

RESOLUTION #138-2023

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

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

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

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

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

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

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

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

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

In addition thereto, the Board of Commissioners shall:

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

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

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

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

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

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

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

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

SECTION 6. DEPARTMENT OF PUBLIC WORKS AND PARKS AND PUBLIC PROPERTY. The Mayor shall be the Commissioner of Public Works and Parks and Public Property and, as such, shall be the President of the Board of Commissioners and shall preside at its

meetings, supervise all departments and report to the board for its action all matters requiring the attention of the Board or any department. He shall have the exercise of all powers and perform all the duties provided or prescribed by law or the ordinances of the City not in conflict with the provisions of this resolution. He shall, sign all checks and contracts, on behalf of the City. He shall have supervision and direction over the negotiation and execution of all employee contracts, purchase of all vehicles, apparatus and supplies for said department and shall have supervision and responsibility for maintenance of:

- Beach Inspectors
- Beach Maintenance
- Beautification of Public Property
- City Engineer
- Clean Communities Program
- ~~Gasoline and Oil~~
- ~~Lot Clearing~~
- Maintenance of Free Public Library
- Municipal Vehicle Maintenance
- Parks and Grounds
- Playgrounds
- Public Buildings
- Public Property
- Property and Improvements
- Public Relations
- Public Works
- Recreation Department
- Recycling
- Rubbish Removal Contract
- Sanitation
- Special Events
- Street Lighting
- Street Repairs and Maintenance
- Technology /IT for Departments
- Water and Sewer Utilities

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

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

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Collins		<u>X</u>	<u>X</u>			
Blumberg			<u>X</u>			
Horn	<u>X</u>		<u>X</u>			

DATE: June 1, 2023

CERTIFICATION

I, Johanna Casey, Clerk of Margate City, Atlantic County, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Commissioners of the City of Margate City at a meeting of said Commission held on June 1, 2023 and said resolution was adopted by not less than a two-thirds vote of the members of the Commission.


 Johanna Casey, RMC City Clerk

