

REGULAR MEETING MINUTES CITY COMMISSION – MARGATE CITY

AUGUST 19, 2021

MARGATE CITY, NEW JERSEY

THE ATLANTIC CITY PRESS AND THE STAR LEDGER WERE NOTIFIED OF THIS MEETING AND A COPY OF THE SAME WAS POSTED ON THE BULLETIN BOARD AND THE MUNICIPAL WEBSITE.

The Regular Meeting of the Board of Commissioners was held on the above date at 4:00 p.m. in person at Margate City Hall, 1 South Washington Avenue, Margate, NJ.

Johanna Casey, City Clerk: Reads the statement of compliance followed with the flag salute and roll call is taken: Mayor Michael Becker and Commissioner John Amodeo and Commissioner Maury Blumberg were present. Fred Verna, Scott Abbott, Johanna Casey, and Rich Deaney were also present.

Approval of Minutes:

The minutes from the August 5, 2021 Workshop/Capital Meeting and Regular Meeting were approved as read on motion by Commissioner Blumberg, seconded by Commissioner Amodeo, with a vote of three ayes.

Mayor Becker: Introduces Senator Vince Polistina and Don Guardian, who is running for General Assembly.

Senator Polistina: Speaks on his office being open to assist residents of Atlantic County.

Chief Hankinson: Speaks on needing assistance and guidance on how to handle the growing problems with juveniles.

Senator Polistina: Speaks on being aware of the issues municipalities are having with juveniles.

Rich Deaney: Chief Financial Officer Lisa McLaughlin requests the Senator to contact her regarding fraudulent unemployment claims.

Senator Polistina: States he is aware of this issue and has a name and number of person at the state level to contact.

Claire Swift: Introduces herself and states she is running for General Assembly.

Public Comment:

Gail Shapiro, Island House: Speaks on individuals setting off fireworks on the beach over the July 4th weekend.

Chief Hankinson: Speaks on the police handling of fireworks being set off on the beach.

Eric Stevens, Island House: Speaks on Venturas Greenhouse not being in compliance with noise levels.

Carmela Cramer, Island House: Speaks on the noise coming from Venturas Greenhouse.

Alan Rothman, Island House: Speaks on how loud the noise is from Ventura Greenhouse on Sunday nights. Speaks on an ordinance pertaining to allowing music and seating outdoors.

Commissioner Amodeo: Speaks on resolutions approved to deal with the issue of outdoor seating and music outdoors.

Mayor Becker: Requests the city solicitor to look into the ordinances Mr. Rothman referenced.

Michael Labor, Island House: Requests assistance with getting the noise level coming from Venturas Greenhouse lowered.

Dennis Gorniowsky, 7702 Amherst Avenue: Speaks on the ongoing water problems along Amherst Avenue due to the Reconstruction of Amherst Avenue-Phase I Project.

Commissioner Amodeo: Speaks on the design of the drains.

Ed Dennis: Disagrees with how Mr. Gorniowsky is describing how the drains on Amherst Avenue were designed. Would like the opportunity to explain to Mr. Gorniowsky the drainage design.

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

Public Comment on Resolutions and Ordinances Adoption:

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

Ordinances: Introduction:

Johanna Casey: Ordinance #12-2021 is read by title only.

A motion to introduce **Ordinance #12-2021**, adding chapter 111 Construction, General requirements of swimming pool installation, was put forth by Commissioner Blumberg, Seconded by Mayor Becker, with a vote of three ayes.

ORDINANCE #12-2021

**AN ORDINANCE ADDING CHAPTER 111 CONSTRUCTION, GENERAL
REQUIREMENTS OF THE CODE OF THE CITY OF MARGATE CITY,
COUNTY OF ATLANTIC AND STATE OF NEW JERSEY**

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

Article I – Swimming Pools

SECTION 1. Section 1- Policy Statement shall be as follows:

§111-1. Policy Statement. It is found and determined that the construction of pools, spas and other water containing structures for recreation and use constructed by pneumatically applied concrete mixture reinforced with steel rebar and commonly referred to as “gunite” material has increased significantly over the past several years. The spraying of such gunite material produces air pollution and water pollution to an extent that the Governing Body has determined to enact legislation to control and otherwise mitigate the negative impact of such construction. Therefore, the following provisions, regulations and prohibitions of this Chapter are implemented to protect the public health, safety and welfare of the citizens of Margate.

§111-2. Definitions and Standards as used in this Chapter.

1. Pneumatic – The spraying of gunite or other material commonly referred to as a concrete mixture in pools or spas.
2. Pool(s) – A water filled enclosure, permanently constructed or portable, maintained for swimming or bathing.
3. Pool, Spa – A permanently fixed warm water reservoir with separate detached pump, filter controls and heating components. Spas may be attached or separated from on-ground or in-ground.
4. Swimming Pool – See definition of “Pool” “Pool, spa”. The term swimming pool when used in this section shall mean in-ground, above ground and on-ground pools, spas, decking and all appurtenances thereof used for recreational purposes.

§111-3. Summer work restricted. It shall be unlawful for the construction of pools, spas and other water containing structures from June 15th to September 15th of each year.

§111-4. Required Permits. The installation of a swimming pool or spa or other construction involving the pneumatic application of concrete mixture shall require the following:

- a. Contractor shall obtain a construction permit issued by the Construction Official in accordance with the New Jersey Uniform Construction Code (UCC).
- b. As a prior condition of approval for the issuance of a construction permit, the contractor shall obtain a zoning permit issued by the Zoning Officer.
- c. If dewatering activity is required at the construction site, a further permit will be required from the Margate City Engineer or designee and in accordance with Section 227-22 *et seq* of the Margate Municipal Code. A precondition for the issuance of the permit shall be the issuance of the Zoning and Construction Permits.
- d. A minimum of 48 hour notice to the Margate Police Department whenever construction equipment is to block a street or a traveling lane of a public street.
- e. Permit Application shall be submitted on forms provided by the City for that purpose.
- f. Provision shall be made by Applicant to provide coverage by way of curtains or other suitable temporary structure in order to prevent sprayed material from exiting the property and otherwise spreading to adjoining properties. Said provision must be approved by the Construction Official.
- g. Prior to work commencing with respect to dewatering and/or construction by pneumatic applied concrete mixture, the Construction Department shall be notified with a minimum of 48 hours' notice so that the proposed dewatering and/or construction may be inspected by a Municipal designated inspector for compliance with all provisions of the Ordinance.
- h. Written notice to all contiguous property owners shall be given by Applicant by regular and certified mail at least ten (10) days prior to commencement of construction of pneumatic applied concrete mixture. Said notice shall be given by certified and regular mail or by personal delivery to the contiguous property owner and/or occupants. Proof of such notice shall be given to the Construction Department for verification prior to commencement of work.
- i. It shall be the responsibility of the contractor to remove all dirt and debris from the sidewalk, street and public right-of-way area on a daily basis and at the conclusion of construction and/or installation of the pool or whenever any City Official deems it necessary during construction and/ or installation.
- j. The failure of the contractor to remove dirt and debris as required by this section will subject the contractor to the penalty provisions, both administrative and otherwise, as provided herein. Additionally, should the City be required to perform such clean-up, the contractor shall be responsible for the cost of City employees and equipment computed on a time and material cost basis provided, however, that the minimum amount shall not be less than \$250. Such sum shall be payable upon demand. Any contractor who owes any outstanding reimbursement costs to the City will be denied any MCDPW Permit for any future project until such time as all such costs imposed by the City have been paid in full.
- k. All construction and construction type activity shall conform to the requirements of the New Jersey Uniform Construction Code and all other State or Federal law that may be applicable and to the regulations promulgated thereunder and shall further conform to all other City Ordinances.

§ 111-5. Administrative Penalties and Assessment.

- a. Any person violating this section shall be subject to such Administrative Penalties and Assessments as authorized by the New Jersey Uniform Construction Code. The City's Construction Official shall impose and assess an administrative penalty for each day that a violation continues unabated, and each day shall be treated as a separate and distinct violation.
- b. Each day that a violation continues shall be treated as a separate violation and the penalty authorized under the UCC shall be imposed by the Construction Official.
- c. Such penalties shall be recovered by the City through a Penalty Enforcement Action in accordance with N.J.S.A. 2A:58-11 and N.J.S.A. 52:27D-138. c. Any Administrative Penalty imposed under this section shall be in addition to, and not in place of, any other penalty established in this section or by this Code.

§ 111-6. Violations and Penalty. Any person violating any of the provisions of this section shall, upon conviction, be subject to one or more of the following:

a. For a First Offense:

1. A fine in the minimum amount of \$100 not to exceed the sum of one thousand (\$1,000) dollars; and/or
2. Incarceration for a term not to exceed ninety (90) days; and/or
3. A period of community service for a period not exceeding ninety (90) days.

b. For a Second or Subsequent Offense:

1. A fine in the minimum amount of one hundred (\$100) dollars and not to exceed the sum of two thousand (\$2,000) dollars; and/or
2. Incarceration for a term not to exceed ninety (90) days; and/or
3. By a period of community service for a period not exceeding ninety (90) days.

§ 111-7. Violations Occurring Within One Year.

Any person convicted of violating this section within one year of the date of a previous violation and who was fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the section, but shall be calculated separately from the fine imposed for the violation of the section. (See N.J.S.A. 40:49-5)

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

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

Michael Becker, Mayor

John Amodeo, Commissioner

Maury Blumberg, Commissioner

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

Ordinances: Public/Adoption:

Johanna Casey: Ordinance #11-2021 is read by title only.

A motion to adopt **Ordinance #11-2021**, fixing salaries & wages and compensation of certain officers and employees of Margate City, was put forth by Blumberg, Seconded by Commissioner Amodeo, with a vote of three ayes.

**ORDINANCE #11-2021
AN ORDINANCE FIXING THE SALARIES & WAGES
AND
COMPENSATION OF CERTAIN OFFICERS & EMPLOYEES
OF THE CITY OF MARGATE CITY, ATLANTIC COUNTY, NEW JERSEY**

THE BOARD OF COMMISSIONERS of the City of Margate City, Atlantic County, New Jersey does ordain

SECTION 1: THAT effective January 1, 2021 the base salaries, wages, and compensation to be paid to the following officers and employees of the City of Margate City, New Jersey shall be paid bi-weekly and as follows:

		PER ANNUM - SALARY RANGE	
PUBLIC SAFETY			
BEACH PATROL			
LIFEGUARD CAPTAIN	\$ 15,000		19,000
LIFEGUARD CHIEF	25,000	-	35,000
CITY CLERK'S OFFICE			
CITY CLERK	65,000	-	102,000
CONSTRUCTION OFFICE			
BUILDING INSPECTOR	15,000	-	70,000
CONSTRUCTION OFFICIAL	85,000	-	130,000
ELECTRICAL INSPECTOR	15,000	-	71,000
ELECTRICAL SUB CODE OFFICIAL	15,000	-	85,000
FIRE PROTECTION SUB CODE OFFICIAL	8,000		30,000
HOUSING INSPECTOR	15,000	-	71,000
PLUMBING INSPECTOR	15,000		71,000
PLUMBING SUB CODE OFFICIAL	15,000	-	85,000
EMERGENCY MANAGEMENT			
MUNICIPAL EMERGENCY MGMT COORDINATOR	2,500	-	7,500
FIRE DEPARTMENT			
DEPUTY FIRE CHIEF	100,000	-	146,000
EMERGENCY MEDICAL TECHNICIAN	35,000	-	70,000
FIRE CAPTAIN	100,000	-	126,000
FIRE CHIEF	125,000	-	161,000
FIRE LIEUTENANT	100,000	-	120,000
FIREFIGHTER	40,000	-	106,000
SUPERVISING FIRE PREVENTION SPECIALIST	5,000	-	10,000
MUNICIPAL COURT			
DEPUTY MUNICIPAL COURT ADMINISTRATOR	40,000	-	80,000
MUNICIPAL COURT ADMINISTRATOR	65,000	-	103,000
MUNICIPAL MAGISTRATE	18,000	-	35,000
PROSECUTOR	15,000	-	35,000
PLANNING & ZONING			
ENGINEER PLANNER	65,000	-	130,000
ZONING OFFICER	55,000	-	127,000

	PER ANNUM	-	SALARY RANGE
POLICE DEPARTMENT			
CODE ENFORCEMENT OFFICER	15,000	-	70,000
POLICE CAPTAIN	100,000	-	146,000
POLICE CHIEF	110,000	-	161,000
POLICE LIEUTENANT	100,000	-	133,000
POLICE SERGEANT	100,000	-	122,000
POLICE OFFICER	40,000	-	112,000
SENIOR PUBLIC SAFETY TELECOMMUNICATOR	70,000	-	85,000
SPECIAL LAW ENFORCEMENT OFFICER	33,000	-	40,000
SUPERVISING TELECOMMUNICATOR	65,000	-	85,000
TELECOMMUNICATOR	33,000	-	77,000
REVENUE AND FINANCE / ADMINISTRATIVE / CLERICAL			
CHIEF FINANCIAL OFFICER	85,000	-	132,000
ACCOUNTANT	40,000	-	85,000
ACCOUNTANT CLERK	40,000	-	85,000
DEPUTY TAX ASSESSOR	40,000	-	85,000
TAX ASSESSOR	65,000	-	95,000
TAX ASSESSOR TRAINEE	40,000	-	60,000
ASSISTANT TAX COLLECTOR	40,000	-	75,000
TAX COLLECTOR	65,000	-	106,000
CLERK 1	35,000	-	85,000
CLERK 2	40,000	-	87,000
CLERK 3	45,000	-	87,000
ADMINISTRATIVE CLERK	45,000	-	90,000
PERSONNEL ASSISTANT	40,000	-	85,000
SYSTEMS ANALYST	85,000	-	163,000
PUBLIC WORKS/WATER & SEWER			
ASSISTANT PUBLIC WORKS SUPERINTENDENT	85,000	-	134,000
BUILDING SERVICE WORKER	35,000	-	60,000
CARPENTER/P.W. REPAIRER	65,000	-	92,000
ELECTRICIAN	65,000	-	92,000
GENERAL SUPERVISOR, PUBLIC WORKS	65,000	-	92,000
LABORER 1	35,000	-	70,000
LABORER 2	45,000	-	85,000
LABORER 3	55,000	-	90,000
MECHANIC	65,000	-	92,000
MECHANIC HELPER	45,000	-	88,000
OFFICE SUPERVISOR	50,000	-	92,000
PUBLIC WORKS SUPERINTENDENT	110,000	-	160,000
PUBLIC WORKS REPAIRER	55,000	-	85,000
PUMPING STATION OPERATOR	40,000	-	90,000
SANITATION INSPECTOR	40,000	-	90,000
SENIOR PUBLIC WORKS REPAIRER	65,000	-	90,000
SR PUMPING STATION OPERATOR	75,000	-	128,000
SUPERVISOR, PUBLIC WORKS	65,000	-	90,000
TRUCK DRIVER	45,000	-	85,000
RECREATION			
ASSISTANT DIRECTOR OF PARKS AND RECREATION	65,000	-	95,000
DIRECTOR OF PARKS AND RECREATION	70,000	-	100,000
RECREATION AIDE	35,000	-	65,000
RECREATION DIRECTOR	65,000	-	99,000

RECREATION LEADER	40,000	-	90,000
RECREATION PROGRAM COORDINATOR	40,000	-	90,000
RECREATION ATTENDANT	40,000	-	90,000
RECREATION SUPERVISOR	45,000	-	90,000

CITY COMMISSION

COMMISSIONER – PUBLIC SAFETY	0	-	29,000
COMMISSIONER – PUBLIC WORKS	0	-	29,000
COMMISSIONER – REVENUE/FINANCE	0	-	29,000

PER HOUR

ACTING / TEMPORARY ADMINISTRATOR	0	-	25.00
BEACH INSPECTOR	11.10	-	15.00
BEACH INSPECTOR SUPERVISOR	11.10	-	25.00
BUILDING MAINTENANCE WORKER (part time)	11.10	-	22.00
ELECTRICAL INSPECTOR (part time)	25.00	-	45.00
CODE ENFORCEMENT OFFICER	11.10	-	27.00
CODE ENFORCEMENT OFFICER TRAINEE	11.10	-	27.00
DEPUTY TAX ASSESSOR	20.00	-	35.00
HOUSING INSPECTOR (part time)	11.10	-	27.00
HOUSING INSPECTOR TRAINEE	11.10	-	27.00
KEYBOARDING CLERK 1 (part time)	11.10	-	11.10
LABORER 1 (part time)	11.10	-	22.00
MANAGEMENT SPECIALIST	11.10	-	45.00
PARKING ENFORCEMENT OFFICER	11.10	-	22.00
SEASONAL EMPLOYEE	11.10	-	22.00
SPECIAL LAW ENFORCEMENT OFFICER	15.00	-	25.00
TECH ASST TO CONSTRUCTION OFFICIAL	11.10	-	25.00
RECREATION AIDE (part-time)	11.10	-	22.00
RECREATION LEADER (part-time)	11.10	-	25.00
CLERK 1 (part-time)	11.10	-	25.00
PS TELECOMMUNICATION TRAINEE	11.10	-	26.00

PER DIEM

LIFEGUARD	96.00	-	200.00
LIFEGUARD LIEUTENANT	220.00	-	240.00
SCHOOL TRAFFIC GUARD	18.00	-	48.00

SECTION 2; THAT in addition to base pay employees shall receive such compensation, longevity and other contracted benefits as provided in labor contracts or written conditions of employment approved by the governing body and/or as executed by the Business Administrator and appropriate Commissioner.

SECTION 3; THAT the Business Administrator shall cause to be formulated a list of employees eligible for overtime to be filed annually with the City Clerk and CFO.

SECTION 4; THAT for Calendar Year 2022, the maximum base salaries as provided by this ordinance shall be increased by 3% for each position.

SECTION 5; THAT once established for the calendar year base pay may not be supplemented through merit raises during the calendar year without approval of the majority of the Governing Body.

SECTION 6; THAT all ordinances and parts of ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

SECTION 7; THIS ordinance shall take effect upon final passage and publication as provided by law.

Mayor Michael Becker

Commissioner John Amodeo

Commissioner Maury Blumberg

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

Resolutions:

A motion to adopt **Resolution #165-2021**, authorizing the payment of claims \$510,041.63, was put forth by Commissioner Blumberg, Seconded by Mayor Becker, with a vote of three ayes.

**RESOLUTION #165-2021
PAYMENTS OF CLAIMS
MARGATE CITY BILL LIST / PREVIOUSLY PAID
AUGUST 19, 2021**

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:

<u>BILLS LIST AMOUNT:</u>	\$503,846.60
<u>PREVIOUSLY PAID:</u>	\$ 6.195.03

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby approve the Margate City Bill List / Previously Paid, and that all claims and bills attached here to be paid in full.

A motion to adopt **Resolution #166-2021**, authorizing payment to Colmar Home Center, was put forth by Commissioner Blumberg, Seconded by Commissioner Amodeo, with a vote of two ayes. Mayor Becker abstained from vote.

**RESOLUTION #166-2021
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:

<u>COLMAR HOME CENTER</u>	\$1,632.64
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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.

Consent Agenda:

A motion to adopt the Consent Agenda for **Resolution #167-2021 thru Resolution #173-2021**, was put forth by Commissioner Blumberg, Second by Mayor Becker, with a vote of three ayes.

**R E S O L U T I O N #167-2021
AUTHORIZING CHANGE ORDER #5 (INCREASE)
AMHERST AVENUE PROMENADE**

WHEREAS, the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey has on November 12, 2020 authorized Resolution #212-2020 awarding a contract to Fred M. Schiavone, PO Box 416, Malaga, NJ 08328, for Amherst Avenue Promenade, as per their proposal in an amount of \$2,075,297.70; and

WHEREAS, the Board of Commissioners of the City of Margate City on April 15, 2021 authorized Resolution #95-2021 regarding an increase in Change Order #1 that relates to installation of check valves on outfall pipes in the amount of \$23,999.43, resulting in a new contract total of \$2,099,297.13; and

WHEREAS, the Board of Commissioners of the City of Margate City on May 6, 2021 authorized Resolution #106-2021 regarding Change Order #2 that related to a change in contract due to Material Delivery time providing for a time extension of sixty (60) days, resulting in a new contract completion date of May 28, 2021; and

WHEREAS, the Board of Commissioners of the City of Margate City on May 20, 2021 authorized Resolution #119-2021 regarding Change Order #3 that related to revised paving limits and HMA base course thickness and as-built concrete quantities in the amount of \$507.60 resulting in a new contract total in the amount of \$2,099,804.73; and

WHEREAS, the Board of Commissioners of the City of Margate City on June 17, 2021 authorized Resolution #135-2021 regarding Change Order #4 that related to ACE Transformer Pad Protection in the amount of \$9,350.52 resulting in a new contract total in the amount of \$2,109,155.25; and

WHEREAS, City Engineer, Edward Dennis, has prepared a letter dated August 4, 2021 regarding Change Order #5 (Increase) that related to Wayfinding Signs and Time Extension in the amount of \$1,161.60 resulting in a new contract total in the amount of \$2,110,316.85 to be completed by September 17, 2021; and

WHEREAS, the Chief Financial Officer has certified to the Margate City Board of Commissioners that there are sufficient funds in the amount of \$1,161.60 available under Ord 07-2019 account: C-04-55-984-902 for approval of this change order.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey does hereby approve Change Order #5 (Increase) with Fred M. Schiavone, PO Box 416, Malaga, NJ 08328 resulting in a new contract amount of \$2,110,316.85 with a completion date of September 17, 2021.

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. Fred M. Schiavone, PO Box 416, Malaga, NJ 08328

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: 2,110,316.85
Resolution Date: 08/19/21
Resolution Number: 167-2021

Vendor: FREDMSCH Fred M. Schiavone
Construction Inc.
PO Box 416
Malaga, NJ 08328

Contract: U1590000 Amherst Avenue Promenade

Account Number	Amount	Department Description
C-04-55-984-902	1,161.60	Ordinance 07-2019
Total	1,161.60	

Only amounts for the 2021 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

**RESOLUTION #168-2021
AUTHORIZING RECEIPT OF BIDS
2021 CURB AND GUTTER PROGRAM**

WHEREAS, the Board of Commissioners of the City of Margate City, in the County of Atlantic, State of New Jersey is desirous of receiving bids for the 2021 Curb and Gutter Program; and

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

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

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

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

**RESOLUTION #169-2021
AUTHORIZING SPECIAL TRAFFIC REGULATIONS FOR
MARGATE FALL FUNFEST**

WHEREAS, the City of Margate City, in the County of Atlantic, State of New Jersey scheduled a Fall FunFest along Amherst Avenue from Decatur Avenue to Coolidge Avenue on September 25, 2021 through September 26, 2021 (Saturday & Sunday); and

WHEREAS, the Commissioners of the City of Margate City authorize the Margate City Police Department to put into effect "Special Traffic Regulations" for the safety and welfare of its citizens as follows:

**Special Traffic Regulations - 2021
September 24 (Friday) - September 27 (Monday)**

- a. Amherst Avenue will be closed to vehicular traffic from Decatur Avenue to Coolidge Avenue;
- b. Adams, Jefferson, Madison and Monroe Avenues will become two-way streets between Amherst and Monmouth Avenues;
- c. Temporary Stop Signs will be erected at the ends of the newly created two-way streets;
- d. Temporary No Parking and Handicapped Parking Zones will be established between Monmouth and Amherst Avenues from Decatur Avenue to Coolidge Avenue;
- e. There will be a traffic detour plan:
 1. From Amherst Avenue westbound to Decatur Avenue, to Monmouth Avenue, to Coolidge Avenue and back to Amherst Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Margate City, County of Atlantic, in the State of New Jersey that the "Special Traffic Regulations" be in effect during the hours beginning 12:01 a.m., Friday, September 24, 2021 until Monday, September 27, 2021 at 12:00pm (noon). This resolution is made under authority and pursuant to *N.J.S.A. 39:4-197.3* to expire at 12:00pm (noon) on September 27, 2021.

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

1. Margate City Police Department
2. Public Works Department
3. Fred Verna, IT

RESOLUTION NO. 170 of 2021

Authorizing and Confirming Validity and Authorizing Assignment of Existing Lease Dated January 26, 2021 By and Between the City of Margate City, as Landlord and Berkshire Margate, LLC, Formerly Known as Quincy Ventures, LLC as Tenants and Pertaining to The Municipal Parking Lot Located on Washington Avenue on Property Identified as Block 226 Lot 9

WHEREAS, the Governing Body of the City of Margate previously authorized a Lease Agreement dated August 5, 2005 by Resolution No. 143 of 2006 with Stephen Marchel, LLC which authorized the long term rental of a portion of the municipal parking lot located on Washington Avenue and property identified as Block 226, Lot 9; and

WHEREAS, Resolution #224-2019 confirmed the validity of the Lease Agreement and allowed the assignment of same to Investment Property Associates, LLC, which included an Assignment and Estoppel Certificate; and

WHEREAS, Quincy Ventures, LLC has entered into an Assignment Agreement with Berkshire Margate, LLC and has requested confirmation and permission to allow the assignment of said Lease to the purchaser of property located at 9218 Ventnor Avenue, Block 126 Lot 85.01 said purchaser being Berkshire Margate, LLC, a Delaware Limited Liability Company, located at 102 Larch Circle, Suite 301, Newport, DE 19804; and

WHEREAS, the Lease Agreement was entered into for the purpose of providing, during regular business hours, parking for the commercial building located at 9218 Ventnor Avenue, hereinafter "Building", which Building use will continue; and

WHEREAS, the Governing Body has determined that the existing Lease is valid and current with regard to rental payments and that the Lease may be assigned as provided for in said Lease agreement upon the written consent of the Landlord.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey does hereby authorize the Mayor to execute and the City Clerk to attest to any necessary documentation confirming the validity of the Lease Agreement and to allow its assignment to Berkshire Margate, LLC.

**RESOLUTION #171-2021
RESOLUTION TO EXTEND 3RD QUARTER 2021 TAX GRACE PERIOD
TO 4:00 PM – SEPTEMBER 24, 2021**

WHEREAS, certified tax rates have just recently been certified by the Atlantic County Board of Taxation resulting in a delay in issuing tax bills by the City of Margate City for the 2021-2022 tax period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City in Atlantic County, State of New Jersey that the 3rd quarter 2021 grace period be extended from August 10, 2021 to September 24, 2021, and that taxes not received by 4:00 pm on September 24, 2021 are subject to interest retroactive to the third quarter due date of August 1, 2021.

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

1. Lisa McLaughlin, Chief Financial Officer
2. Tara Mazza, Tax Collector

**RESOLUTION #172-2021
AUTHORIZING REFUND OF TAX OVERPAYMENT**

WHEREAS, it has been determined by the Tax Collector that Block 223, Lot 6, known as 3 N. Wilson Avenue, has a credit balance in the 1st Quarter 2021 (February 1st) in the amount of \$2034.85 and a credit balance in the 2nd Quarter 2021 (May 1st) in the amount of \$2034.84 as a result of an overpayment of taxes; and

WHEREAS, Property owner, John Scott, Jr., submitted complete application and necessary supporting documentation on June 2, 2021 to the Tax Assessor; and

WHEREAS, it has been determined by the Tax Assessor that a 100% Disabled Veterans Tax Exemption is approved as of June 9, 2021 retroactive to January 1, 2021; and

WHEREAS, Property owners, John Scott, Jr. & Dorothy R. Scott, have requested the tax overpayment be refunded.

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

The Chief Financial Officer is hereby authorized to issue a check in the amount of \$4069.69 to John Scott, Jr. & Dorothy R. Scott.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Tax Collector.

**RESOLUTION #173-2021
RESOLUTION CONFIRMING ACCEPTANCE OF
WORK AS COMPLETE
BENSON AVENUE WATER TANK INTERIOR PAINTING PROJECT**

WHEREAS, the Commissioners of the City of Margate City, in the County of Atlantic and State of New Jersey previously adopted Resolution #247-2020 on December 3, 2020 which authorized the award of a contract to Allied Painting, Inc., 4 Larwin Road, Cherry Hill, NJ 08034, as per their bid proposal in an amount of \$550,225.00 for the 2020 Benson Avenue Water Tank Interior Painting Project; and

WHEREAS, the City Engineer, Ed Dennis has advised in a letter dated August 16, 2021 that the work is completed; 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 2020 Benson Avenue Water Tank Interior Painting Project in the final contract amount of \$540,825.00.

BE IT FUTHER RESOLVED that the contractor, Allied Painting, Inc., 4 Larwin Road, Cherry Hill, NJ 08034 is now hereby authorized to post a Maintenance Bond in said amount of \$540,825.00 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 August 3, 2021.

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

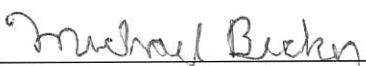
1. Lisa McLaughlin, Chief Financial Officer
2. Ed Dennis, City Engineer
3. Allied Painting, Inc., 4 Larwin Road, Cherry Hill, NJ 08034

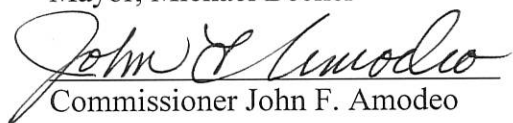
Update:

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 Mayor Becker to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 4:28 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