

**REGULAR MEETING MINUTES  
CITY COMMISSION – MARGATE CITY**

**OCTOBER 18, 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 5:05 p.m. at the Margate City Hall, 1 South Washington Avenue, Margate, NJ 08402. The meeting began with a flag salute and roll call: Mayor Michael Becker, Commissioner John Amodeo and Commissioner Maury Blumberg were present. Johanna Casey, Rich Deaney, Chief David Wolfson and Scott Abbott were also present. The minutes from the October 4, 2018 Capital, Workshop and Regular Meetings were approved as read on motion by Commissioner Amodeo, seconded by Commissioner Blumberg with a vote three ayes.

**Public Comment:**

**John Sewell:** 22 West Dr. Speaks against the school board and how money is spent.

**Nick Palmisano:** 510 N. Clermont Ave. Commends the financial responsibility shown by Margate school system.

**Brian Duffy:** 312 N. Clermont Ave. States school board is doing a great job. People moving back to Margate because of education. Inquires as to speeding down Clermont Avenue.

**Luke Duff:** 405 N. Douglas Ave. Thanks the school board for the education given to students. In favor of tax increases if needed to keep city from going into disrepair, and other opportunities to bring revenue into city. Also has concerns over people speeding or not stopping at stop signs.

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

**Public Comment Resolutions:**

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

**RESOLUTIONS**

**RESOLUTION #209-2018  
MARGATE CITY BILL LIST / PAYROLL  
OCTOBER 18, 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:

<b><u>BILLS LIST AMOUNT:</u></b>	\$6,484,008.67
<b><u>PREVIOUSLY PAID:</u></b>	\$ 251,884.25

**PAYROLL ACCOUNT – October 11, 2018**

<b><u>CURRENT ACCOUNT</u></b>	\$ 451,335.75
<b><u>WATER &amp; SEWER</u></b>	\$ 52,870.81

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

ROLL CALL:

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

R E S O L U T I O N #210- 2018

REQUEST OF DLGS FOR APPROVAL TO INSERT GRANT MONEY

WHEREAS, a grant from the County of Atlantic in the amount of TWENTY THOUSAND FOUR HUNDRED EIGHTY-FOUR DOLLARS AND ZERO (\$20,484.00) has become available to the City of Margate City; and

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Margate City, in the county of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$20,484.00, which is now available as a revenue from Municipal Alliance on Alcoholism and Drug Abuse.

BE IT FURTHER RESOLVED that the like sum of \$20,484.00 is hereby appropriated under the caption Municipal Alliance on Alcoholism and Drug Abuse; and

BE IT FURTHER RESOLVED that the sum of \$5,121.00 representing the amount required for the municipality’s share of the aforementioned undertaking or improvement appears in the budget of the year 2018 under the caption Matching Funds for Grants and is hereby appropriated under the caption of Municipal Alliance on Alcoholism and Drug Abuse Local Match and

ROLL CALL:

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

RESOLUTION #211-2018

AUTHORIZING THE FINANCE OFFICER TO CANCEL  
GRANT APPROPRIATION RESERVES AGAINST GRANTS RECEIVABLE,  
SURPLUS AND SUCH OTHER ACCOUNTS AS APPROPRIATE

WHEREAS, the Chief Finance Officer has informed the Board of Commissioners of the City of Margate City of the need to cancel grant appropriations and grants receivable prior to year end, and

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

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

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Margate City, that the adjustments, appearing below, being a permanent part hereto, are hereby made.

CANCELING GRANTS

NAME OF GRANT	APPROPRIATION	RECEIVABLE	CANCEL TO OPERATIONS
2017 Municipal Alliance- Local Portion	\$2,900.40		\$2,900.40
2017 Municipal Alliance County Portion	\$10,899.51	\$10,899.51	
TOTAL	<u>\$13,799.91</u>	<u>\$10,899.51</u>	<u>\$2,900.40</u>

ROLL CALL:

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

RESOLUTION #212-2018

AUTHORIZING AMENDING EMPLOYEE HANDBOOK/POLICY & PROCEDURE  
MANUAL TO REVISE SEVERAL POLICIES

WHEREAS, The City of Margate City has an Employee Handbook/Policy & Procedure Manual; and

WHEREAS, The Board of Commissioners has determined that there is a need to amend such manual to revise a number of policies in accordance with the Atlantic County Municipal Joint Insurance Fund (ACMJIF) and the Municipal Excess Liability Joint Insurance Fund (MEL), 2019-2020 Plan of Risk Management; and

WHEREAS, the revised policies are as follows:

<u>Policy No.</u>	<u>Title</u>
205	No Smoking Policy
206	Use of Vehicles Policy
207	Phone Usage Policy
210	Video Surveillance Policy
211	Employee Assistance Policy
301	Paid Holiday Policy
302	Vacation Leave Policy

**WHEREAS**, these personnel policies and procedures have been reviewed by Labor Attorney Vanessa James, Esquire, and Business Administrator Richard Deaney;  
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Margate City that the listed policies attached hereto are hereby adopted and will be issued to employees via Power DMS; and  
**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all City officials, appointees, employees, volunteers and independent contractors. In the event that there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.  
**BE IT FURTHER RESOLVED** that these personnel policies and procedures are intended to provide guidelines covering public service by City employees and do not represent a contract. These policies and procedures may be amended and supplemented from time to time without notice and at the sole discretion of the Board of Commissioners.  
**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the City shall operate under the legal doctrine known as “employment at will.”  
**ROLL CALL:**

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

CITY OF MARGATE

Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 205# OF PAGES: 1

SUBJECT: NO SMOKING POLICY

EFFECTIVE DATE: November 1, 2018REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

The New Jersey Legislature has declared that in all governmental buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the City of Margate has adopted a smoke-free policy for all buildings, which includes e-cigarettes. City facilities shall be smoke-free, and no employee or visitor will be permitted to smoke anywhere in City buildings. Employees are permitted to smoke only outside City buildings and such locations as not to allow the re-entry of smoke into building entrances.

Smoking inside vehicles owned by the City and also near equipment that may be sensitive to smoke is also prohibited.

This policy shall be strictly enforced, and any employee found in violation will be subject to disciplinary action.

**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 206

# OF PAGES: 1

**SUBJECT: USE OF VEHICLES POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

Unless an employee receives permission from the Business Administrator, City-owned vehicles shall be used only on official business, and all passengers must be on City business.

Vehicles may be taken home only with the advance approval of the Business Administrator, except a Department Head may also grant temporary approval in order to facilitate responses to after-hours emergency calls.

When an employee takes home a City vehicle, it is to be used only for official City business; any other use is not permitted. At no time shall children be in the City vehicle when responding to an emergency.

Any violation of this policy constitutes cause for disciplinary action.

**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 207

# OF PAGES: 1

**SUBJECT: PHONE USAGE POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

City phones are for official business, and employees may make a personal call only to inform their family of unexpected overtime. Charges for all other personal calls must be reimbursed to the City. The use of hand-held cell phones while driving on City business is prohibited.

**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 210

# OF PAGES: 1

**SUBJECT: VIDEO SURVEILLANCE POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

The City may install video surveillance camera systems within public buildings and throughout public areas within the City, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the City will ensure compliance with Federal, State and local laws governing such usage.

The City's video surveillance camera systems are a significant tool to which the employees of the City will avail themselves in order to complete the goals and objectives of the City. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The City's Business Administrator or designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the City's video surveillance camera systems; or tamper with, access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose, and (2) permission from the Business Administrator or designee.

The City shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that the Business Administrator is immediately informed of such breach.

**CITY OF MARGATE**

## Employee Handbook/Policy and Procedure Manual

SECTION 2: Workplace Policies

POLICY NO.: 211

# OF PAGES: 1

**SUBJECT: EMPLOYEE ASSISTANCE POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

The City offers an Employee Assistance Program (EAP) benefit for full-time and part-time employees and their eligible dependents, which consists of eight (8) free professional counseling visits per employee or eligible dependents. The EAP provides confidential assessment, referral, and short-term counseling for employees and/or their eligible dependents who need or request it. If treatment must continue longer than eight (8) visits, or if an EAP referral to a treatment provider outside the EAP is necessary, costs may be covered by the employee's medical insurance; the costs of such outside services are the responsibility of the employee.

**Associates for Life Enhancement, Inc.**, is the City's Employee Program provider. They are located at 505 New Road, Northfield, NJ 08225, and their EAP Hotline phone number is: 1-800-356-2909; local is 609-569-1144.

Personal difficulties, such as marital, family, emotional, psychological, interpersonal, medical, financial, legal, and substance abuse can adversely affect an employee's job performance. Employees experiencing these or similar problems are encouraged to seek confidential assistance from the EAP.

Supervisors/Department Heads should also be alert to detect employee problems and should not wait to be approached before discussing work performance issues. Examples include, but are not limited to: excessive absenteeism, changes in behavior, changes in attitudes, substandard job performance. If Supervisors/Department Heads are not sure what they are dealing with, they should contact the Personnel Officer or designee to discuss the matter; or they can also contact the EAP directly for consultation.

Supervisors/Department Heads are encouraged to give out the Associates for Life Enhancement Hotline Card, which has EAP information and contact information on both sides of the business card. Making these cards available in various workplaces is also a good idea so that employees can help themselves to the information.

Communication between employees, Supervisors/Department Heads, the Personnel Officer or designee, and the professional counselors are to be kept strictly confidential.

The EAP also is available to provide periodic employee training on subjects such as stress, nutrition, depression, etc.

**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 3: Paid and Unpaid Time Off Policies

POLICY NO.: 301

# OF PAGES: 1

**SUBJECT: PAID HOLIDAY POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

Employees are entitled to the following paid holidays:

- New Year's Day
- Martin Luther King's Birthday
- Lincoln's Birthday
- Presidents Day
- Good Friday
- Memorial Day
- July 4<sup>th</sup>
- Labor Day
- Columbus Day
- Veterans Day
- General Election Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day

This list may be amended from time to time. All employees covered by collective bargaining agreements shall receive holiday benefits as provided in the applicable collective bargaining agreement.



**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 3: Paid and Unpaid Time Off Policies

POLICY NO.: 302

# OF PAGES: 1

**SUBJECT: VACATION LEAVE POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

Vacation is an accrued benefit based on the following schedule:

- One (1) day for each full month of service during the first calendar year;
- 12 days for the second through fourth calendar year;
- 15 days after the completion of four (4) years through 10 years;
- 21 days after the completion of 10 years through 30 years; and
- 25 days after completion of 30 years.

If an employee is permitted to, but does not use their vacation time during the year in which it is earned, that employee will lose the days not used after 90 calendar days of the succeeding year. However, if an employee is not permitted to use all of their vacation days during the year in which they are earned, they shall be used within 120 days of the succeeding year.

It is every employee's responsibility to see that their vacation is planned well in advance of year end so that they will not have any unused days.

**CITY OF MARGATE**

Employee Handbook/Policy and Procedure Manual

SECTION 3: Paid and Unpaid Time Off Policies

POLICY NO.: 303

# OF PAGES: 1

**SUBJECT: PERSONAL LEAVE POLICY**

EFFECTIVE DATE: November 1, 2018

REVIEW DATE: October 18, 2018

REPLACES POLICY DATED: 2016

There is no personal leave unless it is in your collective bargaining agreement.

**RESOLUTION #213-2018  
AUTHORIZING THE AWARD OF CONTRACT  
FOR ACCOUNTING SERVICES  
SUPLEE, CLOONEY & COMPANY**

**WHEREAS**, the Board of Commissioners of the City of Margate City has determined it has a need to acquire Accounting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 and Margate City Ordinance #36- 2005; and

**WHEREAS**, the anticipated term of the contract is one year and may be extended one time as approved by the Board of Commissioners; and

**WHEREAS**, Suplee, Clooney & Company, 308 East Broad Street, Westfield, New Jersey 07090 has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney & Company has not made any contributions to a political or candidate committee

in the City of Margate City in the previous one year, and that the contract will prohibit Ford, Scott & Associates, LLC, from making any contributions through the term of the contract; and

**WHEREAS**, 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: Future Operating Budget: Financial Admin Audit 9-01-20-135-201 \$25,900.00 contingent upon funds being appropriated in the 2019 budget; and

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

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract between the City of Margate City and Suplee, Clooney & Company for municipal accounting services in the amount not to exceed \$25,900.00.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
3. A notice of this action shall be printed once in the Atlantic City Press.

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.

Contract:

Auditing Services for Audit Year 2018

Vendor:

Supplee Clooney & Company  
Westfield, New Jersey


Contract Amount:

\$25,900

Source of Funds:

Financial Admin- Audit Future Year Budget 9-01-20-135-201      \$ 25,900

Contingent upon sufficient funds being appropriated in the 2019 budget

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

  
\_\_\_\_\_  
Date

**RESOLUTION #214-2018**  
**APPOINTING DOROTHY McCROSSON, ESQ. AS SPECIAL COUNSEL**  
**FOR REPRESENTATION IN THE MATTER OF HARBOR VISTA**  
**LIMITED HOMEOWNERS ASSOCIATION, INC. V. CITY OF MARGATE CITY**  
**AND BARBARY COAST MARINA, LLC**

**WHEREAS**, the Board of Commissioners of the City of Margate City has determined it has a need for tax attorney to assist with tax appeals and other tax related matters; and

**WHEREAS**, Dorothy McCrosson, Esq. of 200 Asbury Avenue, Ocean City, New Jersey 08226 has submitted a proposal to perform the above services and has demonstrated that she has the necessary experience and qualifications to perform same; and

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

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

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$10,000.00 between the City of Margate and Dorothy McCrosson, Esq, of 200 Asbury Avenue, Ocean City, NJ 08226, to represent the City of Margate City in the matter of Harbor Vista Limited Homeowners Association, Inc. vs. City of Margate and Barbary Coast Marina, LLC. Legal services shall be billed at the rate of \$185.00 per hour.
2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
3. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

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.

Contract:

Special Counsel

Vendor:

Dorothy McCrosson, Esquire  
Ocean City, New Jersey

Contract Amount:

\$10,000

Source of Funds:

Legal - Other/Attorneys Fees 8-01-20-155-255      \$10,000



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

10/18/18  
\_\_\_\_\_  
Date

**RESOLUTION # 215 OF 2018**  
**APPOINTING MARC FRIEDMAN, ESQ. AS SPECIAL COUNSEL**  
**FOR REPRESENTATION IN TAX LIEN FORECLOSURE MATTERS**

**WHEREAS**, the Board of Commissioners of the City of Margate City has determined it has a need for tax attorney to assist with tax appeals and other tax related matters; and

**WHEREAS**, Marc Friedman, Esq. of 1616 Ocean Heights Avenue, Linwood, New Jersey 08221, has submitted a proposal to perform the above services and has demonstrated that he has the necessary experience and qualifications to perform same; and

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

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

1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$10,000.00 between the City of Margate City and Marc Friedman, Esq. of 1616 Ocean Heights Avenue, Linwood, NJ 08226 to represent the City of Margate City in the matter of various municipal tax lien foreclosure matters. Legal services shall be billed at the rate of \$140.00 per hour. The City will also reimburse all costs associated with pursuing the tax foreclosure matters including, but not limited to, search fees, filing fees, recording and postage fees.
2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
3. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

## 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.

## Contract:

Tax attorney to assist with tax appeals

## Vendor:

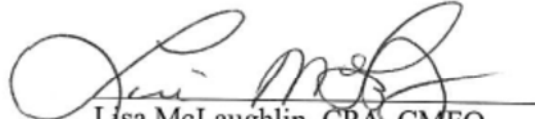
Marc Friedman, Esquire  
Linwood, New Jersey

## Contract Amount:

\$10,000

## Source of Funds:

Legal - Other/Attorneys Fees 8-01-20-155-255      \$10,000

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

10/18/18  
Date

**RESOLUTION #216-2018**  
**APPOINTING NEAL M. RUBEN, ESQ. AS SPECIAL COUNSEL**  
**FOR REPRESENTATION WITH REGARD TO THE**  
**MATTER OF TODD AND AUDREY TABER**

**WHEREAS**, the Board of Commissioners of the City of Margate City has determined it has a need for tax attorney to assist with tax appeals and other tax related matters; and

**WHEREAS**, Neal M. Ruben, Esq. of 179 Avenue at the Common, Shrewsbury, New Jersey 07702, has submitted a proposal to perform the above services and has demonstrated that he has the necessary experience and qualifications to perform same; and

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

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

- 1. The Mayor is hereby authorized to execute and the City Clerk to attest to a contract in an amount not to exceed \$10,000.00 between the City of Margate City and Neal M. Ruben, Esq. of 179 Avenue at the Common, Shrewsbury, NJ 08802, to represent the City of Margate City in the matter of Todd and Audrey Taber. Legal services shall be billed at the rate of \$185.00 per hour.
- 2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1)(a)(i)*.
- 3. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

ROLL CALL:

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

CERTIFICATION OF AVAILABILITY OF FUNDS

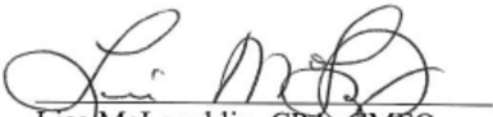
Pursuant to 40A:4-57, I, Lisa McLaughlin, Chief Financial Officer of the City of Margate, County of Atlantic, do hereby certify that the below listed funds are available.

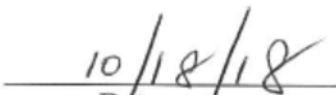
Contract:  
Special counsel for matter of Todd and Audrey Tabor

Vendor:  
Neal M. Ruben, Esquire  
Shrewsbury, New Jersey

Contract Amount:  
\$10,000

Source of Funds:  
Legal - Other/Attorneys Fees 8-01-20-155-255      \$10,000

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

  
Date

RESOLUTION#217-2018

DECLARING CLOSED SESSION

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Margate, County of Atlantic as follows:

- 1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
- 2. The general nature of the subject matter to be discussed is as follows:  
  
C1. Lease – Lamberti’s
- 3. It is anticipated at this time that the Municipal Clerk shall on a six (6) month basis, review the minutes of closed sessions of the City of Margate and make a recommendation to the Governing Body which minutes should be considered for public record. The minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person(s) in the same manner as any meeting minutes of the City of Margate.
- 4. This resolution shall take effect immediately

ROLL CALL:

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

A motion to reconvene to the regular meeting was put forth by Mayor Becker, seconded by Commissioner Blumberg with a vote of three ayes. Meeting was reconvened at 6:04pm.

**Scott Abbott:** Commissioners have given instruction on how to proceed with Lamberti lease and bulkhead. Will set up meeting to discuss a possible vacation of portion of restaurant to be used for parking and building of a bulkhead.

**Adjournment:**

There being no further business, Mayor Becker called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Amodeo and seconded by Commissioner Blumberg to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 6:10 p.m.

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

\_\_\_\_\_  
Mayor, Michael Becker

\_\_\_\_\_  
Commissioner John F. Amodeo

\_\_\_\_\_  
Commissioner Maury Blumberg

Attest: \_\_\_\_\_ Johanna Casey, Municipal Clerk