

REGULAR MEETING MINUTES

CITY COMMISSION – MARGATE CITY

AUGUST 2, 2018

MARGATE CITY, NEW JERSEY

THE PRESS AND THE DOWNBEACH CURRENT 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 4:55 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. Rich Deaney, Johanna Casey and Scott Abbott were also present. The minutes from the July 19, 2018 Capital, Workshop and Regular Meetings were approved as read on motion by Commissioner Blumberg, seconded by Commissioner Amodeo with a vote three ayes.

Public Comment:

Art Cautilli: 114 N. Lancaster Ave: Mr. Cautilli speaks on closing a school.

John Sewell: 22 West Drive: Mr. Sewell speaks on results of school efficiency test. He requested merging with the Ventnor School system.

Chuck Shayman: 1 N. Granville Ave: Mr. Shayman requests handicap access from the street at Granville Avenue. He speaks in favor of the senior and disabled access to the beach program, and shared his opposition to a boardwalk in Margate.

Mayor Becker commented on a report from Remington and Walberg about the cost of a boardwalk.

Commissioner Amodeo thanks Mr. Shayman for his support of the handicap assistance, explains the process for handicap access at the beach, and shared that it is a grant supplied by the County, in which one street is selected every year.

Commissioner Blumberg thanks the Beach Patrol for their assistance.

Steve Worner: 103 N. Sumner Ave: Mr. Worner speaks against a boardwalk.

Susan Rubin: 117 S. Osborne Ave: Ms. Rubin speaks against a boardwalk.

Vaughn Reale: 6 N. Mansfield Ave: Mr. Reale speaks against a boardwalk and requested that the surfing beach be relocated to Nassau Avenue.

Commissioner Amodeo states that the beaches will be adjusted next summer to accommodate the outfall pipes.

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 Second Reading of Ordinances and Resolutions:

Scott Abbott, attorney for the City, states for the record, that the Commission plans on moving forward by amending Ordinance #17-2018 to change article #5 section 175-29 zones. Zones S-60 and industrial will not be changed. The Hotel Overlay district will remain.

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

ORDINANCES: Introduction:

A motion to introduce Amended Ordinance #17-2018 was put forth by Commissioner Amodeo, seconded by Commissioner Blumberg, with a vote of three ayes.

ORDINANCE NO. 17 – 2018

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 175 "LAND
USE" OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF
ATLANTIC AND STATE OF NEW JERSEY**

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

SECTION 1. Section 175-2 Definitions is amended as follows:

1. Add: **ADA** The Americans with Disabilities Act (42 U.S.C.A. ~ 12101 et. seq.)

2. Add: **ADULT FAMILY CARE HOMES FOR PERSONS WHO ARE ELDERLY AND ADULTS WITH PHYSICAL DISABILITIES**

Any residence regulated by the Department of Health and Senior Services and housing no more than three elderly or persons with physical disabilities in which personal care and other supportive services are provided by an individual who has been licensed by the Department of Health and Senior Services as an adult family caregiver. Adult family care home shall not include a rooming or boarding house used and operated under license of the Department of Community Affairs pursuant to P.L. 1979, c.496 (C.5513B-1 et seq.).

3. **ADVISORY BASE FLOOD ELEVATION (ABFE)**

Delete existing language and replace with :

The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory still water elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceed in any given year.

4. **BASE FLOOD ELEVATION (BFE)**

Delete existing language and replace with:

The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO and A1-30 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 V1-30 the elevation represents the Stillwater elevation (SWEL) plus wave effect (BFE=SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

5. Delete: **BASE FLOOD ELEVATION DESIGN COMMITTEE.**

6. Add: **CERTIFICATE OF NON-CONFORMITY**

A document, issued pursuant to N.J.S.A. 40:55D-68, certifying that a Non-Conforming Use or Structure was lawfully in existence on a particular Lot or in a particular building at the time of adoption of this Chapter, or an amendment to this Chapter impacting such Lot or building, and may therefore be continued upon such Lot or in such building so occupied. A Certificate of Non-Conformity may be issued by the Administrative Officer within one year of the adoption of the ordinance which rendered the use or structure non-conforming, or at any time by the Planning Board, acting in its capacity as a Board of Adjustment.

7. **Add: COMMERCIAL PARKING LOT**
A parking area intended for use in return for a fee and which is the principal use on the lot which it is located. Commercial parking lots shall not be manned, contain attendant booths and shall be fully automated.
8. **Add: COMMUNITY RESIDENCE FOR PERSONS WITH HEAD INJURIES**
Any community residential facility licensed pursuant to P.L.1977, c.448 (N.J.S.A. 30:11B-1 et seq.) providing food, shelter, and personal guidance, under such supervision as required, to not more than 15 persons with head injuries, who require assistance, temporarily or permanently, in order to live in the community, and shall include, but not be limited to: group homes, halfway houses, supervised apartment living arrangements, and hostels. Such a residence shall not be considered a health care facility within the meaning of the "Health Care Facilities Planning Act," P.L.1971, c.136 (N.J.S.A. 26:2H-1 et al.).
9. **Add: COMMUNITY RESIDENCE FOR PERSON WITH TERMINAL ILLNESS**
Any community residential facility operated as a hospice program providing food, shelter, personal guidance, and health care services, under such supervision as required, to not more than 15 persons with terminal illnesses.
10. **Add: DORMER**
A secondary element that projects from a sloping roof that contains a window.
11. **DRAINAGE EASEMENT:** Add the following language at the end
Drainage easements shall be a minimum of twenty (20) feet wide, unless the depth of pipe, soil conditions or additional utilities require a greater width. No permanent structures shall be placed in a drainage easement.
12. **FAMILY DAY-CARE HOME:** Delete existing language and replace with the following:

The private residence of a family day care provider which is registered as a family day care provider which is registered as a family day care home pursuant to the "Family Day Care Provider Registration Act," P.L. 1987, c.27 (C.30:5B-16 et seq.)
13. **Change to FIRST FLOOR ELEVATION** and amend as follows:
[Amended 1-31-2013 by Ord. No. 01-2013; 8-15-2013 by Ord. No. 17-2013]

A. The minimum elevation at which a structure's lowest floor must be elevated or flood-proofed to be in accordance with state or community floodplain management regulations. For the City of Margate, first floor elevation is:

(1) For FEMA "A" Zones: three feet above BFE (NAVD 1988) to the bottom of the flooring system; and

(2) For FEMA "V" zones: two feet above BFE (NAVD 1988) to the lowest horizontal structural member.

(3) For all FEMA "X" Zones: Shall be based on the most conservative (or highest) adjacent AE Zone Base Flood Elevation plus the required freeboard as indicated above.

B. See "lowest floor."
14. **GROUND COVER** – add the following at the end: Non-natural vegetative surfaces (artificial turf) shall not be considered ground cover.

15. **HEIGHT OF BUILDING** - Delete current language and replace with the following:
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.

16. **IMPERVIOUS COVERAGE** – Delete parking areas.

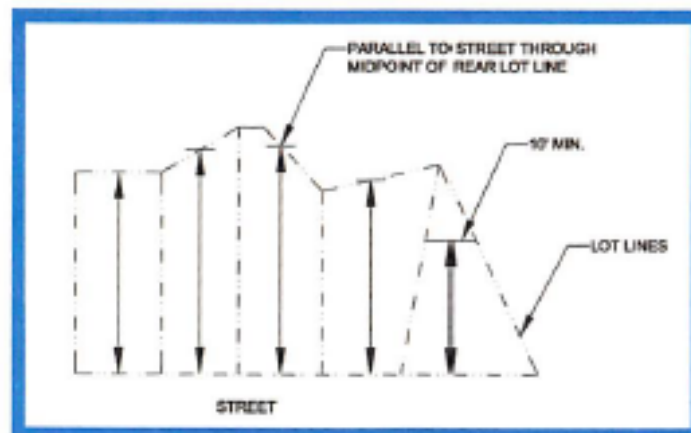
17. Add: **INVESTMENT CONDOMINIUM UNITS**

Individually-owned units within a Resort Hotel made available for sale for investment purposes only. Investment Condominium Units shall be designed and operated as transient Resort Hotel Units only and shall not be considered or used as Ownership Condominium Units.

18. **LANDSCAPING** – Replace with revisions as follows:

For the purpose of determining compliance with the minimum landscape requirements in the City's residential zone, landscaping shall be limited to vegetative cover, including grass, shrubs and trees. Areas devoted to parking and walkways, driveways and patios shall not count toward this requirement, whether impervious or not, with the exception of grass strips adjacent to paved residential driveway ribbons. Areas under projections and cantilevers, except roof overhangs and projections permitted by § 175-30C(4) and C(6), shall not count. Non-Natural vegetative surfaces (artificial turf) shall not be considered landscaping.

19. **LOT DEPTH** – Delete existing language and add the following:
The shortest distance between the Front Lot Line and a line drawn perpendicular to the Front Lot Line through the midpoint of the rear Lot Line, provided that, in irregularly-shaped Lots or Lots having no readily-discernable rear Lot Line, the distance shall be measured to the midpoint of a line parallel to the Front Lot Line, which shall be not less than 10' in length, measured to a point where such line intersects with the two (2) Side Lot Lines.



Depiction of Lot Depth

20. **LOT WIDTH:** Add the following at the end:

On corner lots, the shortest lot frontage shall be considered the front lot line and the opposite side lot line shall be considered the rear lot line for the purposes of calculating lot width.

21. **LOWEST FLOOR**

[Added 1-31-2013 by Ord. No. 01-2013; amended 8-15-2013 by Ord. No. 17-2013] – Delete current language for A. and replace with the following:

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 44CFR Section 60.3.

22. Add: OWNERSHIP CONDOMINIUM UNITS

Individually-owned units within a Resort Hotel made available for sale for residential use.

23. Add: RESORT HOTEL

A structure which contains, but is not necessarily solely comprised of, Resort Hotel Units which are designed, designated and intended to be used, let or hired out for compensation for transient occupancy to the general public by reservation or walk-up without reservation, but in any case without lease, for occupancy in periods of not less than one (1) night and not more than 20 continuous nights; except that resident management shall not be subject to the occupancy limitation.

24. Add: RESORT HOTEL UNITS

Transient lodging units within a Resort Hotel. This definition shall specifically be construed to prohibit Resort Hotel Units from being occupied or otherwise used as multiple dwellings as defined by the New Jersey Department of Community Affairs under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1 et seq.).

25. SUBSTANTIAL IMPROVEMENT [Added 8-15-2013 by Ord. No. 17-2013]

Change A to read as follows:

Any reconstruction, rehabilitation, addition, or other improvement of a structure during a 7 year period the cost of which exceeds 50% of the market value of the structure as determined before the start of construction of the improvement. Substantial improvement also means accumulative substantial improvement." This term includes structures that have sustained substantial damage regardless of the actual repair work performed or "repetitive loss".

SECTION 2. Article II, Planning Board and Zoning Board of Adjustment shall be amended as follows:

1. Section 175-10, Base Flood Elevation (BFE) Design Committee is deleted in its entirety.
2. Section 175-13, Transition policies is deleted in its entirety.
3. Section 175-14 (b) shall be changed to read: Construction work found by the Construction Code Official to constitute ordinary repairs.

SECTION 3. Article IV, Development Requirements and Standards shall be amended as follows:

1. Section 175-25 (B)(4) shall be amended as follows:

The rhythm of structural mass to voids, such as windows and entries, of a front facade facades facing streets or designated open spaces shall relate to rhythms established in adjacent buildings, if the rhythms of such adjacent buildings are aesthetically pleasing.

Section (B) (10) shall be amended as follows: Delete Metal awnings are prohibited.

2. Section 175-26 – Specific design standards D- Landscaping shall be changed as

follows:

D (1) Landscaping.

- (1) All residential lots shall have a minimum of 35% of the lot landscaped. All areas not occupied by buildings, paving, patios, walkways and/or any other impervious surface shall be suitably landscaped. No landscaping shall interfere with required sight triangles. Such landscaping minimum of 35% may be reduced to the minimum extent required to accommodate stairs, steps, ADA-compliant ramps and related elements providing access to the first floor necessary to conform with lowest floor requirements. In no case, however, shall such percentage be lower than 30% of the lot. [Amended 1-31-2013 by Ord. No. 01-2013; 8-15-2013 by Ord. No. 17-2013]
- (2) Deciduous trees shall have a caliper of at least 2 inches and be 10 feet in height at planting, and evergreen trees shall be at least six feet tall. All trees shall be balled and burlapped and be of specimen quality as established by the American Association of Nurserymen. [Amended 4-3-2008 by Ord. No. 12-2008]
- (3) Section 4 (d) shall be changed as follows: The plantings between the principal structure and the front property line detailed herein may be reduced to the minimum extent required to accommodate stairs, steps, ADA-compliant ramps and related elements providing access to the first floor necessary to conform with lowest floor requirements.
- (4) Section 6 shall be changed as follows: In all single-family and duplex districts, grass, shall be maintained between the sidewalk line and the curbline. All applications for development shall provide this grass strip [Amended 4-3-2008 by Ord. No. 12-2008]
- (5) Section 9 shall be changed as follows: Stone mulch may be used in landscaping beds if less than 15% of the front landscaping area and not more than 10% of the total lot landscaping. Stone mulch shall not be permitted within 3 feet of a public sidewalk or street.
- (6) Section K Signs – Add new Section 8 as follows:
 - (8) Signage in the Hotel Overlay Zone
 - (a) All exterior signs shall identify uses, activities or functions of the development on which the sign is located. No advertising of any product, use or activity outside of the development shall be permitted.
 - (b) To the extent practicable, signage for similar project elements shall be coordinated and similarly themed to provide a unifying style. This regulation shall not be construed to mean that all signs must be identical or to prohibit unique sign designs where necessary and appropriate, but rather that, absent specific justification, sign design shall be complimentary and consistent.
 - (c) No vacant signs or sign boxes shall be permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general development or other appropriate signage. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.
 - (d) All signs must be professionally designed and constructed. Homemade-type plywood, coroplast or cardboard signs or home-computer generated-type signs are expressly prohibited.
 - (c) Sign lighting shall be appropriate for the type and style of sign proposed, and may include LED, neon or other illumination. Similarly, the use of neon lighting or similar material to create sculptural logo or iconographic images is encouraged.

(f) No restrictions are established for Interior Project Signage. Developers are encouraged to establish a creative interior sign package consistent with the type and scope of Project proposed.

(g) Project Identification Signage.

[1] Each elevation of a Principal Building may have one (1) building-mounted Project Identification Sign depicting the name of the Project and such other logo or corporate iconography as may be appropriate. While the size, location and configuration of such signage shall be appropriate to the elevation on which such sign is located, such sign shall be located at the upper-most section of the building, but shall be no higher than the roofline of the wall on which such sign is affixed, and shall have a total sign area not exceeding 10' in height multiplied by the width of the building elevation on which such sign is affixed.

The bottom edge of such sign shall be a minimum of 10' from finish grade, but in no case project below the awning, canopy or other element on which such sign is affixed.

[2] In addition to the Project Identification Sign, each porte-cochere or primary entranceway of a Principal Building may have one (1) building-mounted Project Identification Sign depicting the name of the Project and such other logo or corporate iconography as may be appropriate.

While the size, location and configuration of such signage shall be appropriate to the porte-cochere or entranceway on which such sign is located, such sign shall not exceed the length of the awning, canopy or other element over which such sign is affixed. The bottom edge of such sign shall be a minimum of 10' from finish grade, but in no case project below the awning, canopy or other element on which such sign is affixed.

The height of such sign shall be 12' from finished grade, but in no case higher than the awning, canopy or other element on which such sign is affixed, and shall have a total sign area not exceeding 2' in height multiplied by the width of the awning, canopy or other element in which such sign is affixed.

(h) Use-Oriented Identification Signage

In addition to the foregoing:

[1] Each Permitted Principal Use within but visible from the outside of a Resort Hotel may have one (1) Use-Oriented Identification Sign mounted above the storefront of such Use, depicting the name of the Use and such other logo or corporate iconography as may be appropriate.

[2] Each individual Use-Oriented Identification Sign shall not exceed the length of the storefront over which such sign is affixed. The bottom edge of such sign shall be a minimum of 10' from finish grade, but in no case project below the awning, canopy or other element on which such sign is affixed.

Such sign shall be no higher than the awning, canopy or other element on which such sign is affixed, and shall have a total sign area not exceeding 2' in height multiplied by the width of the awning, canopy or other element on which such sign is affixed.

(7) Current section (8) shall become (9).

(8) Add New **L. Resort Hotel Overlay Zones**

Unless specifically indicated, such standards shall apply to all development in the

Resort Hotel Overlay.

The following regulations are considered design elements subject to waiver and not Variance relief.

- (1) The entirety of all Building elevations fronting the Beach, Atlantic Avenue or a north/south right-of-way, regardless of building height, shall be considered a Front Yard and Primary Elevation, with facades and appurtenances treated accordingly.
- (2) Elevations of all Buildings which do not front the Beach, Atlantic Avenue or a north/south right-of-way when visible from the Beach or a right-of-way (i.e., above the height of adjacent buildings, whether present or prospective), shall be considered a Front Yard and Primary Elevation, with facades and appurtenances treated accordingly.
- (3) All building elevations shall coordinate form, materials, color and detailing to achieve design harmony and continuity.
- (4) In considering façade treatment, the developer is encouraged to include a combination of rich detailing, texture, shadow lines and color. Such treatment may include, but need not be limited to:
 - a. Awnings & canopies.
 - b. Building Articulation.
 - c. Coping, Fascia, Soffits & Architectural Filigree.
 - d. Use of Color, light & shadows.
 - e. Signage.
- (5) The above notwithstanding, the main entrance to a Resort Hotel need only be located on a single elevation, with façades and appurtenances treated accordingly.
- (6) The public lobby, registration (check in) and information station (front desk) serving a Resort Hotel may have its public entrances from Atlantic Avenue and/or a north / south right-of-way

Additionally, Resort Hotels fronting the Beach shall be designed with a direct access to the lobby and registration area from the Beach.

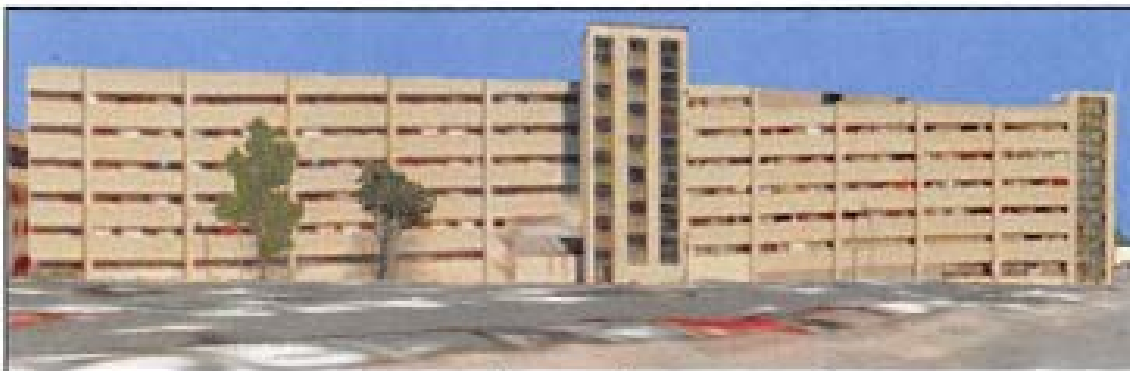
- (7) Freestanding garages or storage sheds are not permitted as part of a Resort Hotel. Accordingly, all garages and storage structures shall be physically attached to the Resort Hotel, and all recycling and refuse storage shall be within the Resort Hotel.

Parking garages may be attached by way of an enclosed walkway, which may be elevated or at grade.

- (8) In order to create an attractive and inviting pedestrian-scaled environment in the Resort Hotel Overlay Zone, long runs of blank, unarticulated or unadorned walls, at the pedestrian level or above, are prohibited. Designers are encouraged to include both horizontal and vertical building articulation, combinations of windows (faux or real), architectural detailing and ornamentation to create an attractive and exciting design on all building facades.

In furtherance of this requirement:

- (9) No exterior Building wall shall have an uninterrupted horizontal run along a single plane for more than 50 lf., and no exterior Building wall shall have an uninterrupted vertical run for more than 24'.
- (10) Horizontal articulation of rooflines is strongly encouraged.
- (11) While glass elements are permitted as architectural features, blank walls and the use of glass curtain wall construction is prohibited.
- (12) Where the exterior wall(s) of a Building abut an adjacent residential use, the façade shall be heavily landscaped and buffered from such residential use.
- (13) Above the ground-floor, all Building elevations shall present the illusion of an active Permitted Use (if such actual use is not practicable) or shall be heavily treated with architectural or ornamental elements so as to avoid a monolithic façade both during the day and nighttime hours, for the full 12 months of the year.
- (14) It is the City's intention not to permit traditional, open parking decks wherein parked vehicles are visible to the public. Window-like cutouts and/or other architectural elements are required so as to resemble Resort Hotel Units while providing for garage ventilation as necessary.



Discouraged



Encouraged

(15) Street Frontages

- (a) With the exception of ground-floor garage entry- and exit-ways, the ground-floor frontage of all Structures within the Resort Hotel Overlay Zone abutting Atlantic Avenue or a north / south right-of-way shall be devoted to active uses, or shall be designed as a decorative streetscape with such treatment and features as may be required to provide a sense of excitement and vibrancy along an otherwise lifeless

façade.

- (b) Excessive building runs on the same plane at the ground-floor level shall be avoided. A combination of building articulation, facade differentiation and other architectural treatments shall be required to provide the illusion of active uses (e.g., storefronts).
- (c) Where designed as an active use, such ground-floor frontage shall include clear storefront glass areas to display the nature of the use within. Such windows may be either typical large, single panes or multiple smaller panes separated by mullions.
- (d) Each individual use shall have its own, independent entryway from the right-of-way. Frontage may either have identical designs to reinforce the overall design of the building or varied designs to express individual uses.
- (e) Where designed as a decorative streetscape, such treatment may include, but need not be limited to, landscaping and hardscaping, benches and other street furniture, decorative lighting (both pedestrian and architectural), statuary and other public art, and like and similar features which achieve the stated goal both during the day and nighttime hours, for the full 12 months of the year.
- (f) With the exception of the decorative streetscape treatments described herein, sidewalks shall extend from the building facade to the curb.
- (g) For the purposes of this section, Setbacks shall be clear, unoccupied and unobstructed space measured at right angles between a lot line and the building envelope, and shall extend from grade to sky, except for the following permitted encroachments, provided that such encroachments do not inhibit the free flow of pedestrian traffic:
 - [1] Awnings*, canopies* & porte-cocheres*;
 - [2] Ornamental architectural features*;
 - [3] Pedestrian walkways, Breezeways & Atria;
 - [4] tables for alfresco dining*;
 - [5] Bicycle racks*, benches*, trash receptacles* & other street furniture*;
 - [6] parking areas & access drives thereto;
 - [7] flag / banner poles;
 - [8] signage & lighting;
 - [9] fences & landscaping*; and
 - [10] like and similar features

Such permitted encroachments shall apply to at-grade setbacks.

Setbacks shall be construed as minimum distances. Greater setbacks are permitted, provided that the specific distances and design relate to the architecture of the subject building elevation, and further provided that the setback area is heavily treated with a combination of elements designated by asterisk (*).

Setbacks shall not apply to vacated rights-of-way.

Awnings and canopies servicing street-level commercial space may extend into a right-of-way at a distance approved by the Planning Board.

(16) Rooftop Treatment

- (a) All flat roofs which are less than the Maximum Building Height for the Resort

Hotel Overlay and therefore visible from taller Buildings, whether present or prospective, including the rooftop decks of parking structures and decks and balconies when accessible as open spaces, shall be treated with decorative roofing materials in order to create an aesthetic appearance from above. Alternatively, such rooftops may be aesthetically developed as pedestrian accessible promenades, rooftop gardens and/or active or passive recreation areas as appropriate.

- (b) Where said surfaces are pedestrian accessible, a minimum of 35% of the total exposed surface area shall be landscaped as roof gardens. Said treatment may or may not include live vegetation.

The balance of all accessible flat roof surfaces shall be treated in such a way as to blend with the roof gardenscape in an aesthetically acceptable manner. Said areas shall be constructed of non-reflective material in order to secure an agreeable visual condition.

- (c) Where said surfaces are not pedestrian accessible, surfaces shall be treated with non-reflective, decorative materials in order to secure an agreeable visual condition.
- (d) Developers are encouraged to incorporate tiled shingles or colored, patterned shingle designs on pitched roofs less than the Maximum Building Height.



(17) Screening

- (a) Delivery and loading areas, mechanical equipment, garbage and recycling storage and similar back-of-the-house functions shall be enclosed within the Building and shall be screened so as not to be visible from the Beach, any right-of-way or any adjacent property.
 - (b) Pergolas, trellises or other screening above parked vehicles is required where exposed flat roofs are used as parking decks and for mechanical and related items.
 - (c) With the exception of miniature golf courses or similar outdoor venues, no merchandise, products, equipment or similar material or objects shall be displayed or stored outside.
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M. STREETSCAPING

- (1) Streetscaping: Street scaping shall be required for all development within the Washington Avenue Pedestrian Corridor District (WAPC), Commercial District (C-1), Commercial/Business District (C-2) and the Central Business District (CBD) (Details of streetscape improvements are contained in Appendix C).
- (2) Decorative pavers shall be installed from the curb to the property line.
- (3) Tree grates and frames shall be provided for all trees planted within the right of way.
 - (a) Where streetscaping is required, trees may be planted adjacent to the street curb
- (4) Decorative sign posts and signage shall be installed street intersections.
- (5) Decorative street lights shall be installed within the right of way.

SECTION 4. Article V – Zoning, shall be amended as follows:

- (1) Section 175-29 – Zoning Districts, shall be amended as follows:

A. Purpose. The purpose of this zoning article is to implement the goals, objectives and recommendations contained in the City of Margate 2017 Master Plan

B. Establishment of Zones. The following zones shall be added:

HO Hotel Overlay

C. Zoning map. The date for the Zoning Map of the City of Margate in Atlantic County shall be June, 2018.

D. Interpretation of zone boundaries shall be amended as follows:

(3) In case of uncertainty or disagreement as to the true location of any zone boundary line, the determination thereof shall be with the Planning Board.

(4) All City-owned beachfront parcels or portion thereof contiguous and landward of existing bulkheads designated on the Zoning Map as B (Beach), shall upon termination of government ownership, be considered designated the same zone as the contiguous nongovernmental owned parcel. The adjacent zones are S-30, S-40, CBD, and MF.

- (2) Section 175-30 – Supplementary regulations, shall be amended as follows:

D- Driveways – The existing language is deleted and the following language is added:

1. On corner lots. Driveways shall be required to be located on north-south streets (i.e., generally parallel to Jerome Avenue) and a minimum of 10 feet from the corner and one (1') foot from any side lot line. [Added 9-24-2006 by Ord. No. 2006-26]
 2. Other than corner lots: Driveways shall be setback a minimum of one (1') foot from the property line.
 3. On lots with alternate access (rear access): Driveways shall be located on the rear access only.
 4. Single residential driveways shall be a minimum of ten (10') feet wide.
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5. Double residential driveways shall be a minimum of twenty (20') feet wide.
- (3) Section 175-31 – Principal buildings – the following shall be added:
- B. Within the Hotel Overlay District a permitted principal use and conditional use may be undertaken in a maximum of two (2) buildings constructed on a single lot.
- (4) Section 175-32 – Height exceptions, shall be amended as follows:
- E. Height exceptions for buildings shall be amended as follows:
- (3) Until such time as this chapter is amended to conform with final FIRM mapping and related regulations, determination of "minimum extent necessary to achieve proper crawl space clearance" shall be made by the Planning Board.
- (5) Building heights in the S-25, S-30 (north of Atlantic Avenue), S-40 (north of Ventnor Avenue), S-40 WF, S-50, S-60 (not abutting and north of Ventnor Avenue), S-60 WF, TF, MF (east of Decatur Avenue) Districts shall permit, for 30 feet of building height provided, that the distance from the finished first floor to the top plate of the second habitable floor does not exceed 20 feet. [Added 11-2-2017 by Ord. No. 17-2017]
- (5) Section 175-33 Accessory structures and uses, shall be amended as follows:
- B.4 A one foot setback is required for an accessory building. The setback shall be measured to the face of the building or any roof overhang, whichever is closer to the property line. No encroachments or drainage on adjacent properties are permitted. [Amended 9-24-2006 by Ord. No. 2006-26]
- B.7 Single-car detached garages shall be permitted in all residential districts with the exception of the WF-60-WF and WF-40 districts. Single-car and two-car garages shall be permitted in the S-30 district (south of Atlantic Avenue), S-40 district (south of Ventnor Avenue), S-60 district abutting Ventnor Avenue and south of Ventnor Avenue) and the MF district (west of Vendome Avenue. The following standards shall apply. [Amended 9-24-2006 by Ord. No. 2006-26; 4-3-2008 by Ord. No. 12-2008]
- (a) A maximum size of 250 square feet for a single car garage; a maximum size of 450 square feet for a two car garage.
- (d) A one foot setback is required from the side and rear property lines. The setback shall be measured to the face of the building or any roof overhang, whichever is closer to the property line. No encroachments or drainage on adjacent properties are permitted.
- D. Requirements for specific accessory structures and uses, add the following:
- Add new (e) All beach blocks
[1] Third floor decks shall be permitted.
- (all letters thereafter shall be adjusted accordingly.)
- D-4 Outdoor showers shall be amended as follows:
- (c) All showers shall have drainage. Runoff from showers shall not be permitted to discharge to adjacent properties.
- (d) All showers and enclosures may be no greater than 9.0 feet in height as measured from the ground nor greater than 32 square feet in area.
-

- (f) No shower enclosure shall be situated in the front of the structure or in the front yard

D-6 Air conditioning and compressors, shall be amended as follows:

- (6) shall be titled - Air conditioning compressors and standby emergency generators.
- (a) Compressors and standby emergency generators shall not be located in the front yard.
- (b) Compressors and standby emergency generators shall be set back a minimum of five feet from any property line.

Add D-11 Outdoor Fire Pits and Fire Places

- A. Fire pits or other similar devices are authorized within the single family residential districts subject to the restrictions set forth in this chapter. For the purpose of this chapter, a fire pit shall be considered as any outdoor fireplace unit built after obtaining permits and approvals pursuant to the Uniform Construction Code.
- B. All such fireplaces or fire pits as set forth above shall be no larger than three feet in diameter and two feet in height and are required to have an approved screen or spark arrestor.
- C. Such fireplaces or fire pits may only be used at residential properties containing two or fewer units and are prohibited from being used at any commercial establishment or for any commercial use or at any multifamily dwelling in excess of two units.
- D. All such devices shall be kept at ground level and must be placed upon a noncombustible surface such as brick or cement. No such devices shall be permitted on any type of elevated landing, surface, deck, stairway, roof or other elevated platform or portion of a structure.
- E. Said devices are prohibited from being used within 15 feet of any structure, including but not limited to homes, garages, sheds, showers or other such structures.
- F. Such devices are prohibited from being used within five feet of any other combustible surface, including but not limited to, bushes, fences, pools, plants, shrubs, houses used for feeding of sheltering animals or other combustible surfaces.
- G. Said devices are prohibited from being used underneath any cave, overhang, roof, wires, tree limbs, vegetation, gutter, downspouts or decks.
- H. No fireplace or fire pit shall be used other than during the hours between 9:00 a.m. and midnight.
- I. No fireplace or fire pit shall be used for cooking.

(6) Section 135-34 Certain permitted uses shall be amended as follows:

- D. Community residences. Community residences for persons with developmental disabilities, community shelters for victims of domestic violence, community residences for persons with terminal illnesses, community residences for persons with head injuries, and adult family care homes for persons who are elderly
-

and adults with physical disabilities shall be a permitted use in all residential districts, and the requirements shall be the same as for single-family dwelling units located within such districts.

(7) Section 135-35 Conditional uses shall be amended as follows:

Add Section C as follows:

- C. Resort Hotel. Resort hotels, as defined in this chapter, may be located, when approved, as a conditional use, in the zones as specified in Schedule A, subject to the following:
 - (1) The property on which the structure or building is to be constructed must contain a minimum of 15,000 square feet, with minimum lot dimensions of 100 feet and 150 feet.
 - (2) Parking must be provided on site as required by this chapter.
 - (3) Maintain a public lobby or registration (check in) and information station (front desk) serving the guest rooms with in-house staff available on a 24-hour basis.
 - (4) Maintain a linen closet, ice machine and beverage / candy vending area, at a minimum, on alternating floors.
 - (5) Provide the following amenities: restaurants, banquet or dining rooms, conference rooms, swimming pools and other aquatic facilities designed for use on a year-round basis, room service, linen service and other normal and customary elements to such facilities.
 - (6) Be designed with back-of-the-house linen and garbage chutes accessing all floors.
 - (7) Maintain full-time, on-site staff and management.
 - (8) Maintain a published business phone number and, to the extent that such advertising is part of the facilities' business model, advertise daily rentals and hotel-like services to the general public.
 - (9) Be designed with ceiling heights of not less than 8' for all common and/or habitable areas (with the exception of bathrooms which may have lower ceiling heights to accommodate necessary plumbing);
 - (10) Be designed and managed such that each utility (water, sewer, electric, natural gas, telephone and cable television) servicing a Resort Hotel shall commonly meter its service to all Resort Hotel Units within such Structure and shall commonly bill such service to the Resort Hotel Management Entity.
 - (11) Contain not less than 350 s.f. of net habitable floor area for Traditional Hotel Units with a single sleeping / living room with separate, internal bathroom and 450 s.f. of net habitable floor area for Hotel Suites with more than one (1) sleeping and/or living room with separate, internal bathroom.
 - (12) Contain not more than twenty percent (20%) Hotel Suites, the balance being Traditional Hotel Units.
 - (13) Other than a coffee maker, small (typical bar size) refrigerator, microwave or honor bar, no Resort Hotel Unit shall contain facilities for the preparation, cooking or heating of food.
-

- (14) Resort Hotel Units shall be accessed solely through a common public lobby by elevator or other conveyance system.
 - (15) Resort Hotel units shall contain, at a minimum, one (1) bedroom and one (1) separate bathroom, which shall be internal to the Resort Hotel Unit.
 - (16) Other than an iron/ironing board no Resort Hotel Unit shall contain laundry facilities.
 - (17) No Ownership Condominium Unit in a Resort Hotel shall be rented, leased or otherwise offered for use by any entity other than the Resort Hotel Management Entity for such Resort Hotel Structure.
Such regulation shall not extend to the sale of Ownership Condominium Units. Owners who wish to sell their Units may employ the real estate professional of their choice.
 - (18) Ownership Condominium Units shall be permanently and irrevocably restricted against rental, lease or similar use by any entity other than by the Resort Hotel Management Entity. In addition to the regulations contained herein, an appropriate restriction shall be placed in each individual deed for each individual Ownership Condominium Unit as well as in the Master Deed for the Resort Hotel, which deeds shall be properly recorded with the Atlantic County Clerk.
 - (19) Ownership Condominium Units may have individually-metered utilities and may contain full kitchens and laundry facilities.
 - (20) Where Resort Hotels contain Investment and Ownership Condominium Units, the ratio of such units shall be, subject to the following:
 - a. Not less than 55% of the total number of units in the Resort Hotel shall be designed and operated as Transient Resort Hotel Units. All such units shall be under common ownership and control.
 - b. Not more than 25% of the total number of units in a Resort Hotel shall be Investment Condominium Units. Such Units shall be designed and operated as Transient Resort Hotel Units.
 - c. Not more than 20% of the total number of units in the Resort Hotel shall be designed and operated as Ownership Condominium Units. Any third party rental of such Units shall be in conformance with these regulations.
 - d. These regulations shall specifically be construed to prohibit Resort Hotel Units within a Resort Hotel from being occupied or otherwise used as multiple dwellings as defined by the New Jersey Department of Community Affairs under the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq.
 - (21) The specific Conditions underpinning the approval of Resort Hotels shall be memorialized in the Master Deed for the development as well as any individual deeds for Investment Condominium Units or Ownership Condominium Units, which deeds shall be properly recorded with the Atlantic County Clerk. The inclusion of such language and the recording of such deeds shall be made a condition of approval by the Planning Board.
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(8) Section 175-36 Off-street parking shall be amended as follows:

Add to Parking Schedule I, Parking Requirements for Nonresidential Uses:

Hotels 1 space for each hotel room

SECTION 5. Article VII Fees and Deposits shall be amended as follows:

(1) Section 175-42 Fee schedule shall be amended as follows:

A. At the time of filing any application with the Planning Board or Board of Adjustment, including any application for amendment to or extension of any development approval, any request for a zone change or recommendation of a zone change, any request for amendment of the Master Plan, and/or any request for concept review of a development proposal, each applicant shall pay to the City of Margate a nonrefundable application fee and technical review fee deposit in accordance with the following schedule. The applicant shall pay the fee required for each application which is submitted. Where more than one hardship variance is required pursuant to N.J.S.A. 40:D-70(c), the applicant shall escrow the base escrow fee plus \$100 for each additional "c" variance up to 4. No additional escrow to be posted for more than 4 "c" variances.

(2) B. In addition, a performance guarantee of \$2,000 is to be placed in escrow, which will be released upon submittal of an as-built survey prepared by a licensed professional land surveyor and approved by the building official prior to release.

The following changes have been made to the Fees:

I. The following have been deleted:

- a. Site plan application
- b. Land area under 10,000 sq. feet
- c. Land area 10,000
- d. Site plan application for commercial changes with no physical alteration except redecorating and conforming
- e. Site plan application for commercial changes other than above
- f. Engineering inspection fee for site plans wherein land area is 10,000 square feet or more

The following have been added or changed:

	<u>App. Fee</u>	<u>Escrow Fee</u>
- Major Site Plan Preliminary	\$500.00	\$1,000.00
Final	\$250.00	\$ 500.00
Minor Site Plan	\$350.00	\$ 700.00
Minor Subdivision	(no change)	\$700 (By-Right) \$1,000.00 (with variances)
- Major Subdivision Sketch plat classification (no change)		\$ 500.00
Preliminary plat review (no change)		\$1,000.00 plus \$200 per lot
Final Plat review (no change)		½ preliminary escrow fee
- Appeals		\$ 600.00
- Hardship Variance per N.J.S.A. 40:55-70(b)		\$ 600.00
- Zoning Interpretations per N.J.S.A. 40:55-70(b)	\$200.00	\$ 600.00
- Zoning Permit		
- New Construction Plan Review	\$300.00	

- All others (fences \$ 50.00
sheds, signs, additions)

SECTION 6. Attachment 5 – APPENDIX C Streetscape Standards Construction Details has been added.

SECTION 7. All ordinances or parts of ordinances inconsistent with any terms of this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 8. This ordinance shall take effect upon its final passage and publication as required by law.

ORDINANCES: Public Adoption:

A motion to adopt Ordinance #19-2018 was put forth by Mayor Becker, seconded by Commissioner Amodeo, with a vote of three ayes.

ORDINANCE # 20-2018

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 I
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 + 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 one-foot 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.

"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 III 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.
- (4)

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 FLOODPLAINMANAGEMENT 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.
- (3) 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.
- (4) 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
- (1) The request for a variance is not an after-the-fact request.
- (5) 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.
- (6) 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

- (1) 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 floodresistant 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.

§ 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 flotation, 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 VI

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 VII

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 VIII

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

RESOLUTIONS

Resolution #158-2018 is being brought to the table with the condition that the MBA will provide the City auditors with all information requested.

Continuance

RESOLUTION #158-2018

AUTHORIZING 2018 CONTRACT WITH MARGATE BUSINESS ASSOCIATION

WHEREAS, the Board of Commissioners of the City of Margate City, New Jersey has determined a need to render assistance in marketing concepts and event planning from the Margate Business Association, and

WHEREAS, The Margate Business Association has presented a proposal to execute the need; and

NOW, THEREFORE BE IT RESOLVED by the Commissioners of the City of Margate City County of Atlantic a contract with the Margate Business Association (MBA) for 2018 is hereby approved in the amount of \$95,000.00.

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of award of this contract in the following account Celebration of Public Events 8-01-30-420-290; 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 Berger – President of Margate Business Association

ROLL CALL:

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

CERTIFICATION OF AVAILABILITY OF FUNDS

Pursuant to 40A:4-57, I, Lisa McLaughlin, Chief Financial Officer of the City of Margate, County of Atlantic, do hereby certify that the below listed funds are available.

Project Name / Service:

Marketing concepts and event planning

Vendor:

Margate Business Association

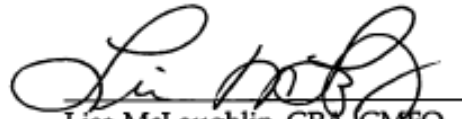
Funds Available:

\$95,000.00

Source of Funds:

Celebration of Public Events – City Events

8-01-30-420-290


 Lisa McLaughlin, CPA, CMFO
 Chief Municipal Finance Officer
 Margate City, New Jersey

7/19/18
 Date

**RESOLUTION #159-2018
 MARGATE CITY BILL LIST / PAYROLL
 JULY 5, 2018**

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

BILLS LIST AMOUNT: \$6,970,598.82

PREVIOUSLY PAID: \$ 2,267.76

PAYROLL ACCOUNT – August 2, 2018

CURRENT ACCOUNT \$ 560,752.50

WATER & SEWER \$ 52,362.85

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

ROLL CALL:

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

July 31, 2018 01:12 PM		City of Margate City Purchase Order Listing By P.O. Number				Page No: 1	
P.O. Type: All		Open: N		Paid: N		Void: N	
Range: First to Last		Rcvd: Y		Held: N		Aprv: Y	
Format: Condensed		First Enc Date Range: First to 12/31/18		Bid: Y		State: Y	
Include Non-Budgeted: Y				Other: Y		Exempt: Y	
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
17-01262	08/31/17	REMINGTON & VERNICK Contract No: U1230001	Design City Hall generator	Open	2,456.50	0.00	C
17-01387	10/05/17	REMINGTON & VERNICK Contract No: U1220002	Tennis court 5&6 admin/observ	Open	1,913.50	0.00	C
17-01388	10/04/17	REMINGTON & VERNICK	SRTS Plan project management	Open	67.50	0.00	B
17-01446	10/18/17	EQHAB005 E. O. Habegger- Yeadon	Above ground storage tank-PW	Open	172,057.95	0.00	
17-01735	12/27/17	CZARE005 CZAR Engineering, LLC Contract No: C1700028	DR4264 Project management	Open	6,750.00	0.00	C
18-00012	01/16/18	SAMS Sam's Club	Supplies	Open	254.60	0.00	
18-00016	01/16/18	BWSTEST0 B.W.Stetson Warehouse	Coffee Supplies	Open	247.50	0.00	
18-00022	01/17/18	STEINER Robert & Marilyn Steiner	refund tax payment in error	Open	3,000.43	0.00	
18-00028	01/17/18	ACELECTR ATLANTIC CITY ELECTRIC	2018 General Accounts	Open	3,509.48	0.00	
18-00029	01/17/18	ACELECTR ATLANTIC CITY ELECTRIC	2018 Water and Sewer Accounts	Open	4,124.89	0.00	
18-00049	01/18/18	CASA CASA PAYROLL SERVICE	2018 Payroll Billing	Open	1,448.45	0.00	
18-00050	01/18/18	THISTHAT THIS & THAT UNIFORMS LLC	Uniformand Supplies	Open	113.00	0.00	
18-00064	01/03/18	NJDIVPEN NJ DIV OF PENSION & BENEFITS	2018 employee health benefits	Open	215,075.47	0.00	B
18-00091	01/22/18	EUROFINS Eurofins QC, Inc.	WATER TESTING/SAMPLES	Open	1,083.50	0.00	
18-00094	01/22/18	NATION Nationwide Employee Benefits	Employee Life Insurance 2018	Open	365.86	0.00	
18-00129	01/01/18	MARGBOED MARGATE CITY BD OF EDUCATION	2018 School Taxes	Open	875,950.67	0.00	
18-00131	01/01/18	VITAL Vital Communications, INC Contract No: C1800002	2018 Assessing service MOD IV	Open	1,450.00	0.00	C
18-00134	01/01/18	DM MEDIC DM MEDICAL BILLINGS, INC. Contract No: C1800003	2018 Ambulance billing	Open	834.41	0.00	C
18-00141	02/01/18	BESTHNDY Best Handyman & Clean Serv LLC Contract No: C1800008	2018 Janitorial services	Open	3,462.70	0.00	C
18-00149	01/24/18	WB MASON W.B. MASON CO., INC.	MATERIALS & SUPPLIES	Open	239.84	0.00	
18-00166	01/01/18	DELTADEN DELTA DENTAL PLAN OF NJ	2018 Dental claims & admin	Open	811.80	0.00	B
18-00170	01/11/18	REMINGTON & VERNICK Contract No: T4210000	Beach Thorofare Dredging U127	Open	1,725.00	0.00	C
18-00176	01/01/18	HORIZON3 Horizon Healthcare	2018 FSA admin fees	Open	25.00	0.00	B
18-00183	01/29/18	NJLM NJ STATE LEAGUE MUNICIPALITIES	membership 2018 Johanna Casey	Open	630.00	0.00	
18-00186	01/29/18	CTYATL ATLANTIC COUNTY TREASURER	Quarterly Taxes 2018 ACH	Open	5,235,531.89	0.00	B
18-00202	07/30/18	DEBORAH Deborah Havrilchak	Sound Recorder	Open	300.00	0.00	
18-00215	01/30/18	CASA 2 CASA REPORTING SERVICES	2018 Reporting Services	Open	301.25	0.00	
18-00218	01/01/18	SWIFT LA SWIFT LAW FIRM Contract No: C1800015	2018 Public defender	Open	900.00	0.00	C
18-00229	01/31/18	COLONIAL Colonial Electrical Supply Inc	ELECTICAL SUPPLIES	Open	179.88	0.00	
18-00239	02/01/18	WELLSFB WELLS FARGO BANK	Public Library Park IV debt	Open	4,663.74	0.00	
18-00240	02/01/18	LUCKY Lucky Dog Custom Apparel	TShirts and uniforms	Open	1,028.40	0.00	
18-00252	02/02/18	CATERINA Caterina Supply, Inc.	WATER & SEWER SUPPLIES	Open	543.00	0.00	
18-00264	02/05/18	AE STONE A.E. STONE, INC.	2018 COLD & HOT PATCH	Open	601.14	0.00	
18-00279	02/07/18	ROVILLAR HANK ROVILLARD, ESQ., LLC	2018 Professional Services	Open	2,268.00	0.00	
18-00296	02/12/18	TKLW TK's Logowear	Tshirts and uniforms	Open	560.00	0.00	
18-00297	02/12/18	SCHOPPY Mm. Schoppy, Inc.	Trophies	Open	237.30	0.00	
18-00298	01/10/18	NJDHSS NJ DEPT HEALTH & SENIOR SVCS	2018 Dog license fees	Open	4.80	0.00	
18-00303	03/01/18	ASSOLIFE ASSO. FOR LIFE ENHANCEMENT,INC Contract No: C1800018	Employee Assistance Program	Open	425.00	0.00	C
18-00309	02/14/18	LIBRARY MARGATE CITY FREE LIBRARY	2018 Library Appropriation	Open	335,255.12	0.00	B
18-00313	02/15/18	VENTNORP Ventnor Print Shoo	PAPER SUPPLIES 2018 TAX OFFICE	Open	663.00	0.00	

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-00319	07/27/18	CMS	COMMUNITY MEDIATION SERVICES	Open	35.00	0.00	
18-00387	02/26/18	RENTAL	RENTAL COUNTRY, INC.	Open	259.98	0.00	
18-00396	01/01/18	RUTALA	James Rutala Associates, LLC.	Open	2,555.00	0.00	C
		Contract No: C1800022					
18-00397	02/28/18	MIRACLE	MIRACLE CHEMICAL COMPANY	Open	1,592.00	0.00	
18-00480	03/12/18	MANOS	Manos Law Firm, LLC.	Open	1,200.00	0.00	
18-00524	03/22/18	VITAL	Vital Communications, INC	Open	100.00	0.00	
18-00535	03/26/18	CARL	Carl N. Tripician, Esq.	Open	300.00	0.00	
18-00561	04/02/18	HARRING	Harring Fire Protection, LLC	Open	150.00	0.00	
18-00617	04/13/18	MGLFORMS	MGL PRINTING SOLUTIONS	Open	200.00	0.00	
18-00664	04/24/18	BSNSPORT	BSN Sports, LLC	Open	1,706.00	0.00	B
18-00671	04/25/18	S T AMUS	S & T Amusement Co.	Open	850.00	0.00	
18-00704	04/12/18	NJ DIV C	DIVISION OF CRIMINAL JUSTICE	Open	750.00	0.00	
18-00741	05/09/18	LISA MCL	LISA MCLAUGHLIN	Open	28.34	0.00	
18-00760	05/10/18	POSTCOMP	Poster Compliance Center	Open	419.40	0.00	
18-00777	03/01/18	REXINGTO	REXINGTON & VERNICK	Open	135.00	0.00	C
		Contract No: U1200002					
18-00815	05/09/18	REXINGTO	REXINGTON & VERNICK	Open	67.50	0.00	B
18-00819	05/22/18	SCHOPPY	Mn. Schoppy, Inc.	Open	125.00	0.00	
18-00826	07/17/18	THOM WES	THOMSON REUTERS WEST	Open	212.00	0.00	
18-00873	06/01/18	DELTONA	DELTONA DISCOUNT TIRES, INC.	Open	247.00	0.00	
18-00887	01/01/18	REXINGTO	REXINGTON & VERNICK	Open	4,686.00	0.00	C
		Contract No: T3900000					
18-00891	06/04/18	COLE	Cole Information	Open	238.95	0.00	
18-00896	06/04/18	STAPLCRE	Staples Business Credit	Open	230.05	0.00	
18-00906	06/05/18	WB MASON	W.B. MASON CO., INC.	Open	395.59	0.00	
18-00954	07/10/18	ERIKS	Erik's Painting, LLC.	Open	2,400.00	0.00	
18-00956	06/18/18	CALVI	Calvi Electric Company	Open	1,181.58	0.00	
18-00958	04/19/18	LPORT	BOROUGH OF LONGPORT	Open	1,856.25	0.00	
18-00964	06/19/18	COREM005	Core & Main LP	Open	190.00	0.00	
18-00965	06/19/18	MANOS	Manos Law Firm, LLC.	Open	550.00	0.00	
18-00973	06/19/18	J SCOTT	John Scott Abbott, Esq.	Open	7,000.00	0.00	C
		Contract No: C1800024					
18-00988	06/21/18	SMH CPR	SHORE MEMORIAL HOSPITAL	Open	896.00	0.00	
18-00999	06/25/18	FARM	Farm-Rite, Inc.	Open	144.84	0.00	
18-01015	07/12/18	SJOVERHE	SOUTH JERSEY OVERHEAD DOOR	Open	289.50	0.00	
18-01025	06/27/18	REXINGTO	REXINGTON & VERNICK	Open	9,613.50	0.00	C
		Contract No: U1290001					
18-01026	06/27/18	REXINGTO	REXINGTON & VERNICK	Open	607.50	0.00	C
		Contract No: U1320001					
18-01032	06/28/18	REXINGTO	REXINGTON & VERNICK	Open	270.00	0.00	B
18-01037	06/29/18	GLOBAL I	Global Industrial Equipment	Open	899.10	0.00	
18-01040	06/29/18	CITYPAY	CITY OF MARGATE	Open	187.28	0.00	
18-01049	07/02/18	RUTGERS2	RUTGERS UNIVERSITY	Open	1,131.00	0.00	
18-01054	07/02/18	CONTRACT	Contractor Service	Open	586.50	0.00	
18-01058	07/03/18	GLOBAL I	Global Industrial Equipment	Open	552.62	0.00	
18-01061	07/03/18	SHORECPR	SHORE MEDICAL CENTER	Open	300.00	0.00	
18-01062	06/28/18	HARRING	Harring Fire Protection, LLC	Open	85.00	0.00	
18-01081	07/06/18	BRIGIAINT	City of Brigantine Beach	Open	7,680.00	0.00	
18-01082	07/09/18	GENTILIN	GENTILINI FORD, INC.	Open	26.37	0.00	
18-01084	07/09/18	LONGSTRE	Longstreth Sporting Goods, LLC	Open	201.45	0.00	
18-01090	07/10/18	TRUAX	Brian W. Truax	Open	300.00	0.00	
18-01091	07/10/18	ATLIRRIG	ATLANTIC IRRIGATION	Open	94.03	0.00	
18-01092	07/10/18	ATL TOOL	ATLANTIC TOOL & SUPPLY	Open	585.63	0.00	

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-01094	07/10/18	KATHYS	Kathy's Just Desserts, Inc.	Cooking Classes	Open	125.00	0.00
18-01101	07/11/18	LUCKY	Lucky Dog Custom Apparel	Beach Patrol Uniforms	Open	621.00	0.00
18-01103	07/12/18	ALLIED	ALLIED SERVICES	PAVILLON-WINDOW WASHING	Open	180.00	0.00
18-01112	07/12/18	SWEETCRE	Aunt Selma's Candy	Summer Camp Event	Open	900.00	0.00
18-01139	07/13/18	VENTNORP	Ventnor Print Shop	Rec Department Envelopes	Open	127.00	0.00
18-01141	07/06/18	ACTION U	ACTION UNIFORM CO. LLC	2018 New Firefighter Uniforms	Open	2,986.00	0.00
18-01145	07/16/18	SJOVERHE	SOUTH JERSEY OVERHEAD DOOR	FIRE STATION#1-WASHINGTON AVE	Open	971.50	0.00
18-01147	07/16/18	ATLIRRIG	ATLANTIC IRRIGATION	Sprinkler Heads w/ nozzle tree	Open	1,241.76	0.00
18-01149	07/16/18	APWA	APWA	MEMBERSHIP RENEWAL 2018-2019	Open	422.00	0.00
18-01153	07/06/18	BLUE360	Blue360 Media	Subscription	Open	53.25	0.00
18-01157	07/18/18	ATL JIF	Atlantic JIF	Reimbursement Insurance Check	Open	2,093.20	0.00
18-01162	07/25/18	WILLIER	WILLIER ELEC MOTOR REPAIR CO.	100HP Cat#EM2555T-4	Open	1,493.00	0.00
18-01167	07/19/18	LOWES	Lowe's Commercial Services	Office Refrigerator	Open	284.05	0.00
18-01168	07/19/18	LUCKY	Lucky Dog Custom Apparel	Beach Patrol Mascot Shirts	Open	308.25	0.00
18-01170	07/20/18	CATONA	Christina Catona	Music Class Teacher	Open	250.00	0.00
18-01171	07/20/18	DTINUCCI	Denise P. Tinucci	Summer Tutoring	Open	340.00	0.00
18-01173	07/20/18	WB MASON	W.B. MASON CO., INC.	Supplies for Fire Department	Open	71.82	0.00
18-01174	07/20/18	LUCKY	Lucky Dog Custom Apparel	Margate Memorials Shirts	Open	644.40	0.00
18-01176	07/20/18	CAPE-ATL	Cape-Atlantic Conservation Dis	Soil/sediment applic- Burk Ave	Open	555.00	0.00
18-01178	07/11/18	CHIEF	Chief Supply Corporation	FD Uniform T-Shirts	Open	41.98	0.00
18-01179	07/13/18	WITMER	Witmer Public Safety Group, In	Fire Dept. PPE - Helmets	Open	1,352.00	0.00
18-01180	06/11/18	VERALPH	V.E. RALPH & SON, INC.	BMS Supplies - Fire and Beach	Open	783.10	0.00
18-01181	07/10/18	SAMS	Sam's Club	Safety Item - Sunscreen	Open	133.20	0.00
18-01182	07/13/18	DARLEY	W.S. Darley & Co.	Accountability Tags - New FF's	Open	98.55	0.00
18-01183	07/23/18	GALLOWAY	GALLOWAY WHOLESALE NURSERY	ROSS SCHOOL - 3 YARDS MULCH	Open	78.00	0.00
18-01184	07/25/18	CITYMILD	CITY OF WILDMOOD	Cure at the Shore Shirts 2018	Open	500.00	0.00
18-01185	07/18/18	ACFFA	Atlantic County FF's Assoc.	Fire Department Training Class	Open	476.00	0.00
18-01186	07/23/18	SJWELDIN	SOUTH JERSEY WELDING SUPPLY CO	July 2018 Oxygen Order - FD	Open	167.41	0.00
18-01187	07/19/18	WITMER	Witmer Public Safety Group, In	Helmet Fronts - Fire Dept.	Open	166.00	0.00
18-01188	07/09/18	RICH FIR	RICH FIRE PROTECTION	PM/FD/CITY HALL -INSPECTIONS	Open	889.00	0.00
18-01189	07/19/18	ALLIED	ALLIED SERVICES	CITY HALL - WORK COMPLETED	Open	1,060.00	0.00
18-01192	07/24/18	SCHINDLE	SCHINDLER ELEVATOR CORPORATION	PAVILLON QUARTERLY BILL	Open	845.79	0.00
18-01194	07/25/18	SOUTHEND	SouthEnd Pizza	Event Food	Open	144.00	0.00
18-01197	07/26/18	B CZEKAI	Brittany Czekai	Art Classes	Open	220.00	0.00
18-01198	07/26/18	ASANCHEZ	Alana Sanchez	Field Hockey Coach	Open	150.00	0.00
18-01199	07/26/18	GAVRIELL	Gavrielle Jacobson	Field Hockey Coach	Open	115.00	0.00
18-01200	07/26/18	BRIDGET	Bridget Migone	Field Hockey Coach	Open	80.00	0.00
18-01201	07/26/18	EMACKLER	Ella Mackler	Field Hockey Coach	Open	80.00	0.00
18-01202	07/26/18	JKLINE	Julia Kline	Field Hockey Coach	Open	140.00	0.00
18-01203	07/26/18	ISABELLA	Isabella Turner	Field Hockey Coach	Open	60.00	0.00
18-01204	07/26/18	FPARRA	Francesca Parra	Field Hockey Coach	Open	150.00	0.00
18-01205	07/26/18	LCHIPKIN	Lanie Chipkin	Field Hockey Coach	Open	60.00	0.00
18-01206	07/26/18	MOSSMANS	MOSSMANS BUSINESS MACHINE INC	Service to Typewriter	Open	119.90	0.00
18-01212	07/27/18	REMINGTO	REMYINGTON & VERNICK	Planning escrow P276	Open	67.50	0.00
18-01213	07/27/18	ORIFE005	Ori Feibush	refund escrow balance P276	Open	30.00	0.00
18-01214	07/30/18	KFOLBAUM	Rick Folbaum	Summer Camp Refund	Open	1,232.00	0.00
18-01215	07/30/18	PFOLBAUM	Steven Folbaum	Summer Camp Refund	Open	440.00	0.00
18-01216	07/30/18	SOPHIA R	Sophia A. Ruh	Field Hockey Coach	Open	150.00	0.00
18-01217	07/30/18	MADELYNF	Madelyn Fox	Field Hockey Coach	Open	60.00	0.00
18-01218	07/30/18	HAILEYBB	Hailey Beah Bloom	Field Hockey Coach	Open	90.00	0.00
18-01219	07/30/18	FADER A	Alexandra C. Fader	Field Hockey Coach	Open	85.00	0.00
18-01220	07/30/18	K ELWELL	Kylie Elwell	Field Hockey Coach	Open	140.00	0.00
18-01221	07/30/18	O ELWELL	Olivia Elwell	Field Hockey Coach	Open	140.00	0.00
18-01222	07/30/18	GRESHAM	Sophia Gresham	Field Hockey Coach	Open	150.00	0.00

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-01224	07/30/18	ARMBRUST	Rachelle J. Armbruster, Esquire	Services provided	Open	300.00	0.00
18-01225	07/30/18	JAMES MC	James McClain, Jr.	LICENSE REIMBURSEMENT W & S	Open	150.00	0.00
18-01226	07/30/18	PHOTOGRA	PHOTO GRAPHICS PHOTOGRAPHY	Photographer	Open	1,235.00	0.00
18-01227	07/30/18	NJ CIVIL	NJ Civil Service Commission	Understanding NJAC 4A	Open	159.00	0.00
18-01228	07/25/18	JOHN DAN	FLEISHMAN DANIELS LAW OFFICES	Bond Counsel fees-2018 BANS	Open	8,431.63	0.00
18-01229	07/30/18	HOHMANN	Innovative Leadership of DV	Developmental Assistance	Open	990.00	0.00
Total Purchase Orders:		148	Total P.O. Line Items:	0	Total List Amount:	6,970,598.82	Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Total
APPROPRIATIONS	7-01	67.50
APPROPRIATIONS	8-01	6,752,756.99
	8-05	11,772.95
Year Total:		6,764,529.94
	C-04	195,463.14
	C-06	2,099.94
Year Total:		197,563.08
	G-01	6,750.00
	T-12	4.80
	T-14	1,683.50
Year Total:		1,688.30
Total of All Funds:		6,970,598.82

City of
Margate
Additional Bill List - Previously Paid

For meeting on 8/2/2018

CURRENT
FUND

PO #	Vendor	Description	Amount	Date Paid
18-01116	Insurance Agencies	tank liability insurance	\$ 2,267.76	7/26/2018

Total Current Account	\$ 2,267.76
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WS UTILITY FUND

Total Water /Sewer Account	\$ -
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CAPITAL FUND

Total Capital Account	\$ -
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Total Paid All Funds	\$ 2,267.76
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CITY OF MARGATE

16

7/27/2018

PAY PERIOD

8/3/2018

(GET FROM PAYROLL EXPENSE REPORT PM63)

CURRENT FUND

531,148.27

PAY FROM:

Current ck #

240864

PAYABLE TO:

PAYROLL ACCT

UTILITY FUND

8000 SEWER

23,096.98

9000 WATER

29,265.87

52,362.85

Water & Sewer ck #

240865

PAYROLL ACCT

TOTAL PAYROLL EXPENSE(ADJUSTED GROSS + WKRS

583,503.12

EMPLOYER PAYROLL TAXES

SOCIAL SECURITY (FICA + MEDICARE

27,909.28

DISABILITY (SDI + SUI + WFD)

1,408.52

DCRP

298.43

TOTAL EMPLOYER EXPENSE

29,612.23

Current ck #

240866

PAYROLL ACCT

ADJUSTED GROSS + ER EXPENSE

613,115.35

(GET FROM CASA VOUCHERS)

GARNISHMENTS

245,376.96

Payroll ck #

240870

PAYROLL DEDUCTION ACCT

INDIVIDUAL CHECKS & DIRECT DEPOSIT

367,744.39

TOTAL PAYROLL EXPENSE

613,115.35

RESOLUTION #160-2018

AUTHORIZED PAYMENT - COLMAR HOME CENTER

WHEREAS, the Board of Commissioners of the City of Margate City, are in receipt of the bi-monthly claim as submitted by the Chief Financial Officer for payment as follows:

COLMAR HOME CENTER

\$1,721.33

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners 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 #161-2018

AUTHORIZING TAX PAYMENT AND RATE OF INTEREST

WHEREAS, R.S. 54: 4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes or assessments as provided by law.

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey that property taxes shall be due and payable quarterly on February 1st, May 1st, August 1st and November 1st of each year with a ten day grace period, after which dates if unpaid, shall become delinquent with interest charged as set forth below and reverting back to the due date on any quarterly installment of taxes.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey, that interest rates are established at 8% per annum on the first \$1,500.00 of delinquency and 18% per annum on any amount in excess of \$1,500.00.

ROLL CALL:

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

**RESOLUTION #162-2018
RESOLUTION TO EXTEND 3RD QUARTER 2018 TAX GRACE PERIOD
TO 4:00 PM - AUGUST 31, 2018**

WHEREAS, certified tax rates have just recently been certified by Atlantic County Board of Taxation resulting in a delay in issuing tax bills by Margate City for the 2018-2019 tax period.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City in Atlantic County that the 3rd quarter 2018 grace period be extended from August 10, 2018 to August 31, 2018, and that taxes not received by 4:00 pm on August 31, 2018 are subject to interest retroactive to the third quarter due date of August 1, 2018.

ROLL CALL:

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

CONSENT AGENDA

The Consent Agenda includes items of business which are not controversial & do not require individual discussion. A Motion approving the Consent Agenda is moved, seconded & voted upon as one item by the Board of Commissioners. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda.

**RESOLUTION #163-2018
SHARED SERVICES AGREEMENT BETWEEN
THE CITY OF MARGATE, MARGATE BOARD OF EDUCATION,
THE CITY OF VENTNOR, VENTNOR BOARD OF EDUCATION, AND ATLANTIC
COUNTY IMPROVEMENT AUTHORITY**

THIS AGREEMENT is made on this 2nd day of July, 2018, by and between the **CITY OF MARGATE, MARGATE BOARD OF EDUCATION, the CITY OF VENTNOR, AND VENTNOR BOARD OF EDUCATION** (hereinafter the “Public Agencies”) and the **ATLANTIC COUNTY IMPROVEMENT AUTHORITY** (hereinafter the “ACIA”).

WHEREAS, the Public Agencies wish work together to implement an Energy Savings Plan pursuant to the Energy Savings Improvement Program Law (ESIP Law), P.L. 2009, c. 4, N.J.S.A. 40A:11-4.6 make various energy savings improvements to public buildings; and

WHEREAS, the benefits of this joint effort include:

- The cost of the proposed improvements will be fully funded by the energy savings for each of the public agencies.
- The term may be extended from 15 years to 20 years if combined heat and power can be used at one of the facilities.

- The potential of lower interest rates through financing by the ACIA.
- Economies of scale since four agencies will be implementing energy plans at the same time.
- State of the art energy systems within the next year, instead of delaying improvements.
- Obtaining Solar PPA proposals and potentially the installation of solar panels at no cost to the public entities.

WHEREAS, the Parties wish to provide for certain terms and conditions related to the granting of such funding to the Owner.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein the Parties hereto agree as follows:

1. Lead Agency. The City of Ventnor will act as the lead agency.
2. Financing Agency. The ACIA will act as the financing agency for this Energy Savings Plan. All public agencies agree to guarantee payment of their share of the lease or debt services cost of the project.
3. Proposal Review. A committee will be established consisting of two representatives of each public agency to review proposals and recommend an Energy Service Company. The recommendation process is prescribed by the ESIP Law.
4. Recommended Projects. The committee will work with the selected Energy Service Company and representatives from each public agency will select their projects.

ROLL CALL:

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

RESOLUTION #164-2018

Authorize Submission of a Grant Application TA-2018-Margate-00011 and Execute a Grant Agreement with the New Jersey Department of Transportation for the Transportation Alternatives Program

WHEREAS, the New Jersey Department of Transportation offers federal Transportation Alternatives Program (TAP) funding to projects that foster more livable communities and promote alternative modes of transportation such as biking and walking; and

WHEREAS, special consideration is given to communities that are Transit Villages, Urban Aid communities and municipalities that have adopted Complete Streets policies;

WHEREAS, this program is available to all counties and municipalities in the State of New Jersey; and

WHEREAS, this grant program does not require matching funds; and

WHEREAS, the City of Margate carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

WHEREAS, the City of Margate wishes to apply for this grant to fund pedestrian safety improvements at the intersection of Washington Avenue and Ventnor Avenue and streetscape improvements along adjoining streets.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Margate formally supports this Transportation Alternatives Program application TA-2018-Margate - 00011.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation for the Transportation Alternatives Program on behalf of the City of Margate.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Margate and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
ROLL CALL:

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

**RESOLUTION #165-2018
APPOINTING QUALIFIED PURCHASING AGENT
ROGER McLARNON**

WHEREAS, the Commissioners of the City of Margate City has the need for “Qualified Purchasing Agent”, (QPA), and

WHEREAS, N.J.S.A.40A:11-9 establishes the criteria to appoint a Qualified Purchasing Agent in the position of Qualified Purchasing Agent, and

NOW, THEREFORE, BE IT RESOLVED, that the City Commissioners of the City of Margate agreed to appoint Roger McLarnon as the Qualified Purchasing Agent for the City of Margate City

BE IT FURTHER RESOLVED that Roger McLarnon has as successfully completed the required courses, passed the State QPA Examination and obtained the certification as a Qualified Purchasing Agent.

BE IT RESOLVED, the City Clerk is authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

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

**RESOLUTION #166-2018
AUTHORIZING THE MARGATE-LONGPORT
ALCOHOLISM AND DRUG ABUSE GRANT**

WHEREAS, the Governing Body of the City of Margate City, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Governing Body of the City of Margate City further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Governing Body of the City of Margate City has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Atlantic.

NOW, THEREFORE, BE IT RESOLVED, by the City of Margate City, County of Atlantic, State of New Jersey hereby recognizes the following:

- 1. The Governing Body of the City of Margate City does hereby authorize submission of an application for the Margate-Longport Alliance grant for the fiscal year 2018 in the amount of \$ 20,484 (DEDR Funds), \$5,121 (cash match), \$15,363 (in-kind match) for a TOTAL PROGRAM BUDGET of \$ 40,968
- 2. The Governing Body of the City of Margate City acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

ROLL CALL:

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

RESOLUTION #167-2018
AUTHORIZING AWARD OF CONTRACT FOR
HVAC MAINTENANCE SERVICE FOR MUNICIPAL BUILDING SECOND FLOOR
WITH CM3 THRU CAMDEN COUNTY EDUCATIONAL SERVICE COMMISSION
COOPERATIVE PRICING AGREEMENT

WHEREAS, the Board of Commissioners of the City of Margate City, County of Atlantic, are desirous for HVAC Maintenance Service Contract for the municipal building second floor; and

WHEREAS, Resolution #206-2017 authorized the Board of Commissioners of the City of Margate City to become a participating member of Camden County Educational Pricing System as Lead Agency; and

WHEREAS, CM3 Building Solutions was the lowest responsible bidder for HVAC Maintenance Service with Camden County Educational Pricing System; and

WHEREAS, the Chief Financial Officer has certified to the Commission that there are funds in the amount of \$42,200.00 available for the purpose of contract in the following account Ordinance 2016-05: C-04-55-978-904:

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners is duly authorized to receive service from CM3 Building Solutions for HVAC Maintenance Service for Margate City Municipal Building.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to forward a copy of this resolution to the following:

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. Richard S. D’Ascenzo, CM3 Building Solution, Inc.
- 3. Frank Ricciotti, Director of Public Works

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker			X			
Amodeo	X		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: 42,200.00
Resolution Date: 08/02/18
Resolution Number: 167-2018

Vendor: CM 3 CM3 BUILDING SOLUTIONS, INC.
185 COMMERCE DRIVE
Suite 1
FORT WASHINGTON, PA 19034

Contract: C1800025 Repair Air Conditioning units
on 2nd floor Municipal
Building

Account Number	Amount	Department Description
C-04-55-978-904	42,200.00	Ordinance 2016-05
Total	42,200.00	

Only amounts for the 2018 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

**RESOLUTION #168-2018
AWARD OF CONTRACT
HISTORIC CITY HALL EMERGENCY GENERATOR REPAIR**

WHEREAS, on June 21, 2018, the City of Margate approved Resolution #138-2018 authorizing the receipt of bids for Historic City Hall Emergency Generator Repair; and

WHEREAS, the City Clerk did duly advertise the receipt of said bids for the Historic City Hall Emergency Generator Repair in the Press of Atlantic City on June 28, 2018; and

WHEREAS, in connection therewith the following one (1) bid was received by the City Clerk and the City Engineer of the City of Margate on July 26, 2018:

Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758

, and

WHEREAS, the City Engineer, Edward Walberg of Remington, Vernick & Walberg submitted a letter of recommendation dated July 26, 2018 that the contract be awarded the lowest responsible bidder Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758, as per their bid proposal in an amount of \$140,357.00; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are adequate funds available for the purpose of award of this contract in the following account: Capital Ordinance 04-2017 C-04-55-980-904 \$140,357.00; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate, County of Atlantic that it does hereby award a contract to Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758 as per their bid proposal for the Historic City Hall Emergency Generator Repair in an amount not to exceed \$140,357.00 and that the award of contract be advertised according to law one time in the "Atlantic City Press" 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 within resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bond as may be required by the specifications.

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

1. Remington, Vernick & Walberg Engineers
2. Chief Financial Officer
3. Forked River Diesel & Generator, 111 Admiral Way Waretown, NJ 08758

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Becker			X			
Amodeo	X		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: 140,357.00
Resolution Date: 08/02/18
Resolution Number: 168-2018

Vendor: FORKED FORKED RIVER DIESEL & GENERATO
1426 CLEARVIEW STREET
FORKED RIVER, NJ 08731

Contract: U1230000 Emergency Generator Repair
City Hall

Account Number	Amount	Department Description
C-04-55-980-904	140,357.00	Ordinance 04-2017
Total	140,357.00	

Only amounts for the 2018 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

A motion to amend Resolution #169-2018 was put forth by Mayor Becker, second by Commissioner Blumberg

AMENDED

RESOLUTION #169-2018

**RESOLUTION AUTHORIZING SHARED SERVICES BETWEEN
THE CITY OF MARGATE CITY AND THE CITY OF
VENTNOR CITY FOR THE USE OF THE MARGATE CITY
DOG PARK LOCATED AT BELMONT DRIVE
WITHOUT INDIVIDUAL REGISTRATION FEE**

WHEREAS, the Governing Body of the City of Ventnor City has requested that Ventnor residents be permitted to utilize the Margate City dog park; and

WHEREAS, the Margate City Governing Body has agreed that it would be appropriate to allow Ventnor residents the rights and privileges of using said Dog Park

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that it does hereby the Mayor, on behalf of the City, to execute an Agreement with the Governing Body of the City of Ventnor City, to allow Ventnor residents to utilize the Margate City dog park.

The term of the Agreement shall be for one year with the proviso that either party may cancel the Agreement and the consideration shall be the sum of THIRTY-FIVE HUNDRED (\$3,500.00) DOLLARS per annum payable upon commencement and in the event of cancellation, said amount shall be pro-rated.

Admittance to the Dog Park will require dogs be licensed and vaccinated, but will not require any individual registration fee by either Ventnor City or Margate City residence or visitors.

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

- 1. Lisa McLaughlin, Chief Financial Officer
- 2. City of Ventnor City Governing Body

ROLL CALL:

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

A motion to amend Resolution #170-2018 was put forth by Commissioner Amodeo, Second by Commissioner Blumberg.

AMENDED

RESOLUTION #170-2018

RESOLUTION AUTHORIZING MARK AND SUSAN RUBIN, OWNERS OF BLOCK 15, LOT 9 (OSBORNE AND THE BEACH) TO APPLY TO THE STATE OF NEW JERSEY FOR A SEPARATE WALKWAY OVER THE EXISTING DUNE STRUCTURE

WHEREAS, Mark and Susan Rubin are the owners of the beach front property located at Osborne Beach being identified as Block 15, Lot 9 as shown on the tax map of the City of Margate City (hereinafter “owners”); and

WHEREAS, the owners are seeking the right to have a separate walkway across the sand dunes to be constructed at their own expense; and

WHEREAS, the State of New Jersey, Department of Environmental Protection has requested that the City of Margate City consent to this request so as to allow the owners to have the walkway across the existing sand dune system which is acknowledged to be owned by them subject to the Shore Protection Easement with the State of New Jersey; and

WHEREAS, the Governing Body has determined that there is no detrimental effect by allowing the owners to pursue and obtain said approval from the NJDEP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City that it does hereby consent and otherwise authorize Mark and Susan Rubin, owners of Block 15, Lot 9, to apply for and obtain any and all necessary permits and approvals from all government entities including, but not limited to, the New Jersey Department of Environmental Protection so as to allow a walkway to be constructed upon their property which is the beach area extending to the Atlantic Ocean.

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

- 1. Mark and Susan Rubin

ROLL CALL:

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

RESOLUTION #171-2018
AUTHORIZING THE PROFESSIONAL SERVICES
OF ATLANTICARE PHYSICIANS GROUP

WHEREAS, there exists a need for the City of Margate to retain healthcare services in connection with Medical Surveillance program for Firefighters, Police and Public Works according to OSHA Standards; and

WHEREAS, the services to be provided are considered to be “Professional Services” pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “Professional Services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the City Commission, having considered the same, now wishes to authorize AtlantiCare Physicians Group to provide the aforesaid services with regard to Occupational Health Services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC as follows:

1. That the Mayor, or his designee, is authorized to execute and the City Clerk to attest to an agreement in a form acceptable to the City Solicitor between the City of Margate and Atlantic Care Physicians Group with regard to the aforesaid services, as per the proposal submitted by Atlantic Care Medical Group, a copy of which is attached hereto.
2. The Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of contract in the following account: Contracts 8-01-20-100-252, not to exceed \$5,000.00; and
3. That this contract is awarded without competitive bidding as a “Professional Service”, in accordance with *N.J.S.A. 40A:11-5*, of the Local Public Contracts Law of New Jersey, because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. AtlantiCare Physicians Group
 - b. Joann Cioeta, Personnel Consultant
 - c. Chief Financial Officer
5. This Resolution shall take effect immediately.

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: 5,000.00
Resolution Date: 08/02/18
Resolution Number: 171-2018

Vendor: ATLAN005 Atlanticare Physician Group PA
2500 English Creek Ave
Egg Harbor Twsp, NJ 08234

Contract: C1800026 Medical Surveillance Program
Police, Fire & Public Works

Account Number	Amount	Department Description
8-01-20-100-252	5,000.00	
Total	5,000.00	

Only amounts for the 2018 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.


Chief Financial Officer

RESOLUTION #172-2018
AUTHORIZING RECEIPT OF BIDS
RECONSTRUCTION OF BURK AVENUE

WHEREAS, the City Commissioners is desirous of receiving bids for the Reconstruction of Burk Avenue; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Commissioners of the City of Margate, 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 will be received by the City Clerk’s Office in the Municipal All Purpose Room, 9001 Winchester Avenue, Margate, New Jersey on a date to be determined.

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

- 1. Lisa McLaughlin, Finance Manager
- 2. Frank Ricciotti, Public Works Department
- 3. Ed Walberg, City Engineer

ROLL CALL:

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

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 5:15 p.m.

Mayor, Michael Becker

Commissioner John F. Amodeo

Commissioner Maury Blumberg

Attest: _____ Johanna Casey, Municipal Clerk