

RESOLUTION

#1

**AUTHORIZING SETTLEMENT WITH SCHILLING ESTATE
AND OTHERS AND APPROVING PURCHASE OF SCHILLING
ESTATE PROPERTY AT 19th STREET AND BOARDWALK**

WHEREAS, The City of Ocean City (hereafter “The City”) has reached an agreement with BNY Mellon, N.A., as the Executor of the Estate of Helen Schilling (hereafter “The Estate”) whereby The City will purchase from The Estate certain property located within the jurisdiction of The City generally known as 1900-1916 Boardwalk shown on the municipal tax map as Block 1901, Lots 8, 8.01, and 10 including the adjoining riparian property (hereafter the Property”); and

WHEREAS, The Property will be acquired by The City, subject to subdivision approval by the Ocean City Planning Board, in two lots by separate deeds, one deed to convey title to the City for that part of the Property located from the existing bulkhead to the boardwalk crossing the Property (hereafter the Upland Deed) and one deed to convey title to the City for that part of the Property from the boardwalk crossing the Property to the oceanward extent of the riparian lands forming part of the Property (hereafter the Riparian Deed); and

WHEREAS, the City and the Estate have agreed the amount of compensation to be paid by the City to the Estate to purchase that portion of The Property described in the Upland Deed the sum of One Million Seven Hundred Fifty Thousand Dollars and No Cents (\$1,750,000.00) and the amount of compensation to be paid by the City to The Estate for that portion of The Property described in the Riparian Deed the sum of One Dollar and No Cents (\$1.00); and

WHEREAS, it having been agreed that the Upland Deed shall contain certain provisions which among other things will provide that the property therein described shall not be used or developed in any way for residential purposes; and

WHEREAS, The City and the owners of certain property located in the jurisdiction of the City in close proximity to the Property who are identified in the settlement documents (hereafter referred to as The Contributors”) have reached an agreement whereby the Contributors collectively will pay to the City the sum of One Million Two Hundred Fifty Thousand Dollars and No Cents (\$1,250,000.00) to be used by the City towards the purchase of that part of the Property described in the Upland Deed; and

WHEREAS, the City has agreed subject to approval of a Bond Ordinance by the City’s Governing Body to obtain through the issuance of bonds and notes in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00) to be used towards the purchase of that portion of the Property described in the Upland Deed; and

WHEREAS, the City has taken certain steps necessary to obtain the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00) from the New Jersey Green Acres Program in relation to the City’s acquiring that portion of the Property described in the Upland Deed which funds are anticipated to be received after the City acquires the Property; and

WHEREAS, there are a total of four (4) separate documents titled Settlement Agreement, Sales Agreement (Upland), Sales Agreement (Riparian), and Funding Agreement which together embody all of the terms, conditions, and contingencies applicable to the City’s agreement with the Estate and the Contributors to consummate the City’s acquisition of the Property as described in both the Upland Deed and Riparian Deed, each of such documents being required to be executed on behalf of the City.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, a Summary of Schilling Settlement Documents is attached to this resolution and made a part hereof which contains a general summary of certain of the terms, and conditions of each of the said four (4) settlement documents.

NOW, THEREFORE, BE IT RESOLVED the Mayor of the City of Ocean City or his designee the Business Administrator of the City of Ocean City is authorized to execute the four (4) agreements referred to above on behalf of the City of Ocean City namely the Settlement Agreement, Sales Agreement (Upland), Sales Agreement (Riparian) and Funding Agreement.

Anthony P. Wilson, Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED City Clerk
Allegretto	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Guinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	

SUMMARY OF SCHILLING SETTLEMENT DOCUMENTS

PROPERTY: Lots 8, 8.01, and 10, Block 1901

Including the upland from the physical bulkhead to and including the boardwalk and riparian lands from the boardwalk to the easternmost extent of the riparian grants.

OWNER : Estate of Helen Schilling by BNY Mellon, N.A., Executor

DEVELOPMENT STATUS : The NJDEP issued to the Estate a CAFRA permit for construction of a single family home on the Property

APPEAL : The City and several neighbors independently appealed the issuance of the CAFRA permit to the Superior Court, Appellate Division which appeals are by agreement of the parties and the Court now stayed pending the outcome of present efforts to reach a settlement.

SETTLEMENT DOCUMENTS: There are four (4) settlement documents. As specifically stated in the SA, all four (4) documents are considered as one single agreement incorporated into each other so that if one document is voided then all documents are similarly voided. The four (4) documents are as follows:

- Settlement Agreement
- Upland Sales Agreement
- Riparian Sales Agreement
- Funding Agreement

SETTLEMENT AGREEMENT (SA) : A good way to look at the SA is it being the “umbrella agreement” of the settlement. The Estate, the City, and the individual neighbors (referred to as Contributors) are parties to the SA. Although it is advisable to read the entire document, the following are its main terms:

- The purchase price is agreed to as \$1,750,000.00.
- The Property is to be subdivided into 2 lots, the upland and riparian areas. The main purpose of the subdivision is because only the upland portion of the Property will be purchased with Green Acres (GA) funds and only this portion will be subject to GA restrictions.
- There will be two (2) deeds from the Estate to the City, one of the upland area and one of the riparian area. The draft deeds will be attached to the SA. The upland deed in draft form is attached hereto in which the deed restrictions and related provisions are contained in paragraphs 5 through 8. There are no restrictions in the riparian deed. To do so would not be necessary since that area was not to be developed under the CAFRA development permit and is already subject to state and municipal environmental restrictions
- The closing date is 30 days after all contingencies are satisfied or 90 days after Council approves the SA whichever date is later.

- The contingencies to the agreement are set forth in paragraph 4.11 including 4.11.1 through 4.11.9 that are attached. In many ways this paragraph encompasses the heart of the settlement. The introduction in 4.11 states all contingencies must be satisfied in 90 days which can be extended for an additional 90 days if the parties are proceeding using due diligence. An important concept which the contingencies embody is that the City will go to closing before receiving the \$300,000.00 GA funds. This means the City must bond for \$500,000.00 which together with \$1,250,000.00 will constitute the required purchase price. This approach reflects a certainty that GA funds will be forthcoming after closing occurs. There are several non-financial contingencies (including GA approval of documents relating to this transaction) which in total are believed to protect the City's interests in this transaction.
- If all contingencies are not satisfied within the allotted time period any party may cancel the SA as well as the other three (3) agreements.
- If for any reason the sales of the upland and riparian properties do not occur, the sole remedy of any party is to cancel all agreements and to reinstate the appeal which must occur within a specified time period.

UPLAND SALES AGREEMENT: This agreement is between the Estate and the City and is the agreement anticipated to be submitted to GA. It refers only to the upland property being purchased by the City subject to its terms including the following:

- The purchase price is \$1,750,00.00.
- The closing date is the same as in the SA.
- The contingencies are the same as in the SA.
- The deed for the upland property is the same as the upland deed attached to the SA.
- The understanding of the parties is that there is no NJ realty transfer tax or mansion tax

RIPARIAN SALES AGREEMENT: This agreement is between the Estate and the City and refers only to the riparian property being purchased by the City subject to its terms including the following:

- The purchase price is \$1.00.
- The closing date is the same as in the SA.
- The contingencies are the same as in the SA.
- The deed for the riparian property is the same as the riparian deed attached to the SA.

FUNDING AGREEMENT (FA): This agreement is between the City and the neighbors. It provides the terms under which the neighbors (referred to as Contributors) will pay the City \$1,250,000.00 towards the City's purchasing the upland property. The agreement contains the following provisions:

- Payment by the Contributors into their attorneys Trust Account the sum of \$1,250,00.00 within 75 days of the SA being fully signed which includes it being signed by the Contributors. If not so paid, the sole remedy of the City is to void the other three (3) agreements along with the FA.
- The funds (\$1,250,00.00) are to be transferred to the closing agent of the City no later than 7 days prior to closing.
- The City will provide those Contributors who satisfy certain conditions with a letter regarding charitable contributions that complies with applicable IRS regulations.

August 11, 2014

Donald R. Charles, Jr., Esq

DRAFT OF Upland Deed to be Attached
to Settlement Agreement Referred to in "Summary"
EXHIBIT "D"

Deed
(Upland)

This Deed is made on ____, 2014,

BETWEEN BNY MELLON, N.A., EXECUTOR OF THE ESTATE OF HELEN SCHILLING, DECEASED, having an address of _____ referred to as "Grantor," AND the City of Ocean City having an address of 861 Asbury Avenue, Ocean City, NJ 08226 referred to as "Grantee". The words "Grantor" and "Grantee" shall mean all Grantors and the Grantee designated above.

1. Grantor. The Grantor makes this Deed as Executor of the Estate of Helen Schilling, deceased. The Estate of Helen Schilling is the sole owner in fee simple of the property described below and in Exhibit "A" attached hereto, which is made a part hereof ("Property").

2. Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below ("Property") to the Grantee. This transfer is made for the sum of One Million Seven Hundred Fifty Thousand and 00/100 Dollars (\$1,750,000.00). Grantor acknowledges receipt of this money.

3. Tax Map Reference. (N.J.S.A. 46:15-1.1) City of Ocean City, Block No. 1901, Lot Nos. 8, 8.01 and 10.

4. Property. The Property consists of the land in the City of Ocean City, County of Cape May and State of New Jersey. The legal description is attached hereto as Exhibit "A" and made a part hereof. (Metes and bounds description of property from existing physical bulkhead to and including boardwalk)

5. Residential Use Restrictions. The Property shall not be used or developed in any way for residential purposes.

6. Green Acres. The lands being conveyed are being acquired by Grantee in part with the assistance of Green Acres Funding and shall, therefore, be held, used, maintained and developed by Grantee for conservation and recreation purposes in accordance with Green Acres Laws and Green Acres Restrictions including those set forth in N.J.S.A. 13:8C-1, et seq., N.J.S.A. 13:8C-19, et seq., N.J.S.A. 13:8C-35, et seq., and N.J.A.C. 7-36-1, et seq. as the same may be amended and supplemented.

7. Additional Rights of Grantee. This Conveyance is not intended to impair or otherwise effect the following rights of the Grantee: to create and maintain a 20 foot wide pathway oceanward of the physical bulkhead referred to and as provided in the recorded
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Perpetual Easement Deed at deed book 2288 page0335 et seq to construct; repair and maintain a boardwalk for public use on, upon and across the said lands; and to create and maintain a 10 foot wide right of way and 2 foot wide strip as shown on filed map no. 470.

8. Conditions Perpetual. The conditions and restrictions contained in and referred to in the provisions of paragraphs 5 and 6 herein shall be perpetual and run with the land and shall therefore be binding upon and inure to the benefit of Grantee its successors and assigns and any and all future owners of the Property and any portions thereof.

9. Promises by Grantor. Grantor promises that except as set forth in this Deed. Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that Grantor has not allowed anyone else to obtain any legal rights which affect the (such as by making a mortgage or allowing a judgment to be entered against Grantor) Property.

10. Signatures. This Deed is signed and attested to by Grantor as of the date set forth below.

DEED SHALL CONTAIN RECITALS TO ESTABLISH GRANTOR'S OWNERSHIP OF THE PROPERTY

WITNESS:

GRANTOR:

BNY MELLON, N.A., Executor of the Estate of Helen Schilling

STATE OF

) SS.:

COUNTY OF

I CERTIFY that on _____, 2014, _____, personally came before me and acknowledged under oath, to my satisfaction, that she:

(a) is the grantor(s) named herein and personally signed this Deed:

(b) signed and delivered this Deed as Executor of the Estate of Helen Schilling;

(c) made this Deed for \$1,750,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-6.)

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Notary Public

Record and Return To:

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Contingencies Paragraphs 4.11, 4.11.1 Through 4.11.9
in Settlement Agreement referred to in "Summary"

4.06 Possession and Maintenance of Property. Buyer, at Closing, shall be given exclusive possession of the Property which the Estate shall maintain prior to Closing in its present condition.

4.07 Closing. The closing of the transaction contemplated herein (the "Closing") shall occur within thirty (30) calendar days after the satisfaction of all contingencies set forth in Paragraph 4.11 or ninety (90) calendar days after the City Council of the City of Ocean City approves this Settlement Agreement, whichever is later. Buyer agrees that it shall submit this Settlement Agreement to the City Council at the first available meeting after the form of agreement is approved by all other parties and their attorneys.

4.08 Title. Title to the Property to be conveyed by the Estate to Buyer, hereunder shall be good and marketable title and insurable at regular rates as such exist as of Closing by a title company authorized to do business in New Jersey, to be selected by the Buyer ("Title Company"). Title to the property should also be free and clear of encumbrances including municipal liens and assessments and liability for assessments for improvements now constructed. Title Company closing attendance charges will be divided equally between the Buyer and the Estate.

4.09 Documents to Be Delivered at Closing. At Closing, the Estate shall deliver the following to Buyer, or its designee: (i) the Deeds together with all required affidavits of consideration and residency certifications executed by the Estate as required by law; and (ii) a duly executed Affidavit of Title satisfactory to the Title Company; (iii) proof of the payment of all required estate and inheritance taxes—and any other taxes due the State of New Jersey and/or Federal Government; (iv) any other documents reasonably required by the Green Acres; (v) and any other documents the title company may reasonably require at Closing, including those needed to satisfy any requirements of the Bulk Sales law.

4.10 Broker. Each party hereto represents to the other that there is no real estate broker involved in this transaction. If this representation is not correct, the party who made the representation shall pay all brokerage commissions. The Estate and Buyer agree to indemnify, defend and hold the other harmless of, from and against any damages, costs, claims, losses or liabilities whatsoever (including attorneys' fees, expenses and court costs) arising from any breach of the foregoing warranties, representations and agreements. The provisions of this paragraph shall survive the Closing or earlier termination of this Settlement Agreement.

4.11 Contingencies. The Buyer's obligation to close shall be contingent on the satisfaction of each of the following condition precedents within ninety days (90) of the execution of this Settlement Agreement. If any of these contingencies are not satisfied within the time period set forth above, then the time period for satisfaction of the contingencies shall be extended provided the parties are using due diligence to satisfy such contingencies. If all

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contingencies are not satisfied within one hundred eighty (180) days of the signing of this Settlement Agreement by all parties, then any party may as its sole remedy cancel this Settlement Agreement and the Sales and Funding Agreements upon written notice to all other parties without any further obligation to any other party. If the Buyer or the Contributors do not proceed with reasonable diligence to satisfy the within contingencies, the Estate may as the sole remedy cancel this Settlement Agreement and the Sales Agreements upon written notice to the Buyer. In the event of cancellation, either the City or Contributors may reinstate the Appeal provided such reinstatement request is submitted to the Court within forty five (45) days of the giving or receiving notice that the said Agreements have been cancelled or terminated.

4.11.1 Receipt of written notice from the State of New Jersey Green Acres Program approving the contracts for sale, deed, Property survey, title report and appraisals in connection with the City's application for a Three Hundred Thousand and 00/100 Dollar (\$300,000.00) grant;

4.11.2 The City of Ocean City (the "City") receiving Five Hundred Thousand and 00/100 Dollars (\$500,000.00) in bond revenues dedicated to the acquisition of the Property;

4.11.3 The City's receipt of One Million Two Hundred Fifty Thousand and 00/100 Dollars (\$1,250,000.00) from the Contributors.; and

4.11.4 Buyer being satisfied with the results after conducting any and all investigations, inspections, examinations, analyses, tests, studies, feasibility analyses of and with respect to the Property as Buyer deems necessary, appropriate or desirable to determine or confirm the environmental condition of the Property, including the existence, presence, release or threatened release on the Property of any hazardous substance, toxic substance, hazardous waste, solid waste, petroleum or petroleum based products or derivatives and any other substance regulated under applicable federal, state or local law or regulation as a contaminant, hazardous substance, hazardous waste or solid waste, such laws to specifically include but not be limited to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 6901 et seq., and the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. or any other applicable federal, state or local law or regulation. "Wastes" shall mean any substance required to be remediated from any property by any federal, state or local environmental laws or regulations. Notwithstanding the foregoing, the parties agree that the Property is being purchased in its "as is" condition, and the Estate shall have no obligation to undertake any action with regard to the environmental condition of the Property.

4.11.5 No appeal being filed within: (i) seventy five days (75) after publication of the notice of the approval by City Council of the Settlement Agreement; or (ii)

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twenty (20) days after the publication of notice of the second reading of the bond ordinance; (iii) forty five (45) days after publication of notice of the resolution of approval of any subdivision application. The Buyer shall proceed with reasonable diligence to publish all required notices.

4.11.6 Transfer of good and marketable title of record insurable at regular rates by Buyer's designated title insurance company, it being understood by the parties that with the exception of any matter(s) susceptible of satisfaction by the payment of money, the Estate shall not be under any obligation to take any action in connection with any matters of title. In the event the Estate is unable to transfer the quality of title required and if the Buyer is unwilling to accept Seller's title, either the Estate the Buyer or the Contributors may terminate this Settlement Agreement without further liability. In the event of cancellation, either the City or Contributors may reinstate the Appeal provided such reinstatement request is submitted to the Court within forty-five (45) days of the giving or receiving notice that the said Agreements have been cancelled or terminated.

4.11.7 Receipt by the Buyer of a survey at Buyer's sole cost and expense, which shows no encroachments, overlaps or gores.

4.11.8 Satisfaction of the applicable provisions of state law with respect to bulk sales, including, but not limited to N.J.S.A. 54:32B-22(c) and N.J.S.A. 54:50-38.

4.11.9 Buyer's receipt of subdivision approval subdividing the property described in Exhibit A to the Upland Sales Agreement from the property described in Exhibit A to the Riparian Sales Agreement.

5. Purchase As-Is. EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT OR IN THE DOCUMENTS TO BE DELIVERED AT CLOSING, THE ESTATE HEREBY EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, RELATING IN ANY WAY TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY PROVIDED FOR UNDER STATUTORY OR COMMON LAW OR THE UNIFORM COMMERCIAL CODE, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. BOTH BUYER AND THE ESTATE ARE ACTING AT ARM'S LENGTH TO PROTECT THEIR OWN INTERESTS, AND BOTH BUYER AND THE ESTATE SHALL USE THEIR OWN INDEPENDENT BUSINESS JUDGMENT CONCERNING THE SALE AND PURCHASE OF THE PROPERTY. BUYER HAS COMPLETED OR PRIOR TO CLOSING SHALL HAVE COMPLETED, TO ITS SATISFACTION, ALL INVESTIGATIONS, INSPECTIONS AND TESTS WHICH BUYER DEEMS NECESSARY IN ITS SOLE DISCRETION TO DETERMINE, AMONG OTHER THINGS: (I) THE CONDITION OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE SOIL

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ORDINANCE #14-21

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF
PROPERTY IN AND BY THE CITY OF OCEAN CITY, IN THE
COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING
\$1,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$500,000 BONDS OR NOTES OF THE CITY TO FINANCE
PART OF THE COST THEREOF**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCEAN CITY, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Ocean City, in the County of Cape May, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,750,000, including a contribution in the aggregate amount of \$1,250,000 being made pursuant to one or more settlement agreements by and among, among others, the City and the "Contributors" defined therein (the "Contribution") and a Green Acres Grant expected to be received in the amount of \$300,000 (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement in Section 3(b) since the project described in Section 3(a) is being funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the Contribution, and in anticipation of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property located at 1900-1916 Boardwalk, as more specifically described as Block 1901, lots 8, 8.01 & 10 on the tax maps of the City, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, 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 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. 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 in this bond ordinance by \$500,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. 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. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the day of August, 2014, and will be taken up for second reading and final passage at a meeting of said Council held on the day of August, 2014 in Council Chambers at seven o'clock in the evening.

Linda P. MacIntyre, City Clerk

ORDINANCE NO. 14-22

**AN ORDINANCE PROHIBITING THE OPERATION AND USE OF
ROLLING CHAIRS ON THE STREETS, ALLEYS AND BOARDWALK
IN OCEAN CITY**

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

SECTION 1.

Chapter IV, "Police Regulations" is hereby amended to include the following:

4-24 ROLLING CHAIRS

No person shall be permitted to operate or use a rolling chair upon any street, alley or boardwalk located within the City.

SECTION 2.

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

SECTION 3.

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance which shall remain in full force and effect.

Section 4.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on day of , 2014 and will be taken up for a second reading and final passage at a meeting of said Council held on day of , 2014 in Council Chambers, City Hall, Ocean City, New Jersey at **7:00 o'clock** in the evening.

Linda P. MacIntyre, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: August 7, 2014
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Ordinance Prohibiting the Use and Operation of Rolling Chairs in Ocean City

The Administration recently received an inquiry from counsel for a party who would like to operate a rolling chair business, similar to those operated in Atlantic City, on the Ocean City Boardwalk. The interested party hoped to sell advertising space on the rolling chairs.

Chief Callahan voiced serious safety concerns about adding rolling chairs to already heavy Boardwalk traffic, particularly during summer months. The Administration shares the Chief's concerns and recommends the adoption of the attached ordinance so that the Administrative Code clearly states the prohibition against Rolling Chairs.

ORDINANCE NO. 14-23

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY
Elevated Buildings

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Section 25-107 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended to add the following definition.

Elevated Building shall mean 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, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation 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 "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.

Section 2.

Section 25-1700.5.4 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows.

~~25-1700.5.4 — Buildings on Pilings.~~

~~Elevated buildings on pilings shall provide architectural screening of the pilings from the street, alley and adjoining properties in a manner permitted by the Federal Emergency Management Agency Flood Hazard Regulations and the Ocean City Flood Hazard Ordinance.~~

~~The required architectural screening element shall be permanent and may be constructed of wood, vinyl, masonry or other suitable material compatible with the finish and architectural style of the building. (Ord. #02-36, §12)~~

25-1700.5.4 Elevated Buildings.

- a. Buildings on pilings, columns or piers. Elevated buildings shall provide screening (except where vehicular access is provided, and except where the columns or piers are suitably finished) so that the construction-grade pilings, columns, piers and cross-bracing are not visible from the street, alley and adjoining properties, in a manner permitted by the Federal Emergency Management Agency Flood Hazard Regulations and the Ocean City Flood Damage Prevention Ordinance. The screening shall be permanent (except in a "V" zone where break-a-way walls are required), and may be constructed of wood panels, vinyl, dimensional lattice, masonry or other suitable material compatible with the finish and architectural style of the building.
- b. Buildings elevated by means of solid foundation perimeter walls. Solid foundation perimeter walls shall be finished in a manner that does not detract from the appearance of the neighborhood. Unfinished concrete block and cinder block is not acceptable. Split-face and decorative block, stucco, wood, vinyl and fiber cement siding, brick (and veneers), stone (and veneers), or other suitable material compatible with the finish and architectural style of the building are acceptable foundation wall treatments.

Section 3.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of 2014, it will be taken up for a second reading and final passage at a meeting of said Council held on the x day of 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Linda P. MacIntyre, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

Memo

To: Administrator Michael Dattilo
From: Roger D. McLamon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer
CC: Dottie McCrosson – Solicitor, James V. Mallon
Date: August 7, 2014
Re: Elevated Buildings Ordinance

The purpose of this ordinance is to require more aesthetically pleasing and permanent screening of exposed structural pilings. This ordinance also reflects the screening of cross bracing from public and neighbor view. V-zone construction will be required to adhere to NFIP and ASCE standards.

RDM

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ORDINANCE NO. 14-24

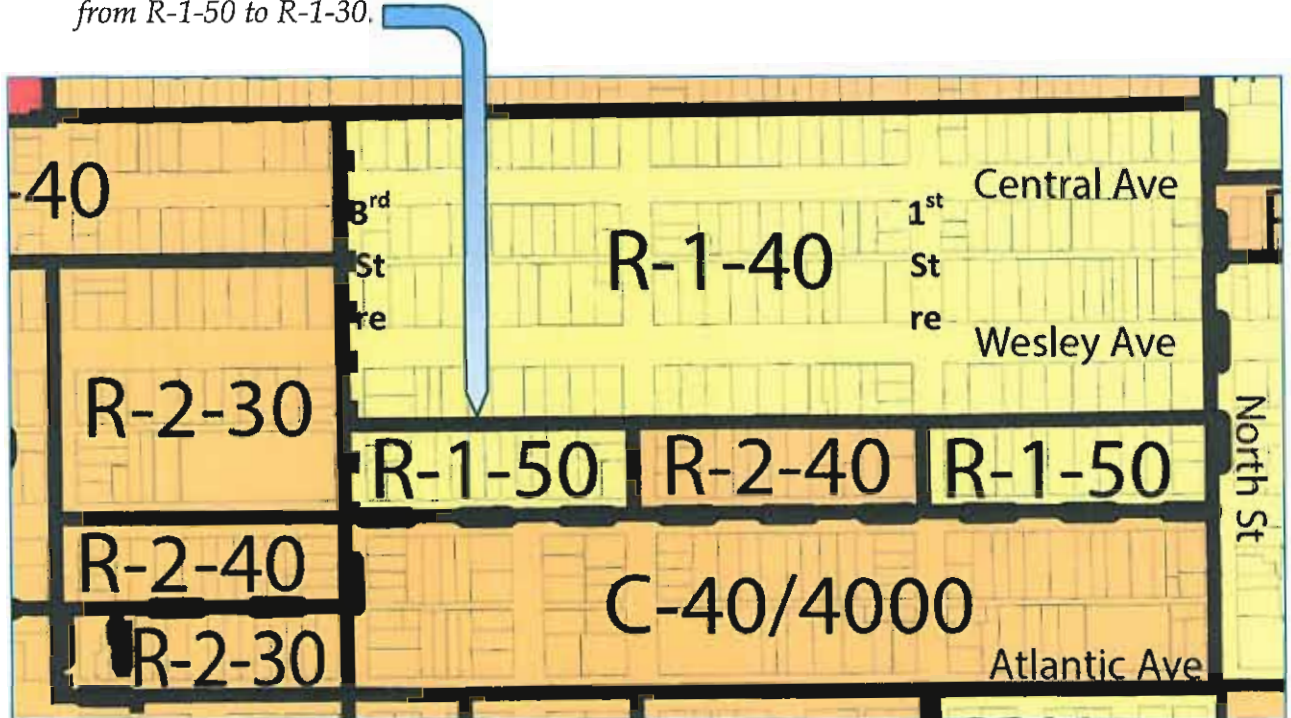
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY
Zoning Map (Block 208)

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Section 25-202 Zoning District Map of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

The Zoning District designation for Block 208, Lots 12-27.01 inclusive, is hereby changed from R-1-50 to R-1-30.



Section 2.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the x day of 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Linda P. MacIntyre, City Clerk

Summary - Ordinance #14-24
Zoning Map (Block 208)

The zoning designation of Block 208, Lots 12-27.01 as R-1-50 is not appropriate based on the prevailing lot sizes. Of the 17 lots, only 2 conform to the R-1-50 zone or *90% rule* requirements. Ten lots are 30 feet in width. Re-zoning of these lots to R-1-30 will enable owners to build to the same standards enjoyed in other 30-foot zones. The primary benefit to owners is that the R-1-30 zone allows 40% building coverage, whereas the R-1-50 building coverage is 35%.

June 26, 2014

ORDINANCE NO. 14-25

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY
West Avenue 90' Lots

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

The **Bulk Requirements** (Note 4) contained in Section 204.1 through Section 205.10 inclusively, of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey are hereby amended as follows:

- (4) The minimum required lot depth and lot frontage indicated shall be provided, except that:
- (a) Existing lots with less than the required depth at the time of adoption of this Ordinance, shall be deemed to be conforming for purposes of lot depth, and except that
 - (b) The minimum required lot depth for lots created subsequent to the effective date of this ordinance fronting on the east side of West Avenue between North Street and 59th Street shall be ninety (90) feet.

Section 2.

The **Bulk Requirements** contained in Section 204.1 through Section 205.10 inclusively, of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey are hereby amended to: [1] add a footnote reference to the second column heading in the respective Schedules of District Regulations thusly, "Minimum Lot Area (9)" and, [2] to add the following new note:

- (9) In all zone districts the required Minimum Lot Area shall be as indicated in the Schedule of District Regulations, except that the required Minimum Lot Area for lots created subsequent to the effective date of this ordinance fronting on the east side of West Avenue between North Street and 59th Street shall be ninety (90) percent of the Minimum Lot Area indicated on the respective Schedule of District Regulations.

Section 3.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the x day of 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Linda P. MacIntyre, City Clerk

Summary – Ordinance #14-25
West Avenue 90' Lots

Existing lot depths on the east side of West Avenue extending from North Street to 59th Street are 90 feet. The zoning requirements for these lots require a minimum lot depth of 100 feet. Although there are mechanisms in place that address lot depth and lot area nonconformance for existing lots, these regulations do not effectively address the 90-foot lot depth when subdivision is proposed. Variances for insufficient lot depth and lot area related to the 90-foot depth are routinely granted.

This ordinance revises Note 4 in the various ‘Schedule of District Regulations’ to require a minimum lot depth of ninety (90) for the affected area. The addition of Note 9 will require that new lots contain at least ninety (90) percent of the lot area required by the respective zone’s bulk requirements. It is anticipated that these revisions will significantly reduce, if not eliminate, the necessity to obtain lot depth and lot area variances when the subject parcels are proposed for subdivision.

ORDINANCE NO. 14-26

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY
Zoning Flood Elevation

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Section 25-107 Definitions of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

Zoning Flood Elevation (ZFE) shall mean ~~the elevation at the top of the Lowest Floor or two feet (2') above base flood elevation, whichever is lower, except that:~~ BFE plus two (2) feet measured to the bottom of the floor joists that directly support the finished flooring of the Lowest Floor, or measured to the top of a concrete slab to which the finished flooring of the Lowest Floor is adhered, except that:

Zoning Flood Elevation may be up to three feet (3') above finished grade within FEMA "A Zones" where base flood elevation is less than two feet (2') above finished grade, and where base flood elevation is below finished grade. The lowest adjacent grade will determine the need for flood vents;

Zoning Flood Elevation for front-loaded-garage dwellings located on non-alley lots less than forty-five feet (45') wide where the lowest habitable floor is above the garage, the elevation of the lowest floor shall be nine feet (9') above finished grade unless the above provisions result in a higher elevation requirement, in which case the higher elevation requirement applies.

Zoning Flood Elevation within FEMA "X" Zones shall be two feet (2') above the base flood elevation of the highest adjacent FEMA "A" Zone. However, this provision shall not apply in the case of substantial renovation or repair of a key or contributing property located in the Historic District where the height of the structure is not changed.

Section 2.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the x day of 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Linda P. MacIntyre, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

Memo

To: Administrator Michael Dattilo
From: Roger D. McLarnon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer
CC: Dottie McCrosson – Solicitor, James V. Mallon
Date: August 8, 2014
Re: ZFE modification Ordinance

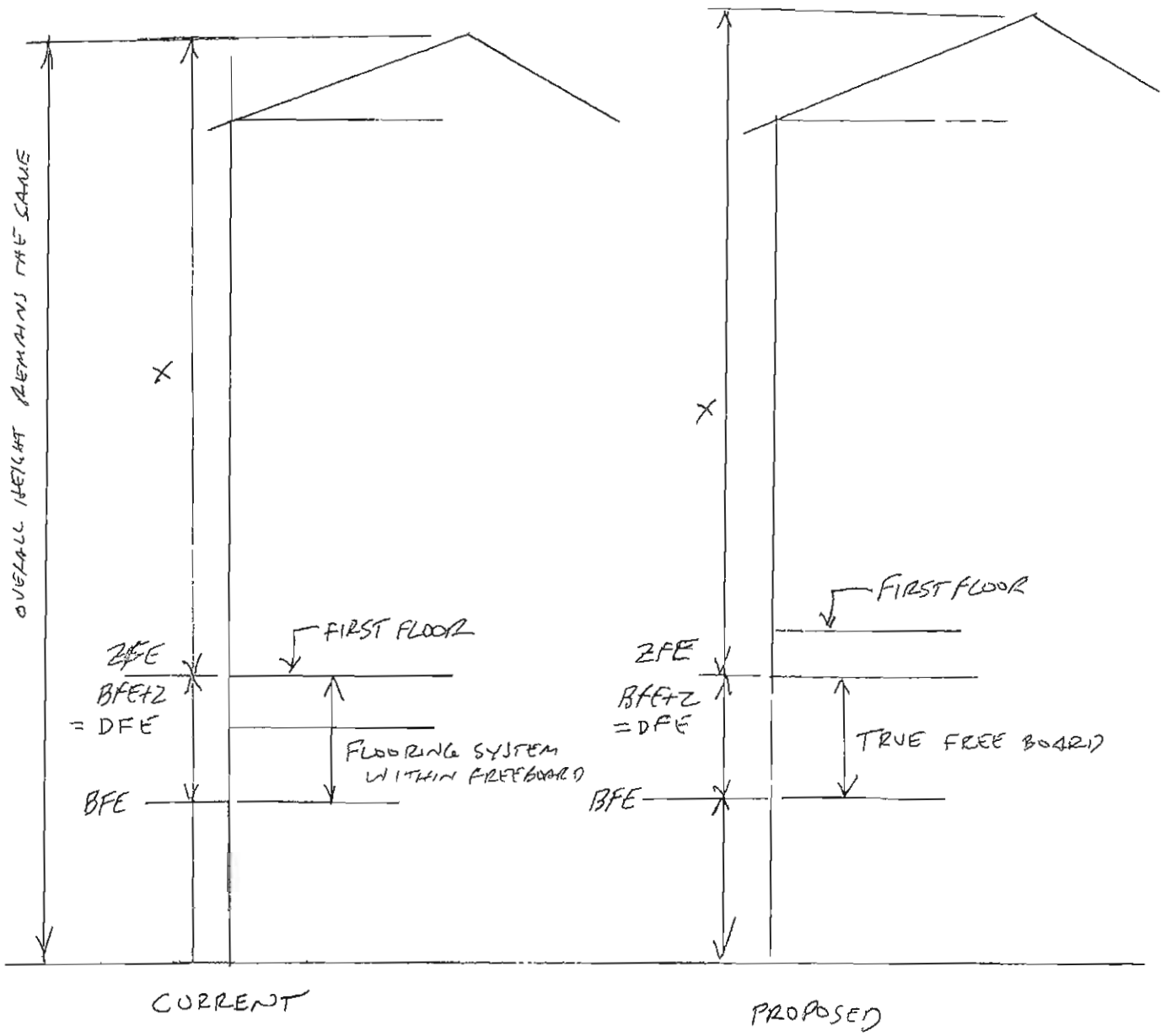
The purpose of this ordinance is to revise the reference point of the Zoning Flood Elevation (ZFE) for measuring overall height of a building for zoning purposes from the top of the finished first floor to bottom of the first floor joists. The overall building height does not change – a vertical foot of foundation is gained whereas a vertical foot of habitable elevation is lost.

This is a result of Base Flood Elevation (BFE) plus 2 foot freeboard (BFE+2) redefining Design Flood Elevation (DFE). All first floor elements must be water resistant material if it is within the free board zone or the floor elements must be above the free board zone. The current ordinance requires the first floor elements to be within the free board whereas the revisions give the developer the option to above to comply.

Modifying this ordinance will bring us into compliance with CRS.

RDM

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$$DFE = BFE + Z = ZFE$$

ORDINANCE NO. 14-27

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, ARTICLE 4,
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY
(Establishment of a New Department of Community Services)**

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Article 4. Administrative Branch of the Revised General Ordinances of the City of Ocean City shall be amended supplemented as follows:

2-1.20 Administrative Branch Generally.

The Administrative Branch shall consist of the Office of the Mayor; Departments of Administration, Financial Management, Law, Police, Fire and Rescue, ~~and~~ **Community Operations and Community Services** under his direction and control; designated independent or quasi-independent agencies, and advisory boards and commissions. The independent, quasi-independent and advisory agencies shall be those listed below, together with such other commissions, boards or agencies as shall be established from time to time by the Mayor or Governing Body. All members shall be appointed in accordance with appropriate State Statute or Local Ordinance.

Library Board of Trustees	Shade Tree Commission
Housing Authority	Historical Commission
Local Assistance Board	Lifeguard Pension Commission
Planning Board	Ethics Committee
Zoning Board of Adjustment	Aviation Advisory Board
Utility Advisory Commission	Tourism Development Commission
Environmental Commission	Advisory Council on Physical Fitness and Sports

The above recited independent, quasi-independent and advisory agencies shall be continued in accordance with appropriate law and ordinance.

(Ord. #84-27, ' 4.1; Ord. #86-31, ' 4.1; Ord. #90-20, ' 2; Ord. #92-3, ' 1; Ord. #92-7, ' 1)

2-1.23 Departments.

The following Departments are hereby created, and all administrative functions, powers and duties of the municipality other than those vested in the office of the Municipal Clerk and Municipal Tax Assessor shall be allocated and assigned among and within these Departments.

a. *Department of Administration.*

1. Head, Qualifications. The Department of Administration shall be headed by the Business Administrator. He shall be a college graduate with previous municipal experience in a responsible administrative or executive capacity. At the time of appointment he need not be a resident of the City of Ocean City but during his tenure may not reside outside the City. City Council may waive residency for good cause.
2. Powers and Duties. The Administrator:
 - (a) Shall have, exercise and discharge the functions, powers and duties of the Department.
 - (b) Under the direction and supervision of the Mayor, the Business Administrator shall:
 - (1) Oversee the preparation of the Budget and Capital Plan;
 - (2) Administer a centralized purchasing system;
 - (3) Administer a sound human resource system;
 - (4) Administer a centralized information technology system;

- (5) Supervise the administration of each of the departments established by this section. For this purpose he shall have the power to investigate the organization and operation of any and all departments, to prescribe standards and rules of administrative practice and procedure, and to consult with the heads of departments under his jurisdiction; provided that with respect to the Department of Finance related to audit, accounts or control, the authority of the Business Administrator under this subsection shall extend only to matters of budgeting, personnel and purchasing.
- (c) Oversee ~~Economic Development and Environment~~, Emergency Management, Purchasing, Human Resources and Information Technology.
- (d) Oversee the preparation of the long term capital plan.
- ~~(e) Develop and maintain a public information and public relations program for the City.~~
- ~~(ef)~~ Oversee Neighborhood and Social Services.

b. *Department of Community Operations.*

1. Director. The Department of Community Operations shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residency for good cause.
2. Functions. The Department shall perform all appropriate functions associated with:
 - (a) Supervising and coordination general engineering services;
 - (b) Overseeing road opening permits and project construction;
 - (c) Maintaining and repairing streets, roads, alleys, boardwalk, beaches, drainage facilities, fleet, public buildings and all public infrastructure;
 - (d) Supervising recycling and trash collection operations;
 - (e) Assisting in the preparation of the long term capital plan;
 - (f) Administering the traffic maintenance programs (signs and lines);
 - (g) Managing various public sector contracts to provide services;
 - (h) Obtaining and administering grants for various projects and programs;
 - (i) Managing recycling, clean communities and stormwater management programs;
 - (j) Maintaining public property;
 - ~~(k) Providing a balanced public recreation and leisure time activity program for the City;~~
 - ~~(l) Operating and maintaining the Music Pier, golf course, Aquatic and Fitness Center and such other facilities as may be assigned;~~
 - ~~(km)~~ Community planning and zoning administration, including staff assistance to the Planning Board, Zoning Board and Historic Preservation Commission;
 - ~~(ln)~~ Administration of the New Jersey State Uniform Construction Code and enforcement of other miscellaneous State and municipal codes and ordinances; and
 - ~~(me)~~ Administration of the Office of Licensing.

c. *Department of Financial Management.*

1. Director. The Department of Financial Management shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residence for good cause.
2. Functions. The Department shall perform all appropriate functions associated with:
 - (a) Custody, investment and disbursement of City monies;
 - (b) General budgetary accounting and fiscal control and reporting;
 - (c) Billing and collecting of general revenues;
 - (d) Tax billing and collection;

- (e) Property assessment;
 - (f) Operation of City parking lots, parking meters, Transportation Center and Municipal Airport;
 - (g) Administration of the beach fee program;
 - (h) Assisting in the preparation of the long term capital plan;
 - (i) Payment of bills, claims and demands. Bills, claims and demands against the City shall be paid in accordance with N.J.S.A. 40A:5-17 which shall include a bill list to be presented to City Council at each regularly scheduled Council meeting. In addition, the City Council authorizes the Chief Financial Officer to process payments between Council meetings whereby the Chief Financial Officer has determined the need for said payment. These payments shall be reported to City Council and incorporated within the next scheduled bill list as presented. Documentation of all claims and payments shall be maintained in the Department of Financial Management.
3. Fiscal Procedure; claims Approval for Payments. Bills, claims and demands against the City shall be deemed approved or disapproved by Council in accordance with the action of the Director of Financial Management. If requested by Council, the Director of Financial Management shall furnish Council with a list of claims paid as requested.
- d. *Department of Law.*
- 1. Director; Qualification. The Department of Law shall be headed by a Director who may be the City Attorney, and who shall be qualified by training and experience to plan, supervise and perform the work of his Department. He shall also be a licensed attorney in good standing of the State of New Jersey. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residency for good cause.
 - 2. Functions. The Department of Law shall perform all appropriate functions associated with:
 - (a) Being legal advisor to the Mayor, Council, and Department Heads.
 - (b) Advising as to form and sufficiency of ordinances prior to passage. Reviewing and approving contracts, deeds, documents and instruments prior to execution by or on behalf of the City.
 - (c) Conducting litigation by or on behalf of the City affecting any interest of the City as directed by the Mayor and Council.
 - (d) Entering into an agreement, compromise or settlement of any litigation in which the City is involved subject to approval of the Mayor and Council.
 - (e) Rendering opinions upon any questions of law submitted to him by the Mayor, Council or Department Heads.
 - (f) Maintaining a record of all actions, suits, proceedings and matters which relate to the City=s interest and report thereon as may be required.
 - (g) Conducting or supervising the Municipal Prosecutor and Public Defender in the conduct of City prosecutions.
 - (h) Coordinating the activities of Counsel retained by various boards and agencies of the City, and report to the Mayor and Council on their activities from time to time as may be appropriate.
- e. *Department of Police Services.*
- 1. Director. The Department of Police Services shall be headed by a Director who shall also be the Police Chief. The Director shall be qualified by education, training, and extensive experience to plan, supervise and perform the work of the Department. The residency requirements for the Director shall be in accordance with the State law.
 - 2. Functions. The Department shall be responsible for maintaining a modern police services program including crime prevention, criminal investigation, personnel and property protection, traffic control, animal control and parking enforcement. In

addition, the Department shall be responsible for the city-wide public safety communication system operation.

f. Reserved. Department of Community Services.

1. Director. The Department of Community Services shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department.

2. Functions. The Department shall perform all appropriate functions associated with:

- (a) Developing and maintaining a public information and public relations program for the City;
- (b) Overseeing Economic Development and Environment;
- (c) Providing a balanced public recreation and leisure time activity program for the City; and
- (d) Operating the Music Pier, golf course, Aquatic and Fitness Center and such other facilities that may be assigned.

g. Department of Fire & Rescue Services.

1. Director. The Department of Fire and Rescue Services shall be headed by a Director who shall also be the Fire Chief. The Director shall be qualified by education, training and extensive experience to plan, supervise and perform the work of the Department. Residency requirements for the Director shall be in accordance with State law.

2. Functions. The Department shall be responsible for maintaining a modern fire and rescue services program including fire protection, fire prevention, confined space entry, environmental spills and hazards, arson investigation, emergency medical services, water rescue and beach safety.

3. An Arson Investigation Unit shall be established, and be responsible for conducting investigations of arson, suspicious fires or explosions within the City of Ocean City. The Arson Investigation Unit shall be comprised of one (1) person appointed by the Fire Chief. He shall successfully complete an appropriate course of training approved by the Police Training Commission and an arson investigation training course approved by the Department of Law and Public Safety of the State of New Jersey.

Section 2.

If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

Section 3.

All ordinances or portions thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

Section 4.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the ___ day of August, 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the ___ day of August, 2014, in Council Chambers, Ocean City, New Jersey, at 7:00 o'clock in the evening.

Linda McIntyre, City Clerk




MAYOR JAY A. GILLIAN

CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

MEMORANDUM

TO: City Council

FROM: Mayor Jay A. Gillian 

DATE: August 11, 2014

RE: Department of Community Services

At the August 14, 2014 council meeting I will be recommending to you the reestablishment of the Department of Community Services. It has been over one year since we initiated the Department of Community Operations. At that time we decided that this combined department would be regularly evaluated and if necessary, some divisions within the department could be removed in the future. It is my recommendation that the Department of Community Services be re-established consisting of the original core divisions, which are key customer serving divisions.

The new department will consist of divisions and programs such as Recreation and Leisure Programs, Aquatic and Fitness Center, Public Relations and Public Information, Music Pier Operations, Ocean City Pops Orchestra and Economic Development. The construction related divisions formerly held in Community Services will remain in Community Operations.

The reestablishment of Community Services will allow the City to focus on enhanced customer service and improved coordination of program and event logistics and communication. It is my intent that this department will lead the entire City team in an enhanced Customer Service Program. The new smaller department will also have the resources to comprehensively examine and focus on City revenue centers and guest services.

This change is in no way a reflection on performance by the Department of Community Operations or any team members in any department. To the contrary, I'm proud of the improvements we have made throughout the organization in the last four years. Community Operations has exceeded my expectations in many areas, but in my opinion, is too large to place the focus on these customer service specific areas that are very important to me.

I appreciate City Council's consideration of this recommendation.

AUTHORIZING A PROFESSIONAL SERVICE CONTRACT BETWEEN THE CITY OF OCEAN CITY & FRALINGER ENGINEERING PA FOR PROFESSIONAL SURVEYING SERVICES ON AN "AS NEEDED BASIS"

WHEREAS, the City of Ocean City requires professional surveying services for the Department of Community Operations to provide surveying of various locations for the City of Ocean City for the duration of September 1, 2014 – August 31, 2015; and

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, it is determined in the best interest of the City of Ocean City to have said services performed; and

WHEREAS, the Notice of Request for Proposal (RFP's) for #Q-13-009, Professional Surveying Services on an "As Needed" Basis was advertised in the Ocean City Sentinel on Wednesday, June 5, 2013, the specifications were posted on the City of Ocean City's website www.ocnj.us and the invitation to quote was sent to eighteen (18) prospective bidders; and

WHEREAS, the Request for Proposals (RFP's) was received and opened for City RFP #Q-13-009, Professional Surveying Services on an "As Needed" Basis on Thursday, June 27, 2013 and sixteen (16) proposals were received; and

WHEREAS, City Council awarded the original professional services contract City RFP# Q-13-009, Professional Surveying Services on an "As Needed" Basis to Fralinger Engineering, PA, for a one (1) year duration (September 1, 2013 – August 31, 2014) on July 25, 2013 through the passage of Resolution No. 13-49-270; and

WHEREAS, Fralinger Engineering, PA has agreed to hold firm the fees that were proposed in City RFP # Q-13-009, Professional Surveying Services on an "As Needed" Basis for the duration of September 1, 2015- August 31, 2015; and

WHEREAS, Fralinger Engineering, PA has agreed to provide surveying services on an "as needed" basis for the City of Ocean City for a one (1) year duration (September 1, 2014-August 31, 2015); and

WHEREAS, Fralinger Engineering, PA has completed and submitted a Business Entity Disclosure Certification which certifies that Fralinger Engineering, PA has not made any contributions to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one (1) year period, and that the contract will prohibit Fralinger Engineering, PA from making any contributions through the term of the contract; and

WHEREAS, the City of Ocean City is desirous of entering into a Professional Services Contract with Fralinger Engineering, PA, 629 Shiloh Pike, Bridgeton, NJ 08302 to provide surveying services on an "as needed" basis; and

WHEREAS, the vendor has been advised that this award does not guarantee that all of the services listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As services are required, the City Purchasing Manager shall issue Purchase Orders for those services. No services shall be performed for the City without first obtaining a Purchase Order for said services; and

WHEREAS, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E. Assistant City Engineer; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend award of a professional service contract to Fralinger Engineering, PA, 629 Shiloh Pike, Bridgeton, NJ 08302 for a one (1) year duration beginning September 1, 2014 thru August 31, 2015; and

WHEREAS, this contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby award a professional service contract with **Fralinger Engineering, PA, 629 Shiloh Pike, Bridgeton, NJ 08302** as follows:

Item	Description	Unit	2 nd Year Rate (2014/2015)
1.	Licensed Surveyor	Per Hour	\$ 122.50
2.	Surveying Instrument Operator	Per Hour	\$ 51.00
3.	Surveying Assistant	Per Hour	\$ 51.00
4.	CADD Operator	Per Hour	\$ 76.50
5.	A copy of the Business Entity Certification and Business Registration Certificate (BRC) for Fralinger Engineering, PA. has been submitted and shall be on file in the City's Purchasing Division Office.		
6.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.		

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Fralinger Engineering, PA, 629 Shiloh Pike, Bridgeton, NJ 08302 beginning on September 1, 2014 and continuing through August 31, 2015 for City RFP #Q-13-009, Professional Surveying Services on an "As Needed" Basis as stated and in accordance with the quote specifications and submitted proposal form.

The Director of Financial Management certifies that funds are available for the 2014 municipal budget year and shall be charged to the appropriate accounts as the purchase orders are issued. The funds for 2015 are contingent upon the adoption of the 2015 Local Municipal Budget and shall be charged to the appropriate accounts as the purchase orders are issued.

CERTIFICATION OF FUNDS

 Frank Donato III, CMFO
 Director of Financial Management

 Anthony P. Wilson
 Council President

Files: RPS Q13-009 Survey Service Fralinger Engineering.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
 Linda P. MacIntyre, City Clerk



PURCHASING DIVISION
SUMMARY OF RFP

CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, June 27, 2013 @ 2:00 PM. EDT
CITY RFP #: Q-13-009
PROPOSAL NAME: Professional Surveying Services on an "As Needed Basis"

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

NAME, ADDRESS & BID FOR EACH VENDOR		Adams, Rehmann & Heggan Associates, Inc. 850 South White Horse Pike, P. O. Box 579 Hammonton, NJ 08037			BANC2, Inc. 300 Alexander Park, Suite 350 Princeton, NJ 08540			Fralinger Engineering PA 629 Shiloh Pike Bridgeton, NJ 08302			French & Parrello Associates, PA 1800 Route 34, Suite 101 Wall, NJ 07719			Gibson Associates, P.A. 522 Sea Isle Boulevard Ocean View, NJ 08230			
		Robert R. Heggan, Vice President			Babu Cherukuri, PE, President			Charles M. Fralinger, President			Argo T. Parrello, PE, President			Mark J. Gibson, President			
		Ph: (609) 561-0482, Ext. 128 Fx: (609) 567-8908 email: bhegg@arh-us.com			Ph: (609) 759-1900 Fx: (609) 919-9022 email: babucherukuri@banc3.com			Ph: (856) 451-2990 Fx: (856) 451-6536 email: cfralinger@fralinger.com			Ph: (732) 312-9800 Fx: (732) 312-9801 email: frank.clum@fpaengineers.com			Ph: (609) 624-1944 Fx: (609) 624-1994 email: mgibson2gibsonassoc.com			
ITEM	DESCRIPTION	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	
1	Licensed Surveyor	per hr. \$ 130.00	\$ 130.00	\$ 135.00	\$ 120.00	\$ 123.00	\$ 126.00	\$ 122.50	\$ 122.50	\$ 126.00	\$ 121.00	\$ 123.00	\$ 125.00	\$ 105.00	\$ 105.00	\$ 105.00	
2	Surveying Instrument Operator	per hr. \$ 95.00	\$ 95.00	\$ 100.00	\$ 80.00	\$ 84.00	\$ 88.00	\$ 51.00	\$ 51.00	\$ 52.50	\$ 51.00	\$ 53.00	\$ 55.00	\$ 85.00	\$ 85.00	\$ 85.00	
3	Surveying Assistant	per hr. \$ 45.00	\$ 45.00	\$ 45.00	\$ 60.00	\$ 63.00	\$ 66.00	\$ 51.00	\$ 51.00	\$ 52.50	\$ 47.00	\$ 48.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	
4	CADD Operator	per hr. \$ 60.00	\$ 60.00	\$ 65.00	\$ 65.00	\$ 66.00	\$ 68.00	\$ 76.50	\$ 76.50	\$ 79.00	\$ 83.00	\$ 85.00	\$ 87.00	\$ 65.00	\$ 65.00	\$ 65.00	
SAMPLE SURVEY PROJECT		ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			
5	Survey -Asbury Avenue, 39th to 42nd Street	ls	\$ 2,741.00			\$ 11,700.00			\$ 1,694.00			\$ 12,845.00			\$ 5,340.00		
Required Information																	
RIGHT TO EXTEND TIME OF AWARD:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
STOCKHOLDER DISCLOSURE STATEMENT:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
NON-COLLUSION AFFIDAVIT:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
AFFIRMATIVE ACTION COMPLIANCE NOTICE:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDED:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		
NJ BUSINESS REGISTRATION CERTIFICATE (BRC):		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		



PURCHASING DIVISION
SUMMARY OF RFP

CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, June 27, 2013 @ 2:00 PM, EDT
CITY RFP #: Q-13-009
PROPOSAL NAME: Professional Surveying Services on an "As Needed Basis"

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

NAME, ADDRESS & BID FOR EACH VENDOR		Hatch Mott MacDonald, LLC 27 Bleeker Street Millburn, NJ 07041			Hyland Design Group, Inc. 701 West Avenue, Suite 301 Ocean City, NJ 08226			Johnson, Mirmiran & Thompson, Inc. 1200 Lenox Drive, Suite 101 Trenton, NJ 08648			LAN Associates, Engineering Planning, Architecture, Surveying, Inc. 445 Godwin Avenue Midland Park, NJ 08423			Matrix New World Engineering, Inc. 26 Columbia Turnpike Florham Park, NJ 07932		
		Albert J. Mellini, PE, Executive Vice President			John E. Halbruner, President			Brian J. Strizki, PE, Vice President			Ronald Panicucci, CEO/Treasurer			Jayne Warne, PE, President		
		Ph: (973) 379-3400 Fx: (973) 376-1072			Ph: (609) 398-4477 Fx: (609) 398-7366			Ph: (609) 512-3900 Fx: (609) 512-3945			Ph: (201) 447-6400 Fx: (201) 447-1233			Ph: (973) 240-1800 Fx: (973) 240-1818		
		email: info@hatchmott.com			email: jhalbruner@HylandDesignGroup.com			email: bstrizki@jmt.com			email: rp@lan-nj.com			email: jwarne@matrixnewworld.com		
ITEM	DESCRIPTION	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR
1	Licensed Surveyor per hr.	\$ 134.00	\$ 138.00	\$ 142.00	\$ 135.00	\$ 135.00	\$ 135.00	\$ 135.00	\$ 136.80	\$ 138.60	\$ 155.00	\$ 155.00	\$ 160.00	\$ 165.00	\$ 170.00	\$ 175.00
2	Surveying Instrument Operator per hr.	\$ 134.00	\$ 138.00	\$ 142.00	\$ 95.00	\$ 95.00	\$ 95.00	\$ 55.00	\$ 55.80	\$ 56.60	\$ 85.00	\$ 85.00	\$ 90.00	\$ 93.00	\$ 96.00	\$ 99.00
3	Surveying Assistant per hr.	\$ 102.00	\$ 105.00	\$ 108.00	\$ 55.00	\$ 55.00	\$ 55.00	\$ 45.00	\$ 45.70	\$ 46.00	\$ 85.00	\$ 85.00	\$ 90.00	\$ 77.65	\$ 80.00	\$ 82.50
4	CADD Operator per hr.	\$ 119.00	\$ 123.00	\$ 127.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 70.00	\$ 71.00	\$ 72.00	\$ 78.00	\$ 78.00	\$ 85.00	\$ 89.00	\$ 92.00	\$ 95.00
SAMPLE SURVEY PROJECT		ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST		
5	Survey -Asbury Avenue, 39th to 42nd Street ls	\$ 1,890.00			\$ 7,740.00			\$ 5,250.00			\$ 3,600.00			\$ 5,800.00		
Required Information																
RIGHT TO EXTEND TIME OF AWARD:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
STOCKHOLDER DISCLOSURE STATEMENT:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
NON-COLLUSION AFFIDAVIT:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
AFFIRMATIVE ACTION COMPLIANCE NOTICE:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDED:		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	
NJ BUSINESS REGISTRATION CERTIFICATE (BRC):		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y		YES/NO	Y	



PURCHASING DIVISION
SUMMARY OF RFP

CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, June 27, 2013 @ 2:00 PM, EDT
CITY RFP #: Q-13-009
PROPOSAL NAME: Professional Surveying Services on an "As Needed Basis"

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

NAME, ADDRESS & BID FOR EACH VENDOR		Mott Associates, LLC 3122 Fire Road Egg Harbor Township, NJ 08234 James A. Mott, Owner Ph: (609) 569-1551 Fx: 9609) 569-1521 email: jamott@comcast.net			Pennoni Associates, Inc. 515 Grove Street, Suite 1B Haddon Heights, NJ 08035 Dennis S. DiBlasio, PLS, PP Ph: (856) 547-0505 Fx: (856) 547-9174 email: ddiblasio@pennoni.com			Remington, Vernick & Walberg Engineers 4907 New Jersey Avenue Wildwood, NJ 08260 Edward Vernick, PE, CME, President Ph: (609) 522-5150, Ext. 1060 Fx: (609) 522-5313 email: Ed.Vernick@rve.com			Schaeffer Nassar Scheidegg Consulting Engineers LLC 1425 Cantillon Boulevard Mays Landing, NJ 08330 Anthony Ciancaglini, Member of the LLC Ph: (609) 625-7400 Fx: (609) 909-0253 email: tony@snsce.com			T & M Associates 1256 North Church Street Moorestown, NJ 08057 Edwin J. Steck, P.E., Senior Vice President Ph: (856) 722-6700 Fx: (856) 722-0175 email: esteck@tandmassocaites.com																																																																																																																																																																			
ITEM	DESCRIPTION	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR																																																																																																																																																																	
1	Licensed Surveyor per hr.	\$ 115.00	\$ 115.00	\$ 115.00	\$ 165.00	\$ 169.00	\$ 175.00	\$ 110.00	\$ 110.00	\$ 110.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 146.00	\$ 146.00	\$ 146.00																																																																																																																																																																	
2	Surveying Instrument Operator per hr.	\$ 95.00	\$ 95.00	\$ 95.00	\$ 74.00	\$ 76.00	\$ 79.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 65.00	\$ 124.00	\$ 124.00	\$ 124.00																																																																																																																																																																	
3	Surveying Assistant per hr.	\$ 95.00	\$ 95.00	\$ 95.00	\$ 65.00	\$ 67.00	\$ 69.00	\$ 85.00	\$ 85.00	\$ 85.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 79.00	\$ 79.00	\$ 79.00																																																																																																																																																																	
4	CADD Operator per hr.	\$ 95.00	\$ 95.00	\$ 95.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 70.00	\$ 70.00	\$ 70.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 113.00	\$ 113.00	\$ 113.00																																																																																																																																																																	
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5	Survey -Asbury Avenue, 39th to 42nd Street ls	\$ 7,500.00			\$ 8,570.00			\$ 5,950.00 ROW to ROW			\$ 5,800.00			\$ 6,800.00 field work only																																																																																																																																																																			
<table border="1"> <thead> <tr> <th colspan="17">Required Information</th> </tr> </thead> <tbody> <tr> <td>RIGHT TO EXTEND TIME OF AWARD:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:</td> <td>YES/NO</td> <td>N</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>STOCKHOLDER DISCLOSURE STATEMENT:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>NON-COLLUSION AFFIDAVIT:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>AFFIRMATIVE ACTION COMPLIANCE NOTICE:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDED:</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> <tr> <td>NJ BUSINESS REGISTRATION CERTIFICATE (BRC):</td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> <td>YES/NO</td> <td>Y</td> <td></td> <td></td> </tr> </tbody> </table>																	Required Information																	RIGHT TO EXTEND TIME OF AWARD:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:	YES/NO	N			YES/NO	Y				YES/NO	Y			YES/NO	Y			STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			NON-COLLUSION AFFIDAVIT:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			AFFIRMATIVE ACTION COMPLIANCE NOTICE:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDED:	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y			NJ BUSINESS REGISTRATION CERTIFICATE (BRC):	YES/NO	Y			YES/NO	Y				YES/NO	Y			YES/NO	Y		
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PURCHASING DIVISION
SUMMARY OF RFP

CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, June 27, 2013 @ 2:00 PM, EDT
CITY RFP #: Q-13-009
PROPOSAL NAME: Professional Surveying Services on an "As Needed Basis"

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

NAME, ADDRESS & BID FOR EACH VENDOR		URS Corporation 4051 Ogletown Road, Suite 300 Newark, DE 19713 Brian N. Bolender, PE, Vice President Ph: (302) 781-5900 Fx: (302) 781-5901 email: brian.bolener@urs.com														
ITEM	DESCRIPTION	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR	HOURLY RATE 1ST YEAR	HOURLY RATE 2ND YEAR	HOURLY RATE 3RD YEAR
1	Licensed Surveyor per hr.	\$ 114.53	\$ 117.97	\$ 121.51												
2	Surveying Instrument Operator per hr.	\$ 61.92	\$ 63.78	\$ 65.69												
3	Surveying Assistant per hr.	\$ 74.11	\$ 76.33	\$ 78.63												
4	CADD Operator per hr.	\$ 61.92	\$ 63.78	\$ 65.69												
SAMPLE SURVEY PROJECT		ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST			ESTIMATED COST		
5	Survey -Asbury Avenue, 39th to 42nd Street ls	\$ 7,230.00			\$ -			\$ -			\$ -			\$ -		
Required Information																
RIGHT TO EXTEND TIME OF AWARD:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
STOCKHOLDER DISCLOSURE STATEMENT:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
NON-COLLUSION AFFIDAVIT:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
AFFIRMATIVE ACTION COMPLIANCE NOTICE:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDED:		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		
NJ BUSINESS REGISTRATION CERTIFICATE (BRC):		YES/NO	Y		YES/NO			YES/NO			YES/NO			YES/NO		



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

Memo

To: Joseph Clark, QPA, Purchasing Manager
From: Roger D. McLarnon, PE, PP, CFM, CME, CPWM – City Engineer
CC: Arthur J. Chew, III, PE, PP, CFM, CME, CPWM
Date: August 7, 2014
Re: Recommendation of Award – Q-13-009

I have reviewed the qualifications and bid prices of Fralinger Engineering and find them acceptable. The company served as the City's surveyor over the last five years and I found that they were very prompt in requests for work and professional in their services. While their hourly rates are comparable with other bidding firms, their use of the most advanced surveying technologies allows them to work quickly and efficiently and thus they were able to provide the lowest sample project price. Their previous work has been generally acceptable and I have no objection with the contract being awarded to Fralinger Engineering.

RDM

N:\Engineering\Professional Services Contracts\Surveyor 2014\Q-13-009 Recommendation to Award 14-08-07.doc

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#3

**AUTHORIZING CHANGE ORDER #1 TO CITY CONTRACT #13-45,
2013 FALL ROAD PROGRAM – PHASE II**

WHEREAS, specifications were authorized for advertisement by Resolution No. 13-49-245 on June 13, 2013 for City Contract #13-45, 2013 Fall Road Program – Phase II; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, 26, 2013, the Notice to Bidders was posted on the City of Ocean City’s website, www.ocnj.us and the Invitation to Bid was distributed to twelve (12) prospective bidder(s); and

WHEREAS, bid proposals were opened for City Contract #13-45, 2013 Fall Road Program – Phase II on Tuesday, September 10, 2013 and nine (9) bid proposals were received; and

WHEREAS, Dorothy McCrosson, Esq., City Solicitor and Joseph S. Clark, QPA, City Purchasing Manager were notified by the apparent low bidder, Mount Construction Company, Inc. of mistakes in their bid proposal and hereby request to withdraw their bid proposal per N.J.S.A. 40A:11-23.3; and

WHEREAS, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principle Clerk and Joseph S. Clark, QPA, City Purchasing Manager reviewed the remaining eight (8) bid proposals and specifications and recommended that the contract be awarded to Landberg Construction, LLC., the lowest responsible bidder; and

WHEREAS, the City Council of Ocean City, New Jersey awarded City Contract #13-45, 2013 Fall Road Program – Phase II on September 26, 2013 by Resolution #13-49-320 to **Landberg Construction, LLC, PO Box 280, Mays Landing, NJ 08330** in the amount of \$1,029,722.60; and

WHEREAS, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed and certified Change Order #1 to City Contract #13-45, 2013 Fall Road Program – Phase II is correct as follows:

Change Order #1

Increases to Contract

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Supplemental				
S1	Remobilization on West 17 th Street	1 LS	\$ 5,914.25	\$ 5,914.25
S2	Milling and Paving on 15 th St & Walnut St	1 LS	\$ 26,086.25	\$ 26,086.25
S3	24" High Density Polyethylene Culvert Pipe, Installation Only	102 LF	\$ 101.02	\$ 10,304.04
Total Amount of Supplementals				\$ 42,304.54

Base Bid

4	HMA Profile Milling	1,879 SY	\$ 4.25	\$ 7,985.75
5	Hot Mix Asphalt Base Course, Mix 19M64, 3" Thick	1,624 SY	\$ 15.00	\$ 24,360.00
6	Hot Mix Asphalt Leveling Course, Mix 9.5M64	11.5 TON	\$ 76.00	\$ 874.00
9	8" x 18" Concrete Vertical Curb	406 LF	\$ 25.00	\$ 10,150.00
10	Concrete Sidewalk, 4" Thick	327.01 SY	\$ 72.00	\$ 23,544.72
11	Concrete Driveway, 6" Thick	1 SY	\$ 85.00	\$ 85.00
12	Detectable Warning Surface (Pavers)	2 UNIT	\$ 275.00	\$ 550.00
13	Traffic Stripes, Long-Life, Epoxy Resin	925 LF	\$ 0.50	\$ 462.50
14	Traffic Markings Lines, Long-Life, Thermoplastic	6,984 LF	\$ 0.80	\$ 5,558.40
22	Gabions	36 LF	\$ 90.00	\$ 3,240.00
25	10" High Density Polyethylene Culvert Pipe	14 LF	\$ 110.00	\$ 1,540.00
26	12" High Density Polyethylene Culvert Pipe	5.75 LF	\$ 110.00	\$ 632.50

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

Change Order #1 (Continued)

Increases to Contract (Continued)

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Base Bid				
33	Inlets, Type "A"	2 UNIT	\$ 1,800.00	\$ 3,600.00
43	Traffic Markings, Lines, Long-Life, Thermoplastic	281 LF	\$ 9.75	\$ 2,739.75
Total Amount of Increase to Base Bid				\$ 85,322.62
Total Amount of Increases for Change Order # 1.....				\$ 127,627.16

Decreases to Contract

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Base Bid				
3	Dense Graded Aggregate Base Course, 6" Thick	238 SY	\$ 12.00	(\$ 2,856.00)
7	Hot Mix Asphalt Surface Course, Mix 9.5M64, 1-1/2" Thick	338 SY	\$ 8.50	(\$ 2,873.00)
15	Traffic Markings, Symbols, Long-Life, Thermoplastic	129 SF	\$ 30.00	(\$ 3,870.00)
16	Two-Way Plowable Bi-Directional Blue Pavement Reflectors and Castings	1 UNIT	\$ 300.00	(\$ 300.00)
19	Reset Valve Box	8 UNIT	\$ 0.01	(\$ 0.08)
24	Connect to Existing Storm Sewer	3 UNIT	\$ 450.00	(\$ 1,350.00)
27	15" High Density Polyethylene Culvert Pipe	22.25 LF	\$ 115.00	(\$ 2,558.75)
28	18" High Density Polyethylene Culvert Pipe	166.25 LF	\$ 115.00	(\$ 19,228.75)
30	36" High Density Polyethylene Culvert Pipe	10 LF	\$ 135.00	(\$ 1,350.00)
31	8" Ductile Iron Culvert Pipe, Class 52	100 LF	\$ 100.00	(\$ 10,000.00)
32	12" Ductile Iron Culvert Pipe, Class 52	100 LF	\$ 125.00	(\$ 12,500.00)
35	Utility Crossing	28 UNIT	\$ 750.00	(\$ 21,000.00)
39	HMA Profile Milling	100 SY	\$ 4.25	(\$ 425.00)
40	Hot Mix Asphalt Base Course, Mix 19M64, 3" Thick	100 SY	\$ 15.00	(\$ 1,500.00)
41	Hot Mix Asphalt Surface Course, Mix 9.5M64, 1-1/2" Thick	100 SY	\$ 8.50	(\$ 850.00)
42	Traffic Stripes, Long-Life, Epoxy Resin	150 LF	\$ 7.25	(\$ 1,087.50)
8	Concrete Gutter, 8" Thick	49.39 SY	\$ 140.00	(\$ 6,914.60)
Total Amount of Decreases to Base Bid				(\$ 88,553.68)
Total Amount of Decreases for Change Order # 1.....				(\$ 88,553.68)
Total Amount of Change Orders #1 to City Contract #13-45, 2013 Fall Road Program Phase II				(\$ 39,073.48)
Total Amount of City Contract #13-45, 2013 Fall Road Program – Phase II Including Change Order #1.....				\$ 1,068,796.08

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
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WHEREAS, the new adjusted contract cost including Change Order #1 is \$1,068,796.08 which represents a net increase of \$39,073.48 to the original contract which is a 3.79 (%) percent increase in the total of PO #13-02634 for City Contract #13-45, 2013 Fall Road Program – Phase II; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, NJ that it authorizes Change Order #1 to City Contract #13-45, 2013 Fall Road Program – Phase II; and

BE IT FURTHER RESOLVED that The Director of Financial Management certifies that funds are available and will process Change Order #1 to PO #13-02634 for City Contract #13-45, 2013 Fall Road Program – Phase II issued to Landberg Construction, LLC, 466 Clarkstown Road, May Landing , NJ 08330 in the amount of \$39,073.48 which shall be charged to Capital Account #'s C-04-55-

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management

Anthony P. Wilson
Council President

Files: RESCO1-13-45 2013 Fall Rd Program Phase II-Landberg.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
Linda P. MacIntyre, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

Memo

To: Joseph Clark, Purchasing Agent

From: Michael Rossbach, Community Operations

Subject: Landberg Construction LLC Change Order

Date: July 31, 2014

In reference to Contract #03-13-45 "2013 Fall Road Improvements Program - Phase 2" please accept this request for change order 1. This change order represents a 3.79% increase in the contract, and includes all the supplemental and extra work completed by Landberg Construction LLC during the contract thus far, as well as all the reductions as explained further in this memo.

The supplemental work includes installation of 102' of 24" outfall pipe on the south side of West 17th St. originally to be completed "in house", but could not be scheduled due to the harsh winter. There is a remobilization charge for the paving work on West 17th St. that initially could not be completed with the rest of the contracted paving due to incomplete residential curb construction which needed to be installed before paving could begin. It also includes additional paving for 15th St between Bay Ave. and Simpson Ave. along with paving the gutter line at Walnut Rd.

The extra work and reductions reflect increases and decreases in work needed as directed by the City. Of note the extra curb and sidewalk work was attributed to the additional sidewalk on 9th as part of the City Hall parking lot, as well as additional sidewalk needed to make all the ADA ramps work. There was additional traffic markings and line striping done at the request of the Police Department.

We are hoping to close out this contract at the end of August. If you have any questions or need further supporting material don't hesitate to contact me.

cc: Michael Dattilo, Administrator
Roger McLarnon, Director of Community Operations
Frank Donato, Director of Finance
File

RESOLUTION

#4

**AUTHORIZING A REVIEW OF COMPLIANCE WITH PRIOR ANNUAL
CONTINUING DISCLOSURE OBLIGATIONS AND PARTICIPATION IN
THE SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES
CONTINUING DISCLOSURE COOPERATION INITIATIVE**

WHEREAS, the above-defined Issuer has previously issued one or more series of bonds, including in the past five (5) years pursuant to one or more preliminary and final official statements (collectively, the "Bonds"); and

WHEREAS, in connection with the issuance of such Bonds, the Issuer covenanted with Bondholders to provide certain secondary market disclosure information on an annual basis to the Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access Data Port (2009 to present) ("EMMA"), which secondary market disclosure information may consist of one or more of the following: audited financial statements, municipal budgets, other financial and operating data and ratings changes; and

WHEREAS, the Securities and Exchange Commission (the "SEC") has recently focused attention on what it alleges is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentation through material misstatements in an official statement (innocently, inadvertently or otherwise) of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "SEC Initiative"), a limited-time program ending at 12:00 a.m. on September 10, 2014, that encourages issuers of municipal bonds, including the Issuer, to self-report possible material misstatements or omissions, made in the past five (5) years in an official statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, should the SEC determine that an issuer has made material misstatements in an official statement regarding compliance with prior continuing disclosure obligations, issuers participating in the SEC Initiative agree to accept certain non-monetary penalties, in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not participate in the SEC Initiative; and

WHEREAS, by participating in the SEC Initiative, issuers agree to accept the following penalties, if imposed by the SEC (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementation of policies, procedures and training regarding continuing disclosure obligations, (iii) compliance with all existing continuing disclosure undertakings, (iv) cooperation with any further SEC investigation, (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings, and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 24, 2014, the Division of Local Government Services issued Local Finance Notice 2014-9 (i) alerting local governments to the SEC Initiative, (ii) strongly recommending that local governments examine their continuing disclosure contractual obligations and past official statements in order to determine if it is advisable for an issuer to participate in the SEC Initiative and (iii) cautioning local governments that fail to complete a disclosure assessment in connection with the SEC Initiative will likely have difficulty accessing capital markets, difficulty in receiving timely approvals of the Local Finance Board or Director of the Division of Local Government Services, as applicable, and decreased scores on the future "Best Practices Questionnaires"; and

WHEREAS, the Issuer desires to conduct a disclosure audit which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in its official statements regarding past compliance (the "Disclosure Audit"); and

WHEREAS, the Issuer further desires to retain the services of disclosure specialist to conduct the Disclosure Audit; and

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, based on the results of the Disclosure Audit, and weighing heavily the known, non-monetary penalties that may come through the Issuer's participation in the SEC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, auditor and other finance professionals, the power to prepare and submit all documentation required to enter the Issuer's Bond issues into the SEC Initiative, as necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ISSUER, AS FOLLOWS:

Section 1. The Issuer hereby authorizes completion of the Disclosure Audit.

Section 2. The Issuer hereby authorizes the Chief Financial Officer to engage the services of a disclosure specialist to complete the Disclosure Audit; provided that the award of any contract in connection therewith meets the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

Section 3. In the event the Disclosure Audit reveals that the Issuer **may** have made a material misstatement regarding the Issuer's compliance with prior continuing disclosure undertakings, the Issuer hereby authorizes and directs the Chief Financial Officer to prepare and submit all documentation necessary to enter the Issuer's applicable Bond issues into the SEC Initiative.

Section 4. Any action taken by the Chief Financial Officer, or any other officer of the Issuer, with respect to the Disclosure Audit, the engagement of a disclosure specialist and participation in the SEC Initiative is hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

Anthony P. Wilson, Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED City Clerk
Allegretto	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Guinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#5

AUTHORIZING THE PAYMENT OF CLAIMS

WHEREAS, N.J.S.A. 40A: 5-17 entitled "Approval and Payment of Claims and Required General Books of Account" generally sets forth the manner in which claims against municipalities are to be handled; and

WHEREAS, the attached bill list represent claims against the municipality for period including July 19, 2014 to August 08, 2014.

NOW, THEREFORE, BE IT RESOLVED that the attached bill list is approved for payment.

Frank Donato III
Chief Financial Officer

Anthony P. Wilson
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS - 07.19.14 TO 08.08.14.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-00434	02/21/14	SCHID	SCHINDLER ELEVATOR CORPORATION	Open	4,324.35	0.00	B
14-00435	02/21/14	JERSE	JERSEY CAPE DIAGNOSTIC CENTER PER RESOLUTION #12-49-062	Open	9,191.88	0.00	B
14-00436	02/21/14	CRYSTAL	CRYSTAL SPRINGS ACCOUNT #198064833363893	Open	93.58	0.00	
14-00446	02/26/14	SCHEULE	SCHEULE PLANNING SOLUTIONS LLC RES # 14-50-004	Open	5,725.00	0.00	
14-00474	03/04/14	TRI-STAT	TRI-STATE DIAGNOSTICS CORP.	Open	120.00	0.00	
14-00476	03/05/14	ALBRE	ALBRECHT AND HEUN INC.	Open	3,313.28	0.00	
14-00503	03/10/14	UNIVERS	UNIVERSAL MEDIA, INC.	Open	58,425.90	0.00	B
14-00504	03/10/14	UNIVERS	UNIVERSAL MEDIA, INC.	Open	5,556.44	0.00	B
14-00619	03/13/14	SURFS	SURFSIDE CASUAL FURNITURE	Open	1,250.00	0.00	
14-00640	03/21/14	BLAST	APM BLAST TERMITE PEST CONTROL	Open	70.00	0.00	B
14-00641	03/21/14	WEBPAGE	WEBPAGEFX, INC	Open	12,025.42	0.00	B
14-00648	03/21/14	HORIZOND	HORIZON BS/BC DENTAL PROGRAM	Open	926.37	0.00	B
14-00666	03/26/14	DUNNC	DR. E. CHARLES DUNN, JR, MD	Open	470.00	0.00	B
14-00668	03/26/14	ATLPHYSI	ATLANTICARE PHYSICIAN GROUP,PA	Open	2,715.00	0.00	B
14-00695	03/31/14	NATIONAL	NATIONAL VISION ADMIN, LLC	Open	239.58	0.00	B
14-00712	03/31/14	FEDEX	FEDERAL EXPRESS CORPORATION 2014 FEDEX CHARGES	Open	116.85	0.00	
14-00717	03/31/14	WILHM	J. WILHELM ROOFING COMPANY CC 14-14; RES. 14-50-071	Open	42,332.18	0.00	B
14-00718	03/31/14	SHAWL	F.W. SHAWL & SONS, INC. CC14-29; RES. 14-50-072	Open	360,294.06	0.00	B
14-00753	04/11/14	CODED	CODED SYSTEMS LLC LAND USE ORDINANCE BOOKS	Open	1,100.00	0.00	
14-00778	04/11/14	OCTHEATR	OCEAN CITY THEATRE COMPANY	Open	12,587.00	0.00	B
14-00790	04/11/14	CATAMA	CATAMARAN MEDIA COMPANY	Open	99.00	0.00	
14-00892	04/16/14	CMCPA	CAPE MAY COUNTY PARK & ZOO	Open	120.00	0.00	
14-00901	04/16/14	AGUZZO	A. GUZZO LANDSCAPING LLC RES. #14-50-063	Open	4,176.63	0.00	B
14-00902	04/16/14	ATLLA	ATLANTIC LAWN CARE LLC RES #14-50-063	Open	3,715.00	0.00	B
14-00907	04/16/14	RODEO	RODEO FORD-ATTN: JIM MITCHELL RES #14-50-080	Open	111,278.70	0.00	
14-00917	04/21/14	RUBBERCY	RUBBERRECYCLE, LLC Playsafer Rubberbond Surface	Open	78,065.00	0.00	
14-00918	04/21/14	GAMET-MU	GameTime Game Time Freestanding Equip.	Open	12,377.24	0.00	
14-00919	04/21/14	GAMET-MU	GameTime Game Time 15th St Repair	Open	8,822.19	0.00	
14-00943	04/25/14	PEPSI	THE PEPSI BOTTLING COMPANY	Open	271.22	0.00	B
14-00947	04/25/14	SEAC	SEA ISLE ICE COMPANY, INC.	Open	30.00	0.00	B
14-00948	04/25/14	FIRSTSTU	FIRST STUDENT, INC.	Open	180.00	0.00	
14-00953	04/25/14	FIRSTSTU	FIRST STUDENT, INC.	Open	435.00	0.00	
14-00955	04/25/14	TROXELLR	RICHARD TROXELL	Open	1,200.00	0.00	
14-00983	04/30/14	INFERRER	DOMINIC INFERRERA	Open	1,500.00	0.00	
14-01017	05/02/14	SEASHORE	SEASHORE ASPHALT CORP. SC# T-1609 EXPIRES 8-31-14	Open	4,494.28	0.00	
14-01019	05/02/14	MCBEE	MCBEE SYSTEMS, INC.	Open	317.20	0.00	
14-01069	05/18/14	FORDS	FORD, SCOTT & ASSOCIATES, LLC RES# 13-50-398	Open	7,000.00	0.00	
14-01070	05/18/14	GOOD TYM	GOOD TYMES BAND	Open	599.00	0.00	
14-01210	05/22/14	SEAC	SEA ISLE ICE COMPANY, INC.	Open	250.00	0.00	B
14-01211	05/22/14	PLAYL	PLAYLAND'S CASTAWAY COVE	Open	250.00	0.00	
14-01242	05/22/14	AQUATREA	AQUA-TREAT INC WATER MGMT.	Open	975.00	0.00	
14-01249	05/22/14	JLLAWSON	J L LAWSON COMPANY INC	Open	1,338.75	0.00	
14-01256	05/22/14	DELTE	DELTA EDUCATION	Open	758.05	0.00	
14-01351	05/30/14	ACTIO	ACTION SUPPLY, INC.	Open	50.00	0.00	B
14-01366	06/03/14	PERRY	PERRY-EGAN CHEVROLET, INC.	Open	2,125.06	0.00	
14-01376	06/03/14	AUSTN	AUSTIN'S SPORTS	Open	644.40	0.00	
14-01383	06/03/14	WALLA	WALLACE HARDWARE INC. misc hardware parts	Open	53.46	0.00	
14-01384	06/03/14	MACCL	RON MACCLOSKEY	Open	500.00	0.00	
14-01418	06/05/14	DEROBIKE	DERO BIKE RACK COMPANY	Open	1,320.00	0.00	
14-01560	06/16/14	FRANCOTY	FRANCOTYP-POSTALIA ACCOUNT: 600047771	Open	125.09	0.00	
14-01565	06/16/14	CHT	COURT HOUSE TOWING CC 11-14, RES. 12-48-309	Open	652.00	0.00	B
14-01569	06/16/14	DIRECTEN	DIRECT ENERGY BUSINESS 2014 ELECTRIC SUPPLY CHARGES	Open	21,764.15	0.00	B
14-01575	06/16/14	SHAFF	BEN SHAFFER & ASSOCIATES INC St Contract #A81415	Open	4,197.60	0.00	
14-01576	06/16/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	219.00	0.00	

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-01600	06/23/14	ASCEN	ASCENT AVIATION GROUP INC. CC #08-19	Open	38,922.00	0.00	
14-01603	06/23/14	BLINDSPL	BLINDS PLUS	Open	1,482.00	0.00	
14-01612	06/25/14	KUBIA	GARY KUBIAK & SON ELECTRIC INC	Open	595.00	0.00	
14-01620	06/25/14	OTERIS	STEPHEN OTERI	Open	359.00	0.00	
14-01623	06/25/14	GLOUCEST	GLOUCESTER COUNTY POLICE	Open	125.00	0.00	
14-01629	07/01/14	SJLCA	SOUTH JERSEY LIFE GUARDS	Open	310.00	0.00	
14-01641	07/01/14	KJPRINTS	K J PRINTS	Open	112.00	0.00	
14-01649	07/01/14	THOMSONR	THOMSON REUTERS	Open	89.89	0.00	
14-01683	07/03/14	PRESS	THE PRESS	Open	4,151.35	0.00	B
14-01684	07/03/14	SENTI	SENTINEL LEDGER	Open	4,500.00	0.00	B
14-01685	07/03/14	CATAMA	CATAMARAN MEDIA COMPANY	Open	5,480.00	0.00	B
14-01687	07/03/14	STVP	SERIOUSLY TOTAL VIDEO PROD,LLC	Open	2,550.00	0.00	
14-01695	07/08/14	DEPT	DEPTCOR	Open	106.25	0.00	
14-01699	07/08/14	ICC	ICC, INC. 2015 INTER BLDG CODE&TAB COMBO	Open	132.00	0.00	
14-01707	07/08/14	OCDAIY	OCEAN CITY DAILY LLC	Open	5,702.39	0.00	B
14-01716	07/08/14	ACCESSRE	ACCESSREC LLC Beach Path Mats	Open	11,824.02	0.00	
14-01723	07/11/14	GTBM INC	G.T.B.M. INC.	Open	512.00	0.00	
14-01730	07/11/14	CINTA	CINTAS FIRST AID, CORP	Open	659.90	0.00	
14-01732	07/11/14	PERRY	PERRY-EGAN CHEVROLET, INC.	Open	1,114.65	0.00	
14-01735	07/11/14	FRANCOTY	FRANCOTYP-POSTALIA ACCOUNT: 600047771	Open	600.00	0.00	
14-01737	07/11/14	BEACHCAR	BEACHCARTSUSA	Open	4,197.50	0.00	
14-01741	07/11/14	TREEMAN	THE TREE-MAN	Open	1,070.00	0.00	
14-01747	07/11/14	JGBSPORT	JGB SPORTS, LLC	Open	709.00	0.00	
14-01749	07/11/14	ACE PLUM	ACE PLUMBING & ELEC. SUPPLIES	Open	1,883.68	0.00	
14-01750	07/15/14	OTERIS	STEPHEN OTERI REFUND RESTORATION FEE	Open	650.00	0.00	
14-01752	07/15/14	LUMBERMA	LUMBERMAN ASSOCIATES Sandfence/Post&Rail#14-50-158	Open	4,309.20	0.00	
14-01753	07/16/14	LEADR	LEADER PRINTERS Election Materials #14-50-161	Open	19,004.96	0.00	
14-01756	07/16/14	ACRMCENT	ATLANTICARE REGIONAL MEDICAL C	Open	37.50	0.00	
14-01758	07/16/14	AMSAN	AMSAN MID-ATLANTIC US COMMUNITIES CO-OP	Open	564.09	0.00	
14-01760	07/16/14	SJINTERP	SJ INTERPRETERS	Open	426.42	0.00	
14-01764	07/16/14	TACTICAL	TACTICAL PUBLIC SAFETY, LLC	Open	1,008.26	0.00	
14-01766	07/16/14	FEIGUS	FEIGUS OFFICE FURNITURE	Open	250.00	0.00	
14-01767	07/16/14	98RUM	LISA RUMER	Open	181.95	0.00	
14-01880	07/17/14	SENTI	SENTINEL LEDGER	Open	764.40	0.00	
14-01883	07/17/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	245.00	0.00	
14-01885	07/17/14	TRADW	TRADEWINDS MOTEL	Open	173.25	0.00	
14-01886	07/17/14	NFPA3	NATIONAL FIRE PROTECTION ASSN NF CODES SUBSCRIPTION 1 YR	Open	1,165.50	0.00	
14-01887	07/17/14	06MCLARN	ROGER D. MCLARNON REIMBURSEMENT TRAVEL	Open	45.48	0.00	
14-01888	07/17/14	GARDE	GARDEN STATE HIGHWAY PROD. INC	Open	3,211.60	0.00	
14-01897	07/17/14	CATAMA	CATAMARAN MEDIA COMPANY	Open	100.00	0.00	
14-01899	07/17/14	NJSLOM	NJ STATE LEAGUE OF NJ MUNICIPALITIES SUBSC RENEW	Open	19.00	0.00	
14-01902	07/17/14	GARTL	JOSEPH GARTLAND, INC.	Open	188.20	0.00	
14-01904	07/17/14	HUBERHAR	HUBER HARDSCAPES, LLC Supporting Docs Attached	Open	13,886.00	0.00	
14-01919	07/18/14	FRIEN	FRIENDS OF THE POPS	Open	2,694.50	0.00	
14-01920	07/18/14	TOWERSR	RANDALL J TOWERS	Open	175.00	0.00	
14-01921	07/18/14	NJRPA	NJRPA	Open	400.00	0.00	
14-01923	07/18/14	GLASS	GARY M. GLASS, M.D. evaluation fo McCloud	Open	350.00	0.00	
14-01924	07/18/14	PROFORM	PROFORMA DYNAMIC RESOURCES,LLC business cards	Open	45.00	0.00	
14-01925	07/18/14	SHOEM	SHOEMAKER LUMBER COMPANY, INC supplies	Open	77.07	0.00	
14-01926	07/18/14	SMHCP	SHORE MEMORIAL HOSPITAL CPR cpr cards for rookies	Open	256.00	0.00	
14-01927	07/18/14	VOLTA	VOLTACO'S food for fire	Open	137.50	0.00	
14-01929	07/18/14	EMSCONSU	EMS CONSULTING SERVICES EMS recert - classes	Open	3,600.00	0.00	
14-01930	07/18/14	SMHCP	SHORE MEMORIAL HOSPITAL CPR cpr cards for churches	Open	256.00	0.00	
14-01932	07/18/14	QUANT	QUANTUM INC.	Open	108.00	0.00	

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-01934	07/18/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	204.00	0.00	
14-01935	07/18/14	NCRI	NATIONAL CONSTRUCTION RENTALS	Open	612.00	0.00	
14-01938	07/23/14	OCEXCHAN	THE EXCHANGE CLUB OF OC	Open	250.00	0.00	
14-01941	07/23/14	DAILEYPL	DAILEY PLUMBING & HEATING	Open	3,532.24	0.00	
14-01947	07/23/14	BSN	BSN SPORTS, INC	Open	1,214.37	0.00	
14-01950	07/23/14	09SOI	MARK SOIFER	Open	67.79	0.00	
14-01951	07/23/14	LENNICKJ	JESSICA LENNICK	Open	1,000.00	0.00	
14-01953	07/25/14	AUSTN	AUSTIN'S SPORTS	Open	1,093.20	0.00	
14-01954	07/25/14	AQUATURF	AQUAA TURF LLC	Open	1,200.00	0.00	
14-01956	07/25/14	SPICA	SPICA STEEL, INC.	Open	615.00	0.00	
14-01959	07/25/14	ENEGRYSR	ENERGY SERVICES LLC	Open	450.00	0.00	
14-01961	07/25/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	2,259.25	0.00	
14-01963	07/25/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	72.12	0.00	
14-01965	07/25/14	AUSTN	AUSTIN'S SPORTS	Open	804.00	0.00	
14-01966	07/25/14	ATLLA	ATLANTIC LAWN CARE LLC	Open	1,069.50	0.00	
14-01967	07/25/14	SEETON	SEETON TURF WAREHOUSE, LLC	Open	924.39	0.00	
14-01968	07/30/14	SONJ-DEP	TREASURER STATE OF NJ	Open	2,700.00	0.00	
14-01971	07/30/14	FRALING	FRALINGER ENGINEERING PA	OCEAN CITY RT 52 TOPO SURVEY	Open	3,520.75	0.00 B
14-01973	07/30/14	TRAFYOYAB	BENNY R TAFOYA	REIMBURSE FOR MEMBERSHIP FEES	Open	140.00	0.00
14-01975	07/30/14	ATLLA	ATLANTIC LAWN CARE LLC	Open	2,500.00	0.00	
14-01978	07/30/14	DONATOJ	JOE DONATO	Open	20.00	0.00	
14-01984	07/30/14	GREAA	THE GREAT AMERICAN TROLLEY	Open	805.00	0.00	
14-01996	08/01/14	AUSTN	AUSTIN'S SPORTS	Open	961.90	0.00	
14-02001	08/01/14	KRAVI	DBK PHOTO	Open	530.00	0.00	
14-02002	08/01/14	ACIR	ACIR PROFESSIONALS	Open	75.00	0.00	
14-02009	08/01/14	MCPAH	MCPAHON AGENCY INC.	Open	1,529.00	0.00	
14-02010	08/01/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	112.35	0.00	
14-02014	08/01/14	CHATT	THE CHATTERBOX	Open	267.29	0.00	
14-02015	08/01/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	405.49	0.00	
14-02016	08/01/14	AUSTN	AUSTIN'S SPORTS	Open	390.75	0.00	
14-02017	08/01/14	NJSLOM	NJ STATE LEAGUE OF	Open	110.00	0.00	
14-02019	08/01/14	TALOTTAN	NICHOLAS J TALOTTA SR	Open	2,529.00	0.00	
14-02020	08/01/14	730REICH	ROBERT REICH JR.	LIFEGURAD PENSION 2014	Open	6,895.33	0.00
14-02021	08/01/14	YEAGERAS	EL & M AUTOMOTIVE RECYCLING	Open	3,325.00	0.00	
14-02022	08/05/14	FIN-A	FIN-ATICS MARINE SUPPLY, LTD	Open	137.67	0.00	
14-02023	08/05/14	MACK	MANCO & MANCO PIZZA, INC.	Open	96.00	0.00	
14-02024	08/05/14	LETSPART	LET'S PARTY PAINTERS	Open	125.00	0.00	
14-02025	08/05/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	219.00	0.00	
14-02026	08/05/14	SHERW	SHERWIN WILLIAMS #3760	SC# 82236	Open	122.92	0.00
14-02027	08/05/14	ADVAG	ADVANTAGE RENTAL & SALES	Open	267.90	0.00	
14-02028	08/05/14	SUPER	SUPER FRESH #473	Open	64.95	0.00	
14-02038	08/07/14	PERKIOME	PERKIOMEN MOTORCOACH	Open	300.00	0.00	
14-02040	08/07/14	THECANVA	THE CANVAS LADY	Open	3,000.00	0.00	

Total Purchase Orders: 202 Total P.O. Line Items: 431 Total List Amount: 11,114,358.83 Total Void Amount: 0.00

2014
Recreation Dedicated Trust Fund
Bill List

8/7/2014

Voucher #	Name	Amount	
3794	Cory Terry	\$ 340.00	Field Hockey Clinic/Games
3797	Tracey LeFever	200.00	Field Hockey Clinic/Games
3823	Jason Fingerman	880.00	Tennis Clinics/Camp # 1 & 2/Tournaments
3824	David Nhan	650.00	Tennis Clinics/Camp # 1 & 2
3825	Edwin Nusbaum	2,000.00	Tennis Clinics/Camp # 1 & 2
3826	Bill Shutz	550.00	Tennis Clinics/Camp # 1
3827	Lexie Hackerman	280.00	Tennis Clinics/Camp # 1
3828	Julia Dalzell	270.00	Tennis Clinics/Camp # 1
3829	John Kloos	660.00	Tennis Clinics/Camp # 1
3830	Candice Carlin	630.00	Tennis Clinics/Camp # 1
3840	Basketball at the Beach	550.00	Golf Clinic 8-4 to 8-7-14
3841	Matt Monroe	1,150.00	Tennis Clinics/Camp #1 & 2
3842	Mike Fiedler	1,125.00	Tennis Clinics/Camp #1 & 2/Tournaments
3853	Elisa Mateer	100.00	Golf Clinic 8-4 to 8-7-14
		<u>\$ 9,385.00</u>	



August 1, 2014
02:18 PM

CITY OF OCEAN CITY
Check Register By Check Id

*Issued Outside
Bill List*

Page No: 1

Range of Checking Accts: GENERAL to GENERAL Range of Check Ids: 81483 to 81483
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
81483	08/01/14	FREEDOM FREEDOM TITLE	1,425,400.00		3284

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	1,425,400.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	1,425,400.00	0.00

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#6

AMENDING THE 2014 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE ADDITIONAL REVENUE FROM THE STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY, 2014 DRIVE SOBER OR GET PULLED OVER STATEWIDE LABOR DAY CRACKDOWN GRANT

WHEREAS, N.J.S.A. 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 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, said director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the City of Ocean City has received notification of a grant in the amount of \$5,000.00 from the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, Division of Highway Traffic Safety, and wishes to amend its 2014 Budget to include this amount as a revenue: and

WHEREAS, the Local share of the above referenced grant is zero; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City 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 2014 in the sum of \$5,000.00 which item is now available as revenue from:

GENERAL REVENUES

Miscellaneous Revenue-Section F Special Items of General Revenue Anticipate with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenue Offset with Appropriations	
2014 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant.....\$	5,000.00
pursuant to the provisions of Statute, N.J.S.A. 40A: 4-87; and	

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

8. GENERAL APPROPRIATIONS

(A) Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues

2014 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant.....\$	5,000.00
--	----------

BE IT FURTHER RESOLVED that a copy of this resolution be certified and submitted electronically to the Director of Local Government Services for approval; and

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of August 20, 2014.

Anthony P. Wilson
Council President

FILES/Chapter 159/ 2014 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION



#7

AMENDING RESOLUTUION #14-50-183 CONSENTING TO
CITY COUNCIL'S APPOINTMENT OF EDMOND SPEITEL
AS A MEMBER TO THE OCEAN CITY HOUSING AUTHORITY

BE IT RESOLVED, by the City Council of the City of Ocean City, New Jersey that the following individual is hereby appointed to fill an unexpired term on the Ocean City Housing Authority in accordance with N.J.R.S. 55:14:A-4.

<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRES</u>
Edmond Speitel	5 Years (fill unexpired term of Marlene Sheppard)	12/31/2014

Anthony P. Wilson
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#8

**CONSENTING TO THE MAYOR'S APPOINTMENT OF
BURTON WILKINS AS A MEMBER TO THE
TOURIST DEVELOPMENT COMMISSION**

BE IT RESOLVED, by the Mayor and City Council of the City of Ocean City that the following individual is hereby appointed to the Tourist Development Commission in accordance with Ordinance #83-23.

<u>Name</u>	<u>Term</u>	<u>Expires</u>
Burton Wilkins	2 Years (fill unexpired term of Frank Shoemaker)	12/31/2014

Anthony P. Wilson
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk



MAYOR JAY A. GILLIAN

CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

August 4, 2014

Linda MacIntyre, City Clerk
City of Ocean City
861 Asbury Avenue
Ocean City, NJ 08226

RE: TOURIST DEVELOPMENT COMMISSION

Dear Mrs. MacIntyre:

With Council's consent, I would like to recommend Burton Wilkins to fill the unexpired term of Frank Shoemaker which will expire December 31, 2014.

I would appreciate you placing a resolution for this appointment on City Council's next agenda.

Thank you.

Sincerely,


Jay A. Gillian
Mayor

C Michael Dattilo, Business Administrator
Anthony Wilson, Council President
Sally Huff, Recording Secretary

PREPARED
2014 AUG - 4 A 11: 45
CITY CLERK'S OFFICE
861 ASBURY AVENUE
OCEAN CITY, NJ 08226

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#9

SUPPORTING THE MAYOR'S EXECUTION OF A JOINT APPLICATION
WITH THE NJDEP NATURAL & HISTORIC RESOURCES OFFICE OF RESOURCE
DEVELOPMENT TO THE NJDEP DIVISION OF LAND USE REGULATION FOR THE PERMITS
NECESSARY TO CONSTRUCT AN ELEVATED BOARDWALK FROM CORSON'S INLET
STATE PARK TO 59TH STREET AT WEST AVENUE

WHEREAS, the governing body of the City of Ocean City supports the extension of an elevated boardwalk from Corson's Inlet State Park into Ocean City (hereinafter, "the proposed Path"); and

WHEREAS, John Trontis, Assistant Director of the New Jersey Division of Parks and Forestry met with members of City Council and the public at the site of the proposed Path and made a presentation to City Council at its meeting of October 11, 2012, describing the proposed Path and responding to the questions of Council and the Administration; and,

WHEREAS, the proposed Path has been depicted on a Proposed Site Plan prepared by LAN Associates dated under Job No. 2.3397.133, File No. 3397133C2, a copy of which is attached here; and,

WHEREAS, a portion of the proposed Path would be constructed outside of Corson's Inlet State Park, within the city limits of the City of Ocean City; and,

WHEREAS, the New Jersey Division of Parks and Forestry is willing to undertake the construction of the proposed Path at no expense to Ocean City; and,

WHEREAS, the proposed Path cannot be constructed without permits from the New Jersey Department of Environmental Protection; and

WHEREAS, the New Jersey Division of Parks and Forestry has requested that Ocean City co-sign any and all applications for permits for the proposed Path; and,

WHEREAS, a majority of the members of City Council believes that the construction of the proposed Path is in the best interests of the City of Ocean City;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ocean City that the Mayor has the support of City Council to co-sign permit applications with the NJDEP Natural & Historic Resources Office of Resource Development for the construction of an elevated boardwalk from Corson's Inlet State Park to 59th Street at West Avenue in Ocean City as depicted on the Proposed Plot Plan prepared by LAN Associates, Job No. 2.3397.133, File No. 3397133C2, a copy of which is attached hereto.

Anthony P. Wilson, Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk




CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

OFFICE OF THE ADMINISTRATOR

MEMORANDUM

TO: CITY COUNCIL

FROM: MICHAEL DATTILO, BUSINESS ADMINISTRATOR 

DATE: AUGUST 7, 2014

RE: RESOLUTION FOR CORSON'S INLET STATE PARK

The attached resolution would indicate the City Council's support of the Mayor co-signing a permit application for the New Jersey Division of Parks and Forestry's construction of a small slightly elevated boardwalk in Corson's Inlet State Park. The boardwalk would connect a trail that currently goes into the interior of the park with an entrance at 59th Street and West Avenue. This project requires certain permits from the NJDEP. The City is only involved because a portion of the boardwalk crosses paper streets and Rights of Way under the jurisdiction of the City.

MD

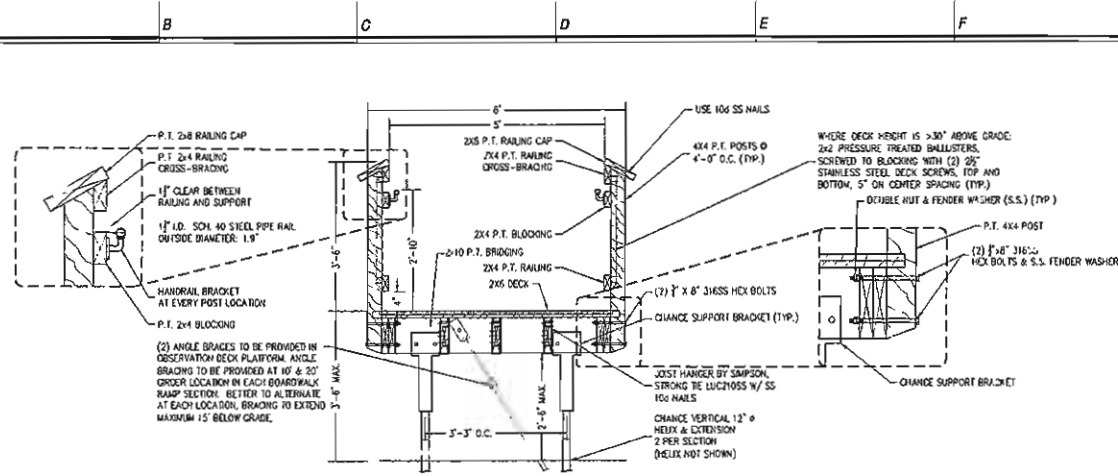
861 ASBURY AVENUE, OCEAN CITY, NJ 08226

609-525-9333 FAX: 609-398-0740

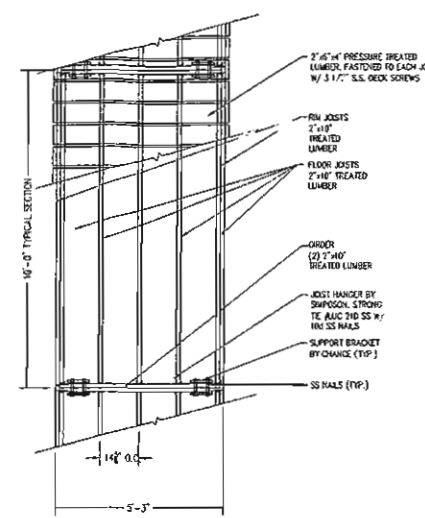
www.ocean-city.nj.us



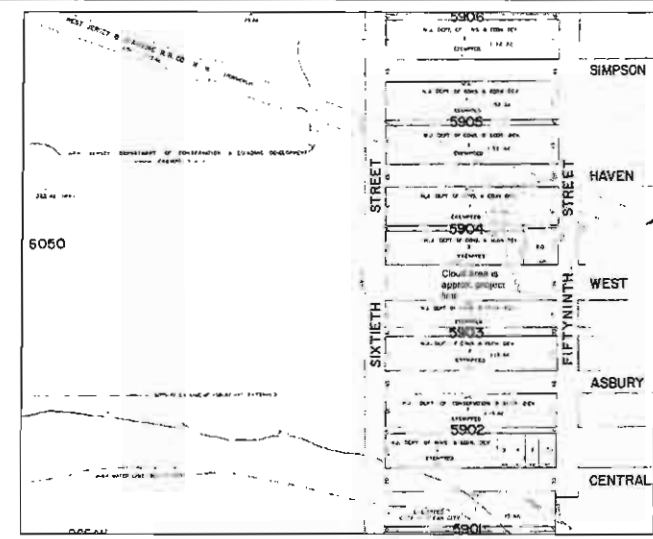
Printed on Recycled Paper



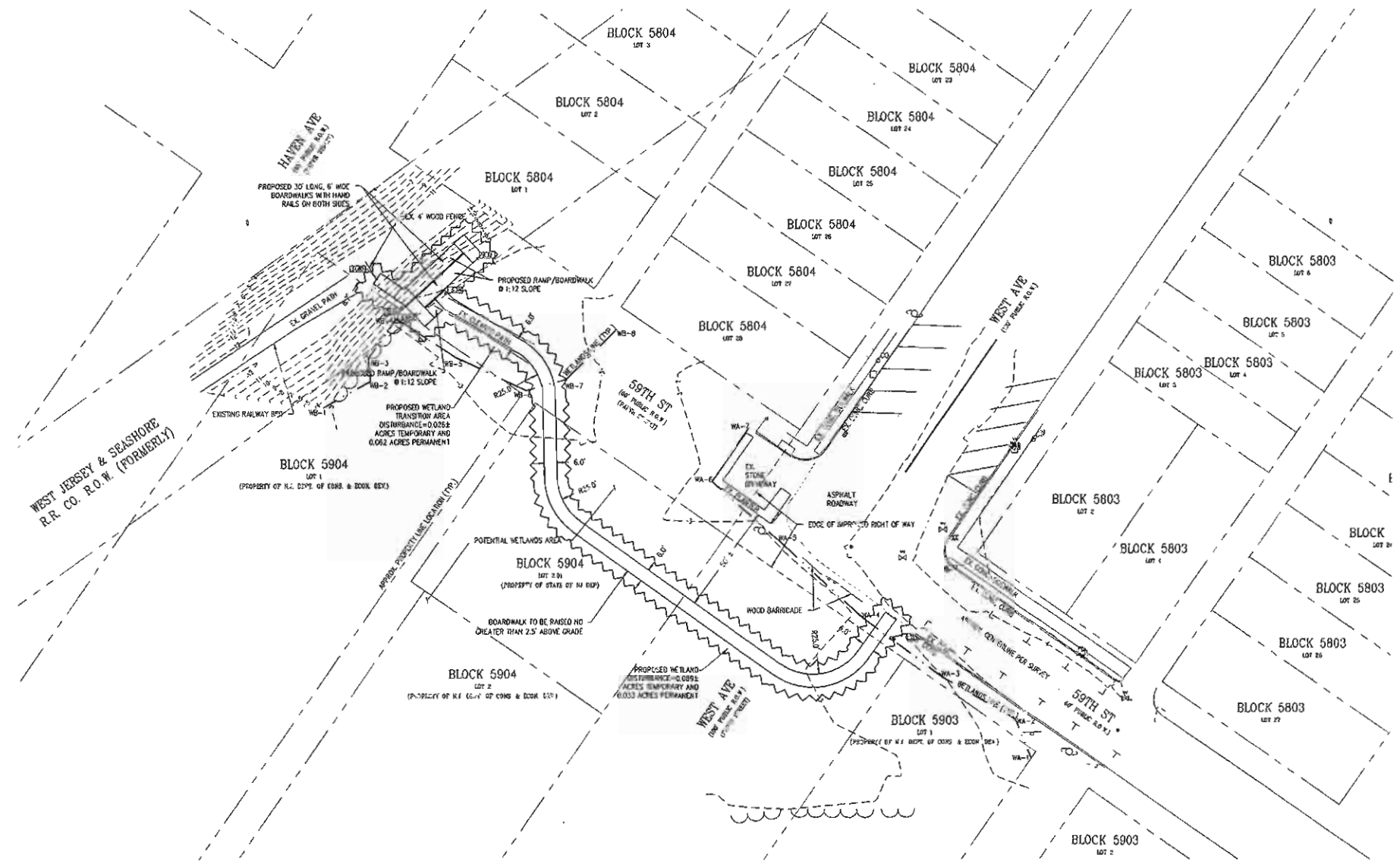
BOARDWALK SECTION
SCALE: NTA



BOARDWALK FRAMING PLAN
SCALE: NTA



SURVEY REFERENCES	
1.	NOT A BOUNDARY SURVEY. PROPERTY LINES ARE APPROXIMATE FOR TAX MAP INFORMATION.
2.	TOPOGRAPHIC SURVEY AND MEASUREMENTS TAKEN BY LAN ASSOCIATES, EPAS, INC. ON MAY 23, 2012.
3.	TAX MAP, SHEET NO. 41.
4.	ELEVATIONS BASED ON NAVD '88.
5.	HORIZONTAL DATA BASED ON NAD '83.



PROPOSED PLOT PLAN
SCALE: 1"=30'
SCALE: 1"=30'

Professional Engineer
 No. 350772960
 Date: 08/20/12
 Checked: RIV
 Drawn: KAB

RICHARD A. WOSTBROCK, P.E.
 PROFESSIONAL ENGINEER
 License No. N20460411200

Revisions:

LAN ASSOCIATES
 engineering • planning • architecture • surveying
 440 BODWIN AVENUE, MIDLAND PARK, N.J. 07732 (908) 347-6400

SITE PLAN
 CORSONS INLET STATE PARK
 WEST AVE & 50TH STREET
 BLOCK 6050, LOT 1 & 2.01; BLOCK 5904, LOTS 1 & 2.01
 OCEAN CITY, CAPE MAY COUNTY, NJ

Before You Dig, Drill Or Blast!
 CALL US TOLL FREE
 1 (800) 272-1000
 Jersey Underground Facility Protection Act,
 N.J.S.A. 48:2-73 thru N.J.S.A. 48:2-91 &
 N.J.A.C. 14:2.1 thru N.J.A.C. 14:2.6-4

Job No. 2-3397-133
 Plan No. 3397133C2

SP.21