

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

March 3, 2016

MARGATE CITY, NEW JERSEY

The Regular Meeting of the Board of Commissioners was held on the above date at 5:00 p.m. The meeting began with a flag salute and roll call: Mr. Becker, Mr. Amodeo, and Mr. Blumberg were present. Mr. Abbott and Chief Wolfson were also present. The minutes from February 18, Workshop and Regular were approved as read on motion by Mr. Amodeo, second by Mr. Becker with a vote of three ayes.

Public Comment:

David Leopold -207 N Clarendon: Speaks on traffic at Clarendon & Winchester. Propose a “Slow Children at Play” Sign.

John Sewell- 22 West Drive: Speaks on Margate Educating- nonresidents.

Ed Berger- 9402 Amherst Ave: speaks on schedule of Events. Financing is the same. ASAC Surf Fishing on May 7th.

Steve Worner- 103 N. Sumner Ave: Speaks on dredging cost, Ordinance #5 & #6 and road repairs.

Seeing that there were no further comments, a motion to close the Public Comments on Agenda Items was put forth by Mr. Blumberg, second by Mr. Amodeo with a vote of three ayes.

Public Comment on Agenda Items:

John Sewell-22 West Drive: Speaks on a lack of a Resolution to send to Trenton against Pilot Program and 37-2016-International Dark Sky.

Ordinance: Public Adoption:

Seeing that there were no other comments a motion to close the Public Comments on Resolutions or Ordinance Items was put forth by Mr. Amodeo, second by Mr. Blumberg with a vote of three ayes.

ORDINANCE #05-2016

BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by the City of Margate City, in the County of Atlantic, New Jersey (the “City”). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations

heretofore made therefore and amounting in the aggregate to THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000), including the aggregate sum of ONE HUNDRED EIGHTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$183,500) which is hereby appropriated from the Capital Improvement Fund of the City as the down payments for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Bond Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Bond Ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) pursuant to the Local Bond Law of New Jersey (the “Local Bond Law”) and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Projects

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

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
(a) Purchase of Various Equipment, Vehicles and Apparatus for Police Department, Fire Department, Public Works Department, Zoning Department and Beach Patrol.	\$692,000	\$657,400
(b) Various Municipal Roadway Improvements under the 2015/2016 Municipal Road Program, including without limitation the Winchester Avenue Reconstruction Project, CDBG Beach Access, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration,		

handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,680,500	\$1,596,475
(c) Construction of improvements to various Municipal Buildings and Recreational Facilities, including Police Facility, Fire Station 2, Bloom Pavilion, Union Avenue Municipal Building and Amherst Avenue bulkhead repairs, and including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, dredging studies and tests, topographic mapping, legal, permits and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$972,500	\$923,875
(d) Purchase of Various Equipment and Tools for the Public Works Department and Municipal Facilities.	\$156,000	\$148,200
(e) Various Improvements to Municipal Information Technology Systems, including system upgrades and equipment purchases.	\$169,000	\$160,550
TOTAL	<u>\$3,670,000</u>	<u>\$3,486,500</u>

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

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

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

Section 6. Additional Matters

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MARGATE CITY, NEW JERSEY

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

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

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **10.65 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by of THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding SIX HUNDRED FORTY-SIX THOUSAND NINE HUNDRED DOLLARS (\$646,900) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 7. Ratification of Prior Actions

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

Section 8. Application of Grants

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

Section 9. Full Faith and Credit

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

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same “control group” as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the

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City’s official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

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

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING:	March 3, 2016
PUBLICATION:	March , 2016
FINAL READING:	March 17, 2016
PUBLICATION WITH STATEMENT:	March , 2016

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 3, 2016, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 17, 2016, at 5:00 o’clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk’s office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

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MARGATE CITY, NEW JERSEY

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway Improvements; Construction of Improvements to Various Municipal Buildings and Facilities; and Improvements to Information Technology Systems

Appropriation: \$3,670,000

Bonds/Notes Authorized: \$3,486,500

Grants (if any) Appropriated: N/A

Section 20 Costs: \$646,900

Useful Life: 10.65 years

Johanna Casey, RMC, Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the City of Margate City, in the County of Atlantic, State of New Jersey on March 17, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: "BOND ORDINANCE APPROPRIATING THREE MILLION SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$3,670,000) AND AUTHORIZING THE ISSUANCE OF THREE MILLION FOUR HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$3,486,500) IN BONDS AND NOTES OF THE CITY OF MARGATE CITY FOR VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY"

Purpose(s): Purchases of Various Equipment, Tools, Vehicles and Apparatus; Various Municipal Roadway Improvements; Construction of Improvements to Various Municipal Buildings and Facilities; and Improvements to Information Technology Systems

Appropriation: \$3,670,000

Bonds/Notes Authorized: \$3,486,500

Grants (if any) Appropriated: N/A

Section 20 Costs: \$646,900

Useful Life: 10.65 years

Johanna Casey, RMC, Municipal Clerk

March 3, 2016

MARGATE CITY, NEW JERSEY

ORDINANCE #06-2016

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF

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

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general capital improvements to be made to the water and sewer utility systems of the City of Margate City, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000). No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) appropriation, negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes stated in Section 3, negotiable note(s) of the City in the maximum principal amount of TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. Description of Project

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

IMPROVEMENT OR <u>PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
(a) Reconstruction of Winchester Avenue, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$700,678	\$700,678
(b) Construction of Stormwater Drainage System Improvements under 2015/2016 Road Program and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,055,322	\$1,055,322
(c) Ventnor Gardens Storm Water Pump Station Improvements and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$309,000	\$309,000
(d) Purchase and Installation of Twelve (12) Fire Hydrants.	\$35,000	\$35,000
Total	<u>\$2,100,000</u>	<u>\$2,100,000</u>

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Commission of the City at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this

Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

March 3, 2016

MARGATE CITY, NEW JERSEY

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

Section 6. Additional Matters

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

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

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is **40 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000), and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding ONE HUNDRED SIXTY-FIVE THOUSAND SIX HUNDRED DOLLARS (\$165,600) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the acquisition of such improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

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

Section 7. Ratification of Prior Actions

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

Section 8. Application of Grants

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

Section 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations **March 3, 2016** **MARGATE CITY, NEW JERSEY**

shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

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

Section 11. Effective Date

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

BOARD OF COMMISSIONERS OF THE CITY OF
MARGATE IN THE COUNTY OF ATLANTIC

FIRST READING: March 3, 2016
PUBLICATION: March , 2016
FINAL READING: March 17, 2016
PUBLICATION WITH STATEMENT: March , 2016

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing held on March 3, 2016, at the Margate City Municipal Building. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held on March 17, 2016, at 5:00 o'clock P.M. at the Margate City Municipal Building. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office located in the Margate City Municipal Building, 9001 Winchester Avenue, Margate, New Jersey for the members of the general public who shall request the same. The summary of the terms of such Bond Ordinance follows:

March 3, 2016

MARGATE CITY, NEW JERSEY

Title: **"BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF"**

Purpose(s): Reconstruction of Winchester Avenue improvements; Construction and various improvements to municipal storm drainage system and roadways; Construction improvements to Ventnor Gardens; and Purchase and Installation of twelve (12) Fire Hydrants

Appropriation: \$2,100,000

Bonds/Notes Authorized: \$2,100,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$165,600

Useful Life: 40 years

Johanna Casey, RMC, Municipal Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENTS AND SUMMARY

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the City of Margate City, in the County of Atlantic, State of New Jersey on March 17, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such Bond Ordinance follows:

Title: **"BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF MARGATE CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) THEREFORE AND AUTHORIZING THE ISSUANCE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000) BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF"**

RESOLUTION #32-2016 AUTHORIZING THE PURCHASE OF 2016 FORD F-350 4x4 SD REGUALR CAB 141' UTILITY TRUCK

WHEREAS, on October 1, 2015, the City of Margate approved Resolution No.178-2015 authorizing the receipt of bids One (1) 2016 Ford F-350 or equal 4x4 SD Regular Cab 141” WB DRW XL(F3H) Utility Truck; and

WHEREAS, the City Clerk did duly advertise the receipt of said bid for the One (1) 2016 Ford F-350 or equal 4x4 SD Regular Cab 141” WB DRW XL(F3H) Utility Truck in the Atlantic City Press on February 2, 2016; and

WHEREAS, in connection therewith one (1) bid was received by the City Clerk of the City of Margate on February 24, 2016 as follows:

VENDOR(S): Winner Ford
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

ITEMS: 2016 Ford F-350 or equal 4x4 SD Regular Cab 141” WB DRW
XL(F3H) Utility Truck

COST: \$38,920.00

, and

WHEREAS, the Chief Finance Officer has certified to the City Commissioners that there are adequate funds available for the purpose of award in the following account: Capital Ordinance 2015 – 05, C-06-55-907-903, \$38,920.00; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commissioners of the City of Margate, County of Atlantic that it does hereby award the contract to Winner Ford, 250 Haddonfield-Berlin Road Cherry Hill, New Jersey to purchase one (1) 2016 Ford F-350 or equal 4x4 SD Regular Cab 141” WB DRW XL(F3H)Utility Truck in an amount of \$38,920.00.

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

1. Winner Ford
2. Frank Ricciotti, Director of Public Works
3. Lisa McLaughlin, Chief Financial Officer

ROLL CALL:

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

RESOLUTION #33-2016 APPOINTING PLANNING BOARD SOLICITOR - 2016

WHEREAS, the Board of Commissioners of the City of Margate has determined it has a need for a Planning Board “Board” attorney to render legal assistance to the Board in relation to all matters within the jurisdiction of the Board; and

WHEREAS, Stanley Bergman, Jr., Esq. 3120 Fire Road, Suite 202, Egg Harbor Township, NJ 08234 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 as 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 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 \$25,000.00 between the City of Margate and Stanley Bergman, Jr., Esq. for the performance of Board related matters.
2. This contract is awarded without competitive bidding because it is a Professional Services Contract and is as an exception to the Local Public Contracts Law *N.J.S.A. 40:11A-5 (1) (a) (i)*.
3. The hourly fee for legal services is \$150.00.
4. The contract shall not exceed twelve consecutive months in accordance with *N.J.S.A. 40A:11-5*.

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

1. Stanley Bergman, Jr., Esq.
2. Lisa McLaughlin, CFO

Roll Call:

Name	Motion	Second	Yes	No	Abstain
Becker			X		
Amodeo		X	X		
Blumberg	X		X		

RESOLUTION # 34-2016 City of Margate A Resolution Authorizing the Application for the NJDEP Flood Hazard Risk Reduction and Resiliency Grant Program

Whereas, the New Jersey Department of Environmental Protection (NJDEP) provides funding through the Flood Hazard Risk Reduction and Resiliency Grant Program; and

Whereas, applicants of the Flood Hazard Risk Reduction and Resiliency Grant Program must be counties and municipalities in one of the nine most affected counties by Superstorm Sandy; and

Whereas, the Flood Hazard Risk Reduction and Resiliency Grant Program is a competitive program and only projects considered ready for construction will be selected; and

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Whereas, the proposed project area must present a high vulnerability or risk to storm surge or flooding, as developed by a science-based analysis; and

Whereas, \$25 million has been allocated to fund this grant program and awards will be based on the size and complexity of the projects; and

Whereas, the City of Margate is willing to fund, at a minimum, the design of the construction ready project and the HUD required Environmental Review should the project be selected for funding; and

Whereas, said grant will help fund an priority project in the City of Margate.

Now Therefore, be it resolved that the governing body of the City of Margate authorizes the application for funding through the Flood Hazard Risk Reduction and Resiliency Grant Program; and

Be it further resolved that governing body of the City of Margate authorizes the execution of a grant agreement and associated documents for the Hurricane Sandy Coastal Competitive Grant Program.

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	Second	Yes	No	Abstain
Becker	X		X		
Amodeo			X		
Blumberg		X	X		

**R E S O L U T I O N #35-2016 AUTHORIZING REDEMPTION OF TAX LIEN
Block 29.02, Lot 51 C0A04, 9517Atlantic Avenue**

WHEREAS, the City Commissioners of the city of Margate City, County of Atlantic, State of New Jersey, and

WHEREAS, the following tax lien redemption is hereby approved:

Block/Lot	Location	Certificate #	Amount
29.02	9517 Atlantic	15-4	\$5,242.20

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

1. Lisa McLaughlin, CFO
2. Linda Morgan, Tax Collector

ROLL CALL:

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

**R E S O L U T I O N #36-2016 RESOLUTION AUTHORIZING CHANGE ORDER NO.2
(Increase) 2014 Margate Road Program**

WHEREAS, the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey has on August 20, 2015, authorized the awarding of a contract to **Asphalt Paving Systems, Inc.**, PO Box 530, Hammonton, NJ 08037 in the amount of \$1,713,500.00

WHEREAS, the City Engineer, Edward Walberg submitted a letter dated December 10, 2015 regarding Change Order No.1, that addresses storm sewer outfall at Rumson and Fulton Avenues increasing the contract amount by \$79,190.00; and

WHEREAS, there is a need for Change Order No. 2 as a result of unforeseen costs of Replacement Storm Sewer Outfall at Rumson Avenue and Fulton Avenue in the amount of \$66,550.00, resulting in a new contract total of \$ 1,859,240.00; and

WHEREAS, the Chief Financial Officer has certified in writing to the City Commissioners that there are sufficient funds available for Change Order #2 in the amount of \$66,550.00 available under Capital Bond Ordinance #08-2015 for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City in the County of Atlantic, State of New Jersey, does hereby authorize the issuance of Change Order No. 2 to the contract with **Asphalt Paving Systems, Inc.**, PO Box 530, Hammonton, NJ 08037; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Margate in the County of Atlantic, does hereby authorize Change Order No.2, increase in the amount of \$66,500.00.00, changing the overall contract with Asphalt Paving Systems for the 2014 Road Program from \$1,713,500.00 to \$1,859,240.00.

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

1. Lisa McLaughlin, CFO
2. Frank Ricciotti, Public Work
3. Remington & Vernick Engineers and Affiliates
4. Asphalt Paving Systems, Hammonton, NJ

ROLL Call:

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

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RESOLUTION #37- 2016 AUTHORIZING THE AWARD OF CONTRACT TO INTERNATIONAL DARK SKY ASSOCIATION TO PROVIDE PROFESSIONAL SERVICES FOR TECHNICAL ASSISTANCE WITH OUTDOOR LIGHTING ORDINANCE

WHEREAS, the City of Margate City has a need to up-date the Outdoor Lighting Ordinance currently in place with regard to the use of LED lighting; and

WHEREAS, this Contract is being considered 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).; and

WHEREAS, International Dark Sky Association has submitted a proposal dated February 1, 2016 to provide the necessary assistance to help in the crafting of an updated outdoor lighting ordinance for the City of Margate for an amount not to exceed \$600.00; and

WHEREAS, the Governing Body has determined to accept the proposal, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City does hereby accept the proposal of International Dark Sky Association to provide assistance to the City Solicitor in the preparation of an updated Outdoor Lighting Ordinance to be considered by the City Commission at a total cost not to exceed \$600.00.

BE IT RESOLVED, that the City Clerk is authorized to advertise the award of contract according to law in the Atlantic Press; and, is further authorized to forward a certified copy of this resolution to the following:

1. International Dark Sky Association
2. Lisa McLaughlin, CFO

ROLL CALL:

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

RESOLUTION NO. 38-2016 AUTHORIZING THE AWARD OF CONTRACT TO ARTHUR W. PONZIO CO. & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL LAND SURVEYING SERVICES FOR MINOR SUBDIVISIONS OF CITY LAND

WHEREAS, the City of Margate City has a need for a surveyor for the preparation of subdivision plans for the subdivision of City owned lands located at:

Osborne-Pembroke	Block 16, Lots 9, 7, 17
Pembroke –Quincy	Block 17, Lots 9, 8, 17
Quincy-Rumson	Block 18, Lots 18, 9, 17
Knight Avenue	Block 11.01, Lots 6, 15

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WHEREAS, this Contract is being considered 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).*; and

WHEREAS, Arthur W. Ponzio Co. & Associates, Inc. submitted a proposal dated February 26, 2016 to provide the necessary work to prepare the subdivision plans in the amount not to exceed \$11,820.00; and

WHEREAS, the Governing Body has determined to accept the proposal, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer has certified to the City Commissioners that there are sufficient funds available for the award of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City does hereby accept the proposal of Arthur W. Ponzio Co. & Associates, Inc. to provide professional land surveying services required to prepare a minor subdivision plan for the properties listed above at a total cost not to exceed \$11,820.00.

BE IT RESOLVED, that the City Clerk is authorized to advertise the award of contract according to law in the Atlantic Press; and, is further authorized to forward a certified copy of this resolution to the following:

1. Arthur W. Ponzio Co. & Associates, Inc.
2. Lisa McLaughlin, CFO

ROLL CALL:

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

RESOLUTION #39-2016 AUTHORIZING RECEIPT OF BIDS CLEANING & TELEVISIONING SEWER SYSTEMS

WHEREAS, the Board of Commissioners is desirous of receiving bids for the following:

1. CLEANING & TELEVISIONING SEWER SYSTEMS

located in the City of Margate, County of Atlantic, NJ; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate, 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 Administrator in the Margate City Hall Meeting Room, 9001 Winchester Avenue, Margate City, New Jersey on a date to be determined.

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

1. Lisa McLaughlin, Chief Finance Officer
2. Frank Ricciotti, Department of Public Works
3. Ed Walberg, City Engineer

ROLL CALL:

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

RESOLUTION #41-2016 APPROVAL of MARGATE CITY MARGATE EMPLOYEE ASSOCIATION LABOR AGREEMENT JANUARY 1, 2016 THUR DECEMBER 31, 2018

WHEREAS, the City of Margate has been in negotiation with the Margate City Employees Association for a new collective bargaining agreement for a contract term of January 1, 2016 through December 31, 2017, and

WHEREAS, an agreement has been reached between the parties as reflected in the attached document; and

WHEREAS, said agreement is fair and equitable to the parties involved;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Margate City, New Jersey that the Commissioner of Public Safety is hereby authorized to execute and the City Clerk to attest to said Collective Bargaining Agreement between the City of Margate and the Margate City Employee Association, covering the time period from January 1, 2016 through December 31, 2017,

BE IT RESOLVED that the City Clerk is hereby authorized to advertise this award of contract according to law in the Atlantic Press and is further authorized to forward a copy of this resolution to the following:

1. David Wolfson, Acting Business Administrator
2. Lisa McLaughlin, Chief Financial Officer
3. Richard Deaney, Business Administrator
4. Ed McClain, President of MEA

ROLL Call:

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

RESOLUTION # 42-2016 AUTHORIZING THE UPLAND OWNER OF BLOCK 18, LOT 9 TO OBTAIN APPROVAL FOR AMONG OTHER THINGS REPLACEMENT OF CITY OWNED BULKHEAD

WHEREAS, Atlantic Downbeach Associates, LLC (hereinafter “Atlantic”) seeks approval to construct a new single family home, swimming pool and other amenities for the property located along the beachfront at Rumson Avenue being identified as Lot 9 of Block 18; and

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WHEREAS, the adjacent bulkhead located on Block 18, p/o Lot 18 is owned by the City of Margate City (hereinafter “City”) and is in dilapidated condition; and

WHEREAS, Atlantic has requested permission from the City to apply to the NJDEP for all necessary permits and approvals to allow replacement of the bulkhead in its current location; and

WHEREASE, The Governing Body has determined that it is in the best interest of the City to allow Atlantic to process said application and obtain approval in order to replace the bulkhead owned by the City.

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 sign the necessary NJDEP application so as to allow Atlantic to obtain all necessary NJDEP authorization to allow the reconstruction of a bulkhead in its current location owned and located on p/o Lot 18 of Block 18 as more fully shown on the attached plan hereto (Exhibit A).

2. This authorization does not commit the City to sell or otherwise transfer title to the area located between the face of the bulkhead (both existing and as replaced) to the property line of the adjoining property shown as Lot 9 of Block 18 and as indicated on the attached Exhibit A.

3. The strip of property located between the face of the bulkhead and the property line of Lot 9, Block 18, consisting of approximately 483 sq. feet and as shown on Exhibit A, shall be the subject of further negotiations and possible agreement by the City and Atlantic.

4. City is not obligated to pay any costs associated with the obtaining of authorization to allow reconstruction of the bulkhead and is not obligated to sell or transfer the strip of land to Atlantic without further action by the Governing Body.

ROLL CALL:

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

With no further business this meeting was adjourned on motion by Mr. Amodeo, second by Mr. Blumberg with a vote of three ayes.

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