-14C(2).

c. Manufactured homes

(1) Manufactured homes shall be anchored in accordance with 145-16.

(2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall

- (a) Be consistent with the need to minimize flood damage,
- (b) Be constructed to minimize flood damage,
- (c) Have adequate drainage provided to reduce exposure to flood damage;
- (d) Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation **plus three (3) feet**, or as required by ASCE/SEI 24-14, Table 2-1, or the best available flood hazard data elevation, whichever is more restrictive and,
- (e) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement one foot in any A Zone and two feet in any V Zone.

§ 145-18 Coastal high-hazard areas and coastal A zones

Coastal high-hazard areas (V or VE Zones) **and coastal A Zones** are located within **the areas** of special flood hazard established in Section 145-7. These areas have special flood hazards associated with high-velocity waters from tidal surges and hurricane wave wash: therefore, the following provisions shall apply:

A. Location of structures.

- (1) All buildings or structures, with the exception of those buildings or structures currently in existences, shall be located landward of the reach of the mean high tide.
- (2) **The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or subdivision.**

B. Construction methods

- (1) Elevation — all new construction and substantial improvements shall be elevated on piling or columns so that;
 - (a) the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns), is elevated to or above the base flood elevation, or as required by ASCE/SEI 24-14, Table 4-1 **or the best available flood hazard data elevation**, whichever is more restrictive plus two (2) feet of freeboard, and
 - (b) All electrical, heating, ventilating, air-conditioning, mechanical equipment and other equipment servicing the building is elevated to or above the base flood elevation ASCE/SEI 24-14, Table 4-1, **or the best available flood hazard data elevation**, whichever is more restrictive plus two feet of freeboard, **and**
 - (c) **With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in section 145-18B(4).**

(2) Structural Support

- (a) All new construction and substantial improvements shall be securely anchored on piling or columns.
- (b) The pile or column foundation and structure attached thereto shall be anchored to resist floatation, collapse or lateral movement due to the effects of wind and water loading values, each of which shall have a one-percent chance of being equaled or exceeded in any given year (one-hundred-year mean recurrence interval).

- (c) There shall be no fill used for structural support **of buildings within Zones V1-30, VE, V, and Coastal A on the community's DFIRM.**
- (3) Certification — a registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of Subsection B(1) and (2)(a) and (b).
- (4) Space below the lowest floor (enclosure below BFE)
 - (a) Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this chapter shall not enclose the space below the lowest floor unless breakaway walls, open wood latticework or insect screening are used as provided for in this section.
 - (b) Breakaway walls, open wood latticework or insect screening shall be allowed below the base flood elevation, provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
 - (1) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood.
 - (2) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components, structural and nonstructural. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State and local building standards.
- (3) If breakaway walls are utilized, such enclosed space shall be used solely parking of vehicles, building access or storage and not for human habitation.
- (4) Prior to construction, plans for any breakaway wall must be submitted to the Construction Official for approval.
- C. Sand dunes. There shall be no alteration of sand dunes within coastal A zones, VE and V zones on the communities DFIRM which would increase potential flood damage.

Section 6

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency. It is the intention of this Ordinance to replace Chapter 145 Flood Damage Prevention in total and pursuant to the instruction by the State of New Jersey, Department of Environmental Protection, Office of Engineering and Construction, Bureau of Dam Safety and Flood Control.

Section 7

Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

Section 8

This Ordinance shall take effect on final passage, approval, and publication.

Ordinances: Adoption

A motion to adopt Ordinance #02-2020 was put forth by Commissioner Amodeo, seconded by Mayor Becker, with a vote of three ayes.

THE CITY OF MARGATE CITY IN THE COUNTY

OF ATLANTIC, NEW JERSEY

ORDINANCE #02-2020

BOND ORDINANCE APPROPRIATING FOUR MILLION FIFTY THOUSAND DOLLARS (\$4,050,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$3,847,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to FOUR MILLION FIFTY THOUSAND DOLLARS (\$4,050,000), including the aggregate sum of TWO HUNDRED TWO THOUSAND FIVE HUNDRED DOLLARS (\$202,500) which is hereby appropriated from the Capital Improvement Fund of the City as the down payments for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the FOUR MILLION FIFTY THOUSAND DOLLARS (\$4,050,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$3,847,500) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$3,847,500) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
a) Various Improvements to Municipal Facilities, including but not limited to Fire Station No. 2 improvements, Amherst Avenue Bulkhead and Promenade, Municipal Building Roof, Municipal Building Hallway improvements, including security improvements, and including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$2,826,850	\$2,685,507
b) Improvements to Various Recreation Playground locations and facilities, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$350,000	\$332,500
c) Various Municipal Roadway Improvements under the 2020 Municipal Road Program and 2020 NJDOT State Aid Program, including without limitation Reconstruction of Amherst Avenue (Clarendon Avenue to Douglass Avenue), Adams Avenue Storm Sewer and Pump Station, and Atlantic Avenue Road Diet, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, design costs, the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	<u>\$873,150</u>	<u>\$829,493</u>
TOTAL	<u>\$4,050,000</u>	<u>\$3,847,500</u>

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

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding of THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$3,847,500) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in

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

Section 5. Capital Budget

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

Section 6. Additional Matters

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

(a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are properties or improvements which the City may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **13.93 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by of THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$3,847,500), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding THREE HUNDRED NINETY-SIX THOUSAND THREE HUNDRED DOLLARS (\$396,300) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 7. Ratification of Prior Actions

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

Section 8. Application of Grants

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

Section 9. Full Faith and Credit

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

Section 10. Official Intent to Reimburse Expenditures

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

Section 11. Effective Date

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

A motion to adopt Ordinance #03-2020 was put forth by Commissioner Blumberg, seconded by Commissioner Amodeo, with a vote of three ayes.

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

ORDINANCE #03-2020

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF ONE MILLION THREE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$1,384,800) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF

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

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made to the water and sewer utility systems of the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000). No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance. The aforesaid notwithstanding, the City hereby appropriates the sum of SIXTY-FIVE THOUSAND TWO HUNDRED DOLLARS (\$65,200) from the Capital Improvement Fund to be applied in reduction of the debt obligations authorized herein.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of ONE MILLION THREE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$1,384,800) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of ONE MILLION THREE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$1,384,800) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Project

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

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
(a) Design and Construction of 2020 NJDOT State Aid Road Program, including reconstruction of Amherst Avenue from Clarendon Avenue to Douglass Avenue, and including all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$377,000	\$377,000
(b) Improvements to Municipal Water System, including redevelopment of Well No. 10, Benson Avenue Water Tank Interior Painting and Water Valve Replacement, and including all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$800,000	\$800,000
(c) Purchases of Utility Equipment, including but not limited to Ford F550 Dump Truck with Plow and Spreader, Sewer Equipment of America Model #747, Sewer Jet Machine, and Well No. 5 Generator.	\$273,000	\$207,800
Total	<u>\$1,450,000</u>	<u>\$1,384,800</u>

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding ONE MILLION THREE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$1,384,800) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer);

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

Section 5. Capital Budget

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

Section 6. Additional Matters

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

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

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **35.29 years.**

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by ONE MILLION THREE HUNDRED EIGHTY-FOUR THOUSAND EIGHT HUNDRED DOLLARS (\$1,384,800), and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding TWO HUNDRED FIFTEEN THOUSAND DOLLARS (\$215,000) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

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

Section 7. Ratification of Prior Actions

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

Section 8. Application of Grants

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

Section 9. Full Faith and Credit

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

Section 10. Official Intent to Reimburse Expenditures

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

Section 11. Effective Date

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

Resolutions:

**RESOLUTION #55-2020
MARGATE CITY BILL LIST / PAYROLL
MARCH 5, 2020**

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: \$1,020,447.08

PREVIOUSLY PAID: \$ 44,940.43

PAYROLL ACCOUNT – February 28, 2020

CURRENT ACCOUNT \$ 441,251.14

WATER & SEWER \$ 46,523.38

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		X			
Amodeo			X			
Blumberg		X	X			

P.O. Type: All
Range: First to Last
Format: Condensed
Include Non-Budgeted: Y

First Enc Date Range: First to 03/05/20

Open: N
Rcvd: Y
Bid: Y

Paid: N
Held: N
State: Y

Void: N
Aprv: Y
Other: Y

Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
17-01735	12/27/17	CZARE005 CZAR Engineering, LLC Contract No: C1700028	DR4264 Project management	Open	4,000.00	0.00	C
19-00031	01/01/19	DM MEDIC DM MEDICAL BILLINGS, INC. Contract No: C1800032	Ambulance billing service	Open	3,426.51	0.00	C
19-00266	02/05/19	THISTHAT THIS & THAT UNIFORMS LLC	Uniforms and Supplies	Open	154.00	0.00	
19-01604	11/07/19	TRIDENTP TRIDENT PILING CO, LLC Contract No: U1380000	Anherst Ave bulkhead replaceme	Open	196,147.00	0.00	C
20-00002	01/06/20	NJDIVPEN NJ DIV OF PENSION & BENEFITS	2020 employee health insurance	Open	214,472.15	0.00	B
20-00004	01/06/20	SUASI005 Suasion Communications Group	monthly communications	Open	2,524.99	0.00	
20-00009	01/03/20	J SCOTT John Scott Abbott, Esq. Contract No: C1900025	Solicitor Retainer 1/1-6/15/20	Open	7,000.00	0.00	C
20-00016	01/07/20	LONNIE LEONA THOMAS	retirement payment- health	Open	1,000.00	0.00	B
20-00020	01/07/20	BROWNBRWN Brown & Brown Metro, LLC Contract No: C1900034	Health broker	Open	1,041.67	0.00	C
20-00023	01/07/20	ABELSLLC Abel's Cleaning Agency, LLC Contract No: C2000003	2020 Janitorial Services	Open	2,819.00	0.00	C
20-00040	01/08/20	SAMS Sam's Club	Recreation Supplies	Open	598.49	0.00	
20-00041	01/08/20	SAMS Sam's Club	Pavilion Supplies	Open	69.34	0.00	
20-00042	01/08/20	PROFORMA PROFORMA DYNAMIC RESOURCES	Uniforms and Brochures	Open	621.00	0.00	
20-00044	01/08/20	ACUA ATLANTIC COUNTY UTILITIES AUTH	2020 water Testing	Open	195.80	0.00	B
20-00051	01/08/20	FRYES Frye's Auto Repair	Vehicle maintenance/repair	Open	507.02	0.00	
20-00069	01/09/20	DM MEDIC DM MEDICAL BILLINGS, INC. Contract No: C2000005	2020 ambulance billing	Open	1,324.53	0.00	C
20-00070	01/01/20	MANOS Manos Law Firm, LLC. Contract No: C2000017	2020 Planning Bd Solicitor	Open	3,944.84	0.00	C
20-00072	01/09/20	VITAL Vital Communications, INC Contract No: C2000006	2020 Assessment Service/MOD IV	Open	2,337.50	0.00	C
20-00078	01/01/20	SWIFT LA SWIFT LAW FIRM	2020 Public Defender	Open	300.00	0.00	B
20-00079	01/01/20	STEIN005 Steiner Law Office, P.C.	2020 Alt Conflict Public Def	Open	250.00	0.00	B
20-00081	01/01/20	JPM JERSEY PROFESSIONAL MANAGEMENT Contract No: C2000011	2020 acting administrator	Open	11,074.00	0.00	C
20-00109	01/10/20	HUBER HUBER LOCKSMITHS, INC.	2 A4 keys for Front office	Open	68.00	0.00	
20-00117	01/13/20	GENTILIN GENTILINI FORD, INC.	Vehicle repairs/ service	Open	127.20	0.00	
20-00130	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	General Electric Bills	Open	145.20	0.00	
20-00133	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	Temp. Electric Bills	Open	79.45	0.00	
20-00142	01/14/20	NATION Nationwide Employee Benefits Contract No: C2000016	Supplemental Life and AD&D	Open	444.01	0.00	C
20-00150	01/15/20	WB MASON W.B. MASON CO., INC.	Public Works supplies	Open	44.70	0.00	
20-00161	01/17/20	DOVETAIL Dovetail Presentations	Summer Camp Magic Show	Open	450.00	0.00	
20-00174	01/22/20	BWSTESTO B.W.Stetson Warehouse	Coffee Supplies	Open	437.00	0.00	
20-00181	01/23/20	UGI UGI Energy Services, LLC	Gas Commodity	Open	175.84	0.00	
20-00199	01/27/20	ANJR Assoc. of NJ Recyclers (ANJR)	Edge Membership ANJR	Open	90.00	0.00	
20-00202	01/27/20	VERALPH V.E. RALPH & SON, INC.	First Aid Supplies	Open	159.50	0.00	
20-00205	01/28/20	PKILL Patrick Killian	Referee	Open	50.00	0.00	
20-00206	01/28/20	ORTIZ Danny Ortiz	Referee	Open	200.00	0.00	
20-00207	01/28/20	STEVE SH STEPHEN SHINCARICK	CAL Basketball Referee	Open	90.00	0.00	
20-00208	01/28/20	APERF Anthony Perfetti	CAL Basketball Referee	Open	180.00	0.00	
20-00210	01/28/20	MICHAELR Michael Riordan	CAL Basketball Referee	Open	180.00	0.00	
20-00211	01/28/20	MICHAELP MICHAEL PELOSI	Referee	Open	240.00	0.00	

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Purchase Order Listing By P.O. Number

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-00212	01/28/20	KEVIN H Kevin Hallman	Referee	Open	160.00	0.00	
20-00214	01/28/20	MO KLOTZ Morgan Klotz	Referee	Open	210.00	0.00	
20-00215	01/28/20	GARY GARY HEGH	Referee	Open	90.00	0.00	
20-00219	01/28/20	FBORE Frank Borek	Referee	Open	90.00	0.00	
20-00221	01/28/20	JSCOP Jim Scoppa	Referee	Open	90.00	0.00	
20-00223	01/28/20	MATT L Matthew Lawler	Referee	Open	330.00	0.00	
20-00239	01/30/20	G MEDOFF Geraldine D. Medoff	Taichi & Chair Yoga Instructor	Open	440.00	0.00	
20-00250	02/24/20	DEBORAH Deborah Havrilchak	Sound Recording	Open	200.00	0.00	
20-00251	01/31/20	M JEWITT Margaret Jewitt	Exercise Class	Open	320.00	0.00	
20-00252	01/31/20	MEREDITH Meredith Punthrangkul	Art Classes	Open	180.00	0.00	
20-00259	01/15/20	DELTADEN DELTA DENTAL PLAN OF NJ	Employee dental- January 2020	Open	794.10	0.00	
20-00260	01/31/20	PCM INC PCM SALES INC	Computer Supplies	Open	2,941.70	0.00	
20-00269	02/03/20	BARRIER BARRIER PEST CONTROL	2020 Exterminating Service	Open	650.00	0.00	B
20-00270	02/04/20	SJWELDIN SOUTH JERSEY WELDING SUPPLY CO	Repair welder in Mechanic Shop	Open	141.77	0.00	
20-00282	02/05/20	STAPLCRE Staples Business Credit	Office Stamps and Supplies	Open	644.36	0.00	
20-00287	02/05/20	LUCKY Lucky Dog Custom Apparel	Recreation Tshirts and Novelty	Open	3,204.10	0.00	
20-00292	02/06/20	CTRGOVSV CENTER FOR GOVERNMENT SERVICES	Public Works Conference	Open	958.00	0.00	
20-00304	02/10/20	ANJR Assoc. of NJ Recyclers (ANJR)	Edge - Annual Meeting	Open	80.00	0.00	
20-00318	02/12/20	WB MASON W.B. MASON CO., INC.	Paper and Toner	Open	540.82	0.00	
20-00323	02/12/20	SCHOPPY Wm. Schoppy, Inc.	Trophies	Open	79.90	0.00	
20-00329	02/14/20	JOSEPO05 Joseph & Kathleen Skladenek	FEMA4264 grant reimbursement	Open	170,230.92	0.00	
20-00335	01/01/20	HORIZON2 HORIZON EYE CARE PA	Employee vision	Open	1,102.50	0.00	C
Contract No: C1900021							
20-00338	02/18/20	PENN JER Penn Jersey Paper co.	janitorial supplies	Open	351.65	0.00	
20-00339	02/07/20	WB MASON W.B. MASON CO., INC.	Computer supplies	Open	191.62	0.00	
20-00340	02/18/20	ATLAND05 Atlanticare Physician Group PA	Medical surveillance	Open	120.00	0.00	C
Contract No: C1900026							
20-00341	02/19/20	DELTO005 Deltona Tires	Wheel Alignment/ MG91484 F550	Open	125.95	0.00	
20-00342	02/19/20	ANJR Assoc. of NJ Recyclers (ANJR)	Edge 2020 1 yr membership	Open	95.00	0.00	
20-00343	02/19/20	CSL CSL WATER QUALITY, INC.	Water Treatment/ 9001	Open	750.00	0.00	
20-00344	02/04/20	VERALPH V.E. RALPH & SON, INC.	Data Messenger for AED Units	Open	150.50	0.00	
20-00345	02/13/20	WETMER Witmer Public Safety Group, In	Fire Department T-Shirts	Open	199.00	0.00	
20-00346	02/10/20	EVS Emergency Vehicle Services LLC	Quint 24 Emergency Repairs	Open	253.15	0.00	
20-00347	02/19/20	ASSOLIFE ASSO. FOR LIFE ENHANCEMENT, INC	2020 EAP Services	Open	465.00	0.00	C
Contract No: C2000021							
20-00348	02/19/20	SJCAA SJCAA	2020 Dues	Open	125.00	0.00	
20-00349	02/19/20	PITPURCH Pitney Bowes Purchase Power	Postage Machine Refill	Open	5,000.00	0.00	
20-00350	02/19/20	GIANNONE CHRIS GIANNONE PLUMBING ,	Replace Hot Water Tank	Open	2,100.00	0.00	
20-00351	02/19/20	ERIKS Erik's Painting, LLC.	Building Dept Storage Room	Open	900.00	0.00	
20-00352	02/19/20	ECASALE CASALE REMODELING LLC.	Historic City Hall	Open	460.00	0.00	
20-00354	02/19/20	LANGUAGE LANGUAGE SERVICES ASSOC., INC.	Telephonic Interpreting	Open	12.60	0.00	
20-00357	02/20/20	NJAFM N.J. ASSOC. FLOODPLAIN MGT.	Galantino Membership Renewal	Open	20.00	0.00	
20-00359	02/20/20	TAXCOLLE TAX COLLECTOR & TREASURERS	2020 Membership-T Mazza	Open	100.00	0.00	
20-00363	02/25/20	CASA 2 CASA REPORTING SERVICES	ACA CHARGES	Open	1,220.95	0.00	B
20-00364	02/25/20	GANN LAW GANN LAW BOOKS	Gann Law Books Subscription	Open	499.50	0.00	
20-00365	02/25/20	ACOMAYOR ATLANTIC COUNTY MAYORS ASSOC.	2020 Mayors assoc dues	Open	350.00	0.00	
20-00366	02/25/20	GANN LAW GANN LAW BOOKS	2020 EDITION NJ ZONING & LU	Open	305.50	0.00	
20-00367	02/25/20	RANJ REGISTRARS' ASSOCIATION OF NJ	2020 Spring Conference-Registr	Open	75.00	0.00	
20-00370	01/31/20	SJWELDIN SOUTH JERSEY WELDING SUPPLY CO	Oxygen Rental Fee - Fire Dept.	Open	70.68	0.00	
20-00372	02/19/20	GRAINGER W.W. GRAINGER INC.	Safety Office Supplies	Open	177.23	0.00	
20-00373	02/26/20	200CLUB CAPE ATLANTIC 200 CLUB	200 Club Event	Open	120.00	0.00	
20-00375	02/26/20	JOAN J Joan Jablonoski	Cooking Instructor	Open	75.00	0.00	
20-00377	02/26/20	TCUNN Ted Cunningham	Basketball Referee	Open	240.00	0.00	
20-00378	02/26/20	GMONT Gene Montecalvo	Referee	Open	270.00	0.00	

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-00379	02/26/20	REMON Remon Coleman	Referee	Open	180.00	0.00	
20-00380	02/26/20	WRUIZ William Ruiz	Referee	Open	90.00	0.00	
20-00381	02/26/20	JARRO005 Jarrod D Barnes	Referee	Open	160.00	0.00	
20-00382	02/26/20	POPPER Christopher Popper	Referee	Open	90.00	0.00	
20-00383	02/26/20	INGRUM Gregory Ingram	CAL Basketball Referee	Open	90.00	0.00	
20-00384	02/28/20	SCHAE005 Schaefer Fireworks, Inc.	2020 Fireworks Display Deposit	Open	7,875.00	0.00	
20-00386	02/27/20	MACH J Mach Jackson	Referee	Open	320.00	0.00	
20-00388	02/27/20	FELDMAN Amanda Lynn Feldman	Referee	Open	330.00	0.00	
20-00390	02/27/20	TBECK Thomas Becker, Sr.	Referee	Open	80.00	0.00	
20-00391	02/27/20	PHILLIP Phillip Terry	Referee	Open	80.00	0.00	
20-00392	02/27/20	MEADOWS Timothy C. Meadows Jr.	Referee	Open	80.00	0.00	
20-00393	02/27/20	MGAIN Michael Gaines	Referee	Open	80.00	0.00	
20-00395	02/27/20	KEITH005 Keith Mackinnon	Referee	Open	80.00	0.00	
20-00396	02/27/20	PERONE Nicole Perone	Referee	Open	160.00	0.00	
20-00397	02/27/20	LLAPI Larry Lapidus	Referee	Open	160.00	0.00	
20-00398	02/27/20	FUSSNER Joe Fussner	Referee	Open	240.00	0.00	
20-00401	02/27/20	TEDLEY Bernard Tadley	Referee	Open	280.00	0.00	
20-00402	02/15/20	LIBRARY MARGATE CITY FREE LIBRARY	2020 Library funding	Open	354,095.00	0.00	B
20-00403	01/15/20	ACTION U ACTION UNIFORM CO. LLC	Fire Department Uniform Items	Open	446.84	0.00	
20-00404	02/28/20	VERIZPRO Verizon	Annual Billing Pole Attachmnt	Open	260.00	0.00	

Total Purchase Orders: 109 Total P.O. Line Items: 0 Total List Amount: 1,020,447.08 Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
APPROPRIATIONS	0-01	636,507.19	0.00	0.00	636,507.19
	0-05	3,623.32	0.00	0.00	3,623.32
Year Total:		640,130.51	0.00	0.00	640,130.51
APPROPRIATIONS	9-01	3,580.51	0.00	0.00	3,580.51
	C-04	196,147.00	0.00	0.00	196,147.00
	G-01	174,230.92	0.00	0.00	174,230.92
	T-14	6,358.14	0.00	0.00	6,358.14
Total of All Funds:		1,020,447.08	0.00	0.00	1,020,447.08

March 2, 2020
09:32 AM

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

Page No: 1

Previously paid 3-5-20

P.O. Type: All
Range: First to Last
Format: Condensed
Include Non-Budgeted: Y

Open: N
Rcvd: N
Bid: Y

Paid: Y
Held: N
State: Y

Void: N
Aprv: N
Other: Y
Exempt: Y

First Enc Date Range: 02/17/20 to 02/19/20

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
20-00130	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	General Electric Bills	Open	12,062.27	0.00		
20-00131	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	water/Sewer Electric Bills	Open	9,019.48	0.00		
20-00132	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	Street Light Electric Bills	Open	1,896.21	0.00		
20-00133	01/13/20	ACELECTR ATLANTIC CITY ELECTRIC	Temp. Electric bills	Open	375.55	0.00		
20-00140	01/14/20	SJGASCOM SOUTH JERSEY GAS COMPANY	SJ Gas monthly bills	Open	10,787.27	0.00		
20-00180	01/23/20	CONSTELL Constellation New Energy, Inc.	Electric Supply	Open	2,976.83	0.00		
20-00181	01/23/20	UGI UGI Energy Services, LLC	Gas Commodity	Open	1,472.82	0.00		
20-00355	02/19/20	CITYCUR CITY OF MARGATE CURRENT ACCT	Plan review fees Res 50-2020	Open	6,350.00	0.00		
Total Purchase Orders:		8	Total P.O. Line Items:	0	Total List Amount:	44,940.43	Total Void Amount:	0.00

RESOLUTION #56-2020
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 \$588.13

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.

ROLL CALL:

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

RESOLUTION #57-2020
INTRODUCTION OF 2020 BUDGET

MUNICIPAL BUDGET NOTICE

Section 1.
Municipal Budget of the CITY of MARGATE CITY, County of ATLANTIC for the Fiscal Year 2020
Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2020;
Be it Further Resolved, that said Budget be published in the THE PRESS OF ATLANTIC CITY
in the issue of March 19 th, 2020
The Governing Body of the CITY of MARGATE CITY does hereby approve the following as the Budget for the year 2020:

RECORDED VOTE
(Insert last name)

Ayes

AMODEO
BLUMBERG
BECKER

Nays

Abstained

Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the COMMISSIONERS of the CITY of MARGATE CITY, County of ATLANTIC, on March 3 rd, 2020.
A Hearing on the Budget and Tax Resolution will be held at MARGATE MUNICIPAL BULDING, on April 2 nd, 2020 at 4:30 o'clock PM at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons.

Consent Agenda:

RESOLUTION #58-2020

AUTHORIZING CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ROLL CALL:

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

**MARGATE CITY
RESOLUTION #59-2020**

**A RESOLUTION OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY SUPPORTING LANDING THE F-35 IN NJ AND URGING
THE UNITED STATES AIR FORCE TO BASE F-35 FIGHTER JETS AT THE 177TH
FIGHTER WING IN ATLANTIC COUNTY, NEW JERSEY.**

WHEREAS, On January 9, 2020, New Jersey Governor Phil Murphy signed Senate Joint Resolution No. 83, urging the United States Air Force to base F-35 fighter jets at the 177th Fighter Wing in Atlantic City, New Jersey; and

WHEREAS, New Jersey's 177th Fighter Wing of the New Jersey Air National Guard is among the units being considered for a second time by the United States Air Force to base F-35 fighter jets; and

WHEREAS, This State continues its belief in the strength and suitability of the 177th Fighter Wing as a base for F-35 fighter jets; and

WHEREAS, The 177th Fighter Wing meets the United States Air Force basing criteria which includes: mission requirements such as weather, airspace and training range availability; capacity such as sufficient hanger and ramp space, and facility considerations; environmental requirements; and cost factors; and

WHEREAS, The 177th Fighter Wing is located at the Atlantic City International Airport in Egg Harbor Township, an ideal strategic location between New York City and Washington, D.C. to play a critical role in defending our country; and

WHEREAS, The 177th Fighter Wing is vitally important in both the Air Combat Command's Aerospace Expeditionary Force structure and NORAD's Air Force Aerospace Control Alert mission; and

WHEREAS, Since October 1998, the 177th Fighter Wing has had an active involvement in Operation's Noble Eagle, Southern Watch, Northern Watch, Iraqi Freedom and Enduring Freedom.; and

WHEREAS, The facilities have already been designed to meet the needs of F-35 fighter jets and any modifications would be limited, minimizing any costs to transition to basing F-35 fighter jets; and

WHEREAS, The 177th Fighter Wing is a premier Air National Guard facility, is a critical asset in the planning and execution of national security decisions, and this State supports its selection as one of the locations to base the United States Air Force F-35 fighter jets; now, therefore,

WHEREAS, the F-35 mission would maintain and enhance the economic impact of the 177th Fighter Wing by continuing its millions of dollars in economic output and approximately 1,200 in-state jobs and create upwards of 100 new jobs; and

WHEREAS, the F-35 mission would provide upwards of 40 million dollars in improvements to the 177th Fighter Wing Base and create construction jobs with an additional economic impact to the region; and

WHEREAS, there is widespread bipartisan support for basing the F-35s at the 177th Fighter Wing from federal, state, and community leaders who recognize the importance of the 177th Fighter Wing’s dual federal and state missions; and

WHEREAS, the 5th Generation F-35 Lightning II is a multi-role fighter capable of successfully executing any and all missions with its ability to collect, analyze, and share data that enhances all airborne, surface, and ground-based assets.

BE IT RESOLVED that the Mayor and Commissioners do hereby unanimously express continued support for the United States Air Force to base F-35 fighter jets at the 177th Fighter Wing in Atlantic City, New Jersey.

BE IT FURTHER RESOLVED THAT certified copies of this Resolution be directed to: President Donald Trump, Senator Cory Booker, Senator Robert Menendez, Congressman Donald Norcross, Congressman Jefferson Van Drew, Congressman Andy Kim, Congressman Christopher Smith, Congressman Josh Gottheimer, Congressman Frank Pallone Jr., Congressman Tom Malinowski, Congressman Albio Sires, Congressman Bill Pascrell Jr., Congressman Donald Payne Jr., Congresswoman Mikie Sherrill, Congresswoman Bonnie Watson Coleman, and United States Air Force Secretary Barbara Barrett.

STATEMENT

This resolution expresses the continued support of this Municipality for the United States Air Force to base F-35 fighter jets at the 177th Fighter Wing in Atlantic City, New Jersey.

The 177th Fighter Wing is among the units being considered for a second time by the United States Air Force to base F-35 fighter jets and this Municipality continues its belief in the strength and suitability of the 177th Fighter Wing as a base for F-35 fighter jets.

There is no better place in America to base the most lethal, survivable, and connected fighter aircraft in the world as the 177th Fighter Wing covers the skies over our country’s most vulnerable targets.

Members of the Commission
of the City of Margate City

Mayor MICHAEL BECKER

Commissioner JOHN AMODEO

Commissioner MAURY BLUMBERG

Roll Call

NAME	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Becker	X		X			
Amodeo			X			
Blumberg		X	X			

RESOLUTION #60-2020
CONFIRMING ACCEPTANCE OF
WORK AS COMPLETE
2019 MUNICIPAL PLAYGROUND UPGRADES

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey previously adopted Resolution #93-2019 on April 18, 2019 which authorized the award of a contract to Arthur Henry, Inc., 3031 Ocean Heights Avenue, Egg Harbor Township, N.J. 08234 in the amount of \$137,572.35 for the 2019 Municipal Playground Upgrades; and

WHEREAS, the City Engineer, Ed Dennis has advised in a letter dated February 5, 2020 that the work is complete; and

WHEREAS, the Governing Body desires to establish a date of acceptance of work as complete and to authorize the submission of a Maintenance Bond by the aforesaid contractor.

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 confirm and otherwise accept as complete the 2019 Municipal Playground Upgrades in the final contract amount of \$162,574.25; and

BE IT FUTHER RESOLVED that the contractor, Arthur Henry, Inc., 3031 Ocean Heights Avenue, Egg Harbor Township, N.J. 08234 is now hereby authorized to post a Maintenance Bond in said amount of \$162,574.25 which represents 100% of the total construction costs; said Bond to be in effect for a period of two years from the date of acceptance hereby established as of February 4, 2020; and

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Edward Dennis, City Engineer
- 3. Arthur Henry, Inc., 3031 Ocean Heights Avenue, Egg Harbor Township, N.J. 08234

ROLL CALL:

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

RESOLUTION #61-2020
AWARD OF CONTRACT
REDEVELOPMENT OF WELL #9 PROJECT

WHEREAS, on February 6, 2020, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey, approved Resolution #46-2020 authorizing the receipt of bids for the Redevelopment of Well #9 Project; and

WHEREAS, the City Clerk did duly advertise the receipt of said bids for the Redevelopment of Well #9 Project in the Press of Atlantic City on February 14, 2020; and

WHEREAS, in connection therewith two (2) bids were received by the City Clerk and the City Engineer of the City of Margate City on February 27, 2020; and

- 1. Uni-Tech Drilling Co., Inc. 61 Grays Ferry Road, Franklinville, NJ 08322 \$128,390.00
- 2. A.C. Schultes 646 South Evergreen Avenue, Woodbury Heights, NJ 08097 \$147,275.00

WHEREAS, the City Engineer, Edward Dennis, of Remington & Vernick Engineers, submitted a letter of recommendation dated February 27, 2020 that the contract be awarded to the lowest responsible bidder Uni-Tech Drilling Co., Inc. 61 Grays Ferry Road, Franklinville, NJ 08322 as per their bid proposal in an amount of \$128,390.00; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are adequate funds available in account C-06-55-912-903 \$128,390.00. for the purpose of awarding of this contract for \$128,390.00; and

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 award a contract to Uni-Tech Drilling Co., Inc., 61 Grays Ferry Road, Franklinville, NJ 08322, as per their bid proposal for the Redevelopment of Well #9 Project in an amount not to exceed \$128,390.00, and that the award of contract be advertised according to law one time in the Press of Atlantic City newspaper.

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 resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bond as may be required by the specifications.

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

1. Remington & Vernick Engineers
2. Lisa McLaughlin, Chief Financial Officer
3. Uni-Tech Drilling Co., Inc. 61 Grays Ferry Road, Franklinville, NJ 08322

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: 128,390.00
Resolution Date: 03/05/20
Resolution Number: 61-2020

Vendor: UNITE005 Uni-Tech Drilling Company, Inc
61 Grays Ferry Road
Franklinville, NJ 08322

Contract: U1500000 Redevelopment of well #9

Account Number	Amount	Department Description
C-06-55-912-903	128,390.00	ordinance 08-2019
Total	128,390.00	

Only amounts for the 2020 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

**RESOLUTION #62-2020
AUTHORIZING RECEIPT OF BIDS
2019-2020 CURB AND GUTTER PROGRAM PHASE I
HUNTINGTON AVENUE AND FULTON AVENUE INTERSECTION ISLAND
IMPROVEMENT**

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey wishes to receive bids for the 2019-2020 Curb and Gutter Program Phase I Huntington Avenue and Fulton Avenue Intersection Island Improvement; 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, County of Atlantic that it does hereby authorize the City Clerk to advertise for bids for the aforesaid item as per the specifications on file and bids will be received by the City Clerk’s Office in the Conference Room, 9001 Winchester Avenue, Margate, New Jersey on a date to be determined.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Frank Ricciotti, Public Works Department
- 3. Ed Dennis, City Engineer

ROLL CALL:

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

RESOLUTION #63-2020
AUTHORIZING RECEIPT OF BIDS
FY2019 SAFE ROUTES TO TRANSIT PROGRAM
DOWNTOWN TRAFFIC CALMING IMPROVEMENT

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey wishes to receive bids for the FY 2019 Safe Routes to Transit Program Downtown Traffic Calming Improvement; 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, County of Atlantic that it does hereby authorize the City Clerk to advertise for bids for the aforesaid item as per the specifications on file and bids will be received by the City Clerk’s Office in the Conference Room, 9001 Winchester Avenue, Margate, New Jersey on a date to be determined.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Frank Ricciotti, Public Works Department
- 3. Ed Dennis, City Engineer

ROLL CALL:

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

RESOLUTION #64-2020

AUTHORIZING CHANGE ORDER #1 (INCREASE)
2020 LANDSCAPE MAINTENANCE OF VARIOUS PUBLIC PROPERTIES AND
VENTNOR AVENUE PARKWAY LANDSCAPING

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey authorized Resolution # 266-2019, December 5, 2020 awarding contract to Michael Angerman Landscaping Inc., PO Box 660, Northfield, NJ 08225, as per their proposal for the 2020 Landscaping Maintenance of Various Public Properties and Ventnor Avenue Parkway Landscaping, in an amount of \$126,955.00; and

WHEREAS, City Public Works Director, Frank Ricciotti, has prepared a letter dated March 2, 2020 regarding an increase in Change Order #1 that related to shrub/tree removal and replacement in the amount of \$15,342.00, resulting in a new contract total of \$142,297.00; and

WHEREAS, the Chief Financial Officer has certified to the Margate City Board of Commissioners that there are sufficient funds in the amount of \$15,342.00 available under Building and Grounds-Landscaping & Parks 0-01-26-310-281 account for approval of this change order.

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 approve Change Order # 1 to the contract with Michael Angerman Landscaping Inc., PO Box 660, Northfield, NJ 08225: and

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

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: 142,297.00
Resolution Date: 03/05/20
Resolution Number: 64-2020

Vendor: ANGERMAN Michael Angerman Landscaping
P.O. Box 660
Northfield, NJ 08225

Contract: C2000002 2020 Landscape Maintenance

Account Number	Amount	Department Description
0-01-26-310-281	142,297.00	BUILDINGS & GROUNDS
Total	142,297.00	

Only amounts for the 2020 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 Blumberg and seconded by Commissioner Amodeo to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 4:53 p.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, Municipal Clerk