

**ORDINANCE #12-18**

**AN ORDINANCE AMENDING ORDINANCE #87-17, CHAPTER XXX, "MUNICIPAL FEES"  
OF THE REVISED GENERAL ORDINANCES OF THE  
CITY OF OCEAN CITY, NEW JERSEY  
(Offered by the Administration)**

THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NEW JERSEY DOES  
HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.**

Chapter XXX, "Municipal Fees", Schedule L and Schedule O are hereby amended to provide that the fees, charges and costs for Zoning Permits, Construction Permits and the inspection and re-inspection fees associated therewith for work undertaken to repair or restore property damaged by the October 29, 2012 storm are hereby temporarily waived, effective immediately and continuing for applications filed by May 24, 2013.

**SECTION 2.**

Chapter XXX, "Municipal Fees", Schedule L is hereby amended to provide that the application fees and escrow fees for applications to the Planning Board or Zoning Board of Adjustment for applications seeking Board approval of non-conforming conditions which result from the elevation or floodproofing of a principal structure when the action is proposed to be undertaken in order to comply with the enforcement of federal, state or local building codes or floodplain laws or ordinances shall temporarily be reduced to \$0 and \$500, respectively, effective immediately and continuing for applications filed by May 24, 2013.

**SECTION 3.**

If any portion of this ordinance is declared 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.**

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

**SECTION 5.**

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Michael J. Allegretto,  
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 \_\_\_\_\_, 2012, and was taken up for a second reading and final passage at a meeting of said Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012 in Council Chambers, City Hall, Ocean City, New Jersey, at \_\_\_\_\_ in the evening.

\_\_\_\_\_  
Linda MacIntyre, City Clerk

ORDINANCE #12-19

AN ORDINANCE AMENDING CHAPTER XXV  
ZONING AND LAND DEVELOPMENT OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY, NEW JERSEY

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 25-105.3.f Nonconforming Structures, Uses, and Lots** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby deleted in its entirety:

f. Within all Gardens R-1 Neighborhood Zones, all undersized lots shall be subject to the building height limitations noted below based upon lot width:

<b>Lot width (in feet)</b>	<b>Maximum Building Height (in feet)</b>
Up to 39.9	30
40–49.9	31
50–59.9	32
60 or greater	33

SECTION 2.

**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 by adding and revising terms and definitions as follows:

**25-107 Definitions.**

*Building Height* for all residential uses shall mean the vertical distance between the Zoning Flood Elevation and the highest point of the primary (main) roof. For non-residential uses, Building Height shall be defined as the vertical distance between the highest point of the primary (main) roof and the centerline elevation of the adjacent street. For corner lots, the street having the shortest lot dimension shall be considered the adjacent street.

*Finished Grade* shall mean the proposed elevations of the land surface of a site after completion of all site preparation work related to the proposed use for which approval under or pursuant to this Ordinance is required. In relation to Zoning Flood Elevation, Finished Grade shall be the average of four representative spot elevations adjacent to the building foundation taken by a New Jersey Professional Licensed Surveyor. (Finished Grade is not to be used to determine the need for flood vents as may be required per NFIP)

*Zoning Flood Elevation (ZFE)* shall mean the elevation at the top of the lowest habitable floor a minimum of two (2) feet above Base Flood Elevation, except that:

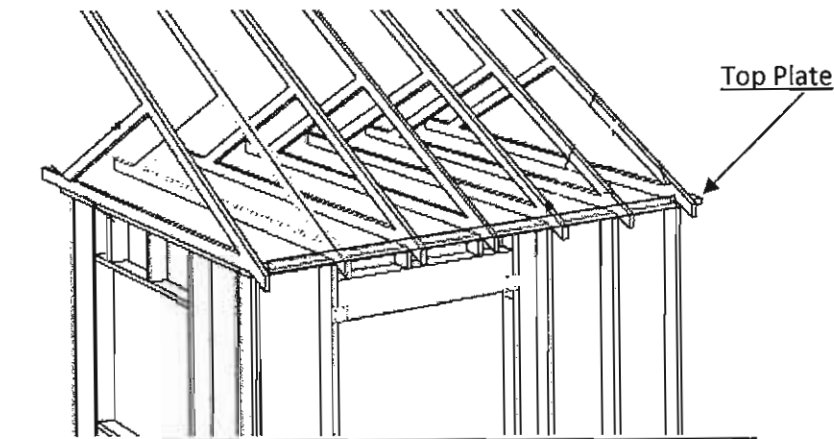
*Zoning Flood Elevation* may be up to three (3) feet above *Finished Grade* within FEMA “A Zones” where *Base Flood Elevation* is less than two (2) feet above *Finished Grade*, and where *Base Flood Elevation* is below *Finished Grade*. The lowest adjacent grade will determine the need for flood vents;

*Zoning Flood Elevation* for buildings designed to meet the High Hazard Flood Zone (V-Zone) requirements, shall elevate the lowest horizontal structural member a minimum of two

(2) feet above BFE when the lowest horizontal structural member is parallel to direction of wave approach, and a minimum of three (3) feet above BFE when the lowest horizontal structural member is perpendicular to direction of wave approach. Building orientation assumes the lowest horizontal structural member will be oriented parallel with the long dimension of the lot; and

*Zoning Flood Elevation* for front-loaded-garage dwellings located on non-alley lots less than forty-five (45) feet wide where the lowest habitable floor is above the garage, the elevation of the lowest habitable floor shall be nine (9) feet above *Finished Grade*.

Top Plate shall mean the top horizontal member of an exterior frame wall supporting roof rafters.



### SECTION 3.

**Section 25-204.27.1(g) Qualifications** 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:

g. Lowest Habitable Floor.

For buildings on lots with rear alley access, and for buildings without an integrated garage on lots not having rear alley access, the maximum elevation of top of the lowest habitable floor for the front one-third (1/3) of the building shall be five (5) feet above Finished Grade. This elevation may be increased one (1) foot for every one (1) foot or portion thereof, necessary to elevate the top of the lowest habitable floor to conform to the *Zoning Flood Elevation*.

### SECTION 4.

**Section 25-209 Schedules** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended by adding the following schedule:

**25-209.5 Schedule D – Residential Building Height.** Maximum permitted Building Height for residential structures is measured above *Zoning Flood Elevation* and shall be regulated as per the following Schedule:

**Schedule D**  
**Residential Building Height**

Lot Width	Maximum Building Height above Zoning Flood Elevation	
	(Pitched Roof)	(Flat Roof)
Lots 55' and less in width	30'	25'
Lots 55.1' - 60' in width	31'	26'
Lots 60.1' and greater in width	32'	27'
Zone District		
Old City Overlay Zone	32'	27'
R-O-1 and R-O-2 Zones	33'	28'
Corinthian R-2 Zone	34'	29'

**SECTION 5.**

The Schedules of District Regulations contained within the following sections (25-204.1.5, 25-204.2.5, 25-204.3.5, 25-204.4.5, 25-204.5.5, 25-204.6.5, 25-204.7.5, 25-204.8.5, 25-204.9.5, 25-204.10.5, 25-204.11.5, 25-204.12.5, 25-204.14.5, 25-204.15.5, 25-204.16.5, 25-204.17.5, 25-204.18.5, 25-204.19.5, 25-204.20.5, 25-204.21.5, 25-204.22.5, 25-204.23.5, 25-204.24.5, 25-204.25.5) of CHAPTER XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey are hereby amended by deleting the values in the *Maximum Building Height* column, and by adding Note 7 to each of these Schedules as follows:

**7. Refer to Section 25-209.5, Schedule D – Residential Building Height**

**SECTION 6.**

**Section 25-209.3 Schedule C — Schedule of Required Side Yard Depths by Lot Width** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended by adding the following new schedule:

**SCHEDULE C**

This schedule of side yard setbacks shall apply to all lots located within the following zones: R-2, R-L-2, R-O-2, BV-R-2, BW-R-2, C-R-2, DB, NB, MPNB-1, O&B, ON-BD, OFF-BD, MVH, and 34<sup>th</sup> Street Gateway Zones.

Lot Width	Minimum Width of Each Side Yard	Aggregate Width of Both Side
In Feet	In Feet	Yards In Feet
Up to 29.9	4'0"	8'0"
30 to 34.9	4'0"	8'0"
35 to 39.9	4'0"	9'0"
40 to 44.9	5'0"	11'0"
45 to 49.9	6'0"	12'0"
50 to 54.9	6'0"	13'0"

55 to 59.9	7'0'	16'0"
60 to 64.9	8'0"	18'0"
65 to 69.9	9'0"	20'0"
70 to 74.9	10'0"	22'0"
75 to 79.9	11'0"	24'0"
80 to 84.9	12'0"	26'0"
85 to 89.9	13'0"	28'0"
90 and greater	14'0"	30'0"

**Section 25-209.3 Schedule C — Schedule of Required Side Yard Depths by Lot Width** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended by adding the as following new schedule:

**SCHEDULE C-2**

This schedule of side yard setbacks shall apply to all lots located within the following zones: R-1, R-MF, R-B, R-MB, R-L-1, R-O-1, Bay Landings, Bayou, Bayview R-1, Bay West R-1, Gardens, Merion Park, Neel, North End, Stenton Place, and Riviera Zones.

Lot Width In Feet	Minimum Width of Each Side Yard In Feet	Aggregate Width of Both Side Yards In Feet
Up to 29.9	4'0"	8'0"
30 to 34.9	4'0"	8'0"
35 to 39.9	5'0"	10'0"
40 to 44.9	5'0"	11'0"
45 to 49.9	6'0"	12'0"
50 to 54.9	6'0"	13'0"
55 to 59.9	7'0'	17'0"
60 to 64.9	8'0"	21'0"
65 to 69.9	9'0"	24'0"
70 to 74.9	10'0"	26'0"
75 to 79.9	11'0"	28'0"
80 to 84.9	12'0"	30'0"
85 to 89.9	13'0"	32'0"
90 and greater	14'0"	34'0"

SECTION 7.

**Section 25-210 Old City Overlay Zone** 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:

**Section 25-210.2.5 Side Yard** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby deleted in its entirety:

**25-210.2.5 Side Yard** of Chapter XXV “Zoning and Land Development” of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby deleted in its entirety and the following notation added.

**(Refer to Section 25-209.3 Schedule C-2 – Schedule of Required Side Yard Depths by Lot Width for side yard setback requirements in the Old City Overlay Zone)**

**Section 25-210.2.8 Building Height** 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:

**25-210.2.8 Lowest Habitable Floor**

Maximum elevation to the top of the lowest habitable floor shall be five feet (5') above the *Finished Grade* for buildings on lots that have alley access. This floor elevation shall be maintained for the front one-third (1/3) of the habitable building length as measured from the street to the alley.

However, the elevation above *Finished Grade* to the top of the lowest habitable floor may be increased by one foot (1') for every one foot (1'), or portion thereof, necessary to locate the lowest habitable floor in conformance with the Zoning Flood Elevation.

SECTION 8.

**Section 25-300.16 Residential Building Design**

**Section 25-300.16.c.2.c Roof Decks** of the Revised General Ordinances of the City of Ocean City is amended as follows:

- (c) A roof deck shall not be higher than fourteen inches (14") above the *Top Plate*.

SECTION 9.

**Section 25-1200.3 As-Built Certifications**

**Section 25-1200.3.1.a Certification of Front Yard, Side Yard, Rear Yard, Height, Building Coverage and Impervious Surface Coverage Compliance** of the Revised General Ordinances of the City of Ocean City is amended as follows:

- a. In projects involving the construction or structural change of any roof above one (1) story level the developer shall, prior to the sheathing of said roof, submit certification from a licensed surveyor of the State of New Jersey demonstrating compliance with the applicable building height and roof deck height limitations, half-story, eave height and dormer controls, side yard setbacks, rear yard setbacks, front yard setbacks, floor area ratio, total stories and total building coverage as set forth by this Ordinance, or any modification of the limitation by a variance granted by the Ocean City Zoning Board of Adjustment or Ocean City Planning Board. In the event that the certification demonstrates noncompliance with the applicable building height or roof deck limitations, half-story, eave height and dormer controls, side yard setbacks, rear yard setbacks, front yard setbacks and total building coverage of this Ordinance, the developer shall, prior to any further construction or development on the site, take any and all

actions necessary to comply with the appropriate provisions of this Ordinance or in the alternative acquire an appropriate variance. No further development on the site shall be permitted until such compliance occurs or a variance is obtained.

SECTION 10.

If any portion of this ordinance is declared 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 11.

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

SECTION 12.

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

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Jay A. Gillian, Mayor

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Michael J. Allegretto, 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, 2012, and was taken up for a second reading and final passage at a meeting of said Council held on the \_\_day of, 2012 in Council Chambers, City Hall, Ocean City, New Jersey, at \_\_\_in the evening.

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Linda MacIntyre, City Clerk

**Vertical Building Profiles** – (this page is for informational purposes only, and is not intended as part of the ordinance.)

The following table illustrates the relationship between lot width, building width, ½-story/attic height and roof pitch. The following conditions are assumed:

- Street Centerline Elevation = 7.5'
- BFE = 10
- First floor elevation is at BFE+2 = 12
- 9' ceilings on first second floors

<b>Lot Width</b>	<b>Building Width</b>	<b>½-Story/Attic Height</b>	<b>Roof Pitch</b>	<b>Roof Peak above 1<sup>st</sup> Floor (ZFE)</b>	<b>Roof Peak above Street Centerline</b>
26'	18'	8.5'	11/12	28.5'	33'
30'	22'	8.5'	9/12	28.5'	33'
35'	26'	8.5'	8/12	28.5'	33'
40'	29'	8.5'	7/12	28.5'	33'
45'	33'	8.5'	6/12	28.5'	33'
<b>50'</b>	<b>37'</b>	<b>9.0'</b>	<b>6/12</b>	<b>29'</b>	<b>33.5'</b>
<b>55'</b>	<b>39'</b>	<b>9'</b>	<b>6/12</b>	<b>30'</b>	<b>34.5'</b>
<b>60'</b>	<b>42'</b>	<b>10'</b>	<b>6/12</b>	<b>31'</b>	<b>35.5'</b>
<b>65' and over</b>	<b>45'</b>	<b>11'</b>	<b>6/12</b>	<b>32'</b>	<b>36.5'</b>



**ORDINANCE NO. #12-20**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV,  
ZONING AND LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES OF THE  
CITY OF OCEAN CITY TO EXPAND PERMITTED AND CONDITIONAL  
USES IN THE DRIVE-IN BUSINESS ZONE.**

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 permitted and conditional uses and the bulk requirements in the Drive-In Business (DB) Zone are hereby revised to read as follows:

**25-25.2.2 Permitted Uses:**

- a. Retail sales.
- b. Retail services.
- c. Professional offices.
- d. Business services.
- e. Health care facilities, health care services.
- f. Health clubs, indoor recreation center.
- g. Banks, savings and loan associations, and other fiduciary institutions.
- h. Public transportation facilities.
- i. Restaurants, including fast-food and drive-in restaurants.
- j. Animal hospitals in conjunction with veterinarians.
- k. Shopping centers.
- l. Arts studio and arts center.
- m. Aquarium.
- n. Pedestrian mall.
- o. Contractor’s office, showroom, garage, warehouse and shop, except on lots adjoining 9<sup>th</sup> Street.
- p. Laundry, except on lots adjoining 9<sup>th</sup> Street.
- q. Taxi stands, except on lots adjoining 9<sup>th</sup> Street.
- r. Warehousing and storage, except on lots adjoining 9<sup>th</sup> Street.
- s. Essential services.

**25-205.2.3 Conditional Uses:**

- a. Schools, educational uses and libraries subject to Section 25-208.2.1 of this Ordinance.
- b. Churches, places of worship and clergy residences subject to Section 25-208.2.2 of this Ordinance.
- c. Private and quasi-public recreational, philanthropic and eleemosynary uses subject to Section 25-208.2.3 of this Ordinance.
- d. Public utilities and structures subject to Section 25-208.2.4 of this Ordinance.
- e. Residential dwelling units subject to Section 25-208.2.5 of this Ordinance.
- f. Filling stations subject to section 25-208.2.7 of this Ordinance.

**25-205.2.5 Bulk Requirements.**

Lot area, lot width, lot frontage, front yard, rear yard, side yard, lot depth, building height, stories, building coverage and impervious coverage shall be in accordance with the following schedule:

Zone District	Minimum Lot Area (Square Feet)		Minimum Lot Width and Lot Frontage (Feet)		Minimum Yard Requirements (Feet)			Min. Lot Depth (Feet)	Maximum Building Height		Maximum Building Coverage (percent)	Maximum Impervious Coverage (percent)
	Interior	Corner	Interior	Corner	Front	Rear	Side		Flat/Pitched Roof	Total Stories		
DB	8,000	9,000	90	100	20	4	4	100	22/29	2	80	90

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

\_\_\_\_\_  
Michael J. Allegretto, 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 \_\_\_\_\_, 2012, and was taken up for a second reading and final passage at a meeting of said Council held on the \_\_\_ day of \_\_\_\_\_, 2012 in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o=clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk

**ORDINANCE NO. 12-16**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV,  
ZONING AND LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY TO CHANGE THE ZONE DESIGNATIONS OF  
BLOCK 309, LOTS 2.02 AND 2.03 FROM NORTH END NEIGHBORHOOD TO  
RESIDENTIAL MULTI-FAMILY;  
BLOCK 607, LOTS 17-33 FROM DRIVE-IN BUSINESS TO NORTH END R-1 NEIGHBORHOOD;  
BLOCK 1202, LOTS 1.01-16 FROM RESIDENTIAL MULTI-FAMILY TO R-2-30;  
BLOCK 1302, LOTS 1-9 FROM RESIDENTIAL MULTI-FAMILY TO R-2-30 and  
BLOCK 1505, LOTS 2 and 2.01 FROM DRIVE-IN BUSINESS TO R-1-30**

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.**

In response to the recommendations set forth in the Ocean City Master Plan Reexamination Report adopted October 17, 2012 by the Ocean City Planning Board, Section 25-202- ZONING MAP, of the Revised General Ordinances of the City of Ocean City is amended as follows:

- a. The Zoning District designation for Block 309, Lots 2.02 and 2.03 is hereby changed from NEN Zone to RMF Zone.
- b. The Zoning District designation for Block 607, Lots 17 to 33, inclusive is hereby changed from DB Zone to NEN Zone.
- c. The Zoning District designation for Block 1202, Lots 1.01 through 16, inclusive, is hereby changed from RMF Zone to R-2-30 Zone.
- d. The Zoning District designation for Block 1302, Lots 1 through 9, inclusive, is hereby changed from RMF Zone to R-2-30 Zone.
- e. The Zoning District designation for Block 1505, Lots 2 and 2.01 is hereby changed from DB Zone to R-1-30 Zone.

**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

\_\_\_\_\_  
Michael J. Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 23<sup>rd</sup> day of October, 2012, and was taken up for a second reading and final passage at a meeting of said Council held on the 29<sup>th</sup> day of November, 2012, in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Sheila Cottrell, Deputy City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY SERVICES

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**TRANSMITTAL OF RESOLUTION**  
**ADOPTING CONSISTENCY REPORT**

**TO: Linda MacIntyre, City Clerk**  
**City of Ocean City**

**RE: ORDINANCE 12-16 Master Plan Consistency Report**

**DATE: November 16, 2012**

**Consistency Report Adopted: 11/7/12**

**Resolution Memorialized: 11/14/12**

Attached please find the memorialized resolution adopting the Consistency Report for the Ordinance mentioned above.

c. file

PLANNING DIVISION  
115 12<sup>th</sup> STREET, OCEAN CITY, NJ 08226  
609-399-6111 ext. 9733 FAX: 609-525-2496

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**GARY R. GRIFFITH, ESQUIRE  
GRIFFITH and CARLUCCI, P.C.  
801 Asbury Avenue - Suite 200  
Ocean City, New Jersey 08228  
(609) 399-6900  
Attorneys for the Ocean City Planning Board**

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**OCEAN CITY PLANNING BOARD**

**RESOLUTION**

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1. As required by the Municipal Land Use Law, N.J.S. 40:55D-1 *et seq.*, City Council for the City of Ocean City through the City Clerk for the City of Ocean City has requested that the Ocean City Planning Board review Ordinance No. 12-16 for consistency with the Ocean City Master Plan.

2. On November 7, 2012, the Ocean City Planning Board reviewed Ordinance No. 12-16 for consistency with the Ocean City Master Plan and considered the Ordinance 12-16 Master Plan Consistency Report [“Ordinance 12-16 Master Plan Consistency Report”] a true copy of which is attached hereto as Exhibit “A” and conducted a public hearing thereon. Randall E. Scheule, P.P. & A.I.C.P. [“Planner”] prepared the Ordinance 12-16 Master Plan Consistency Report on October 31, 2012 and was present at the public hearing on November 7, 2012. The Planner presented the Ordinance 12-16 Master Plan Consistency Report to the Ocean City Planning Board. All of the provisions of the Ordinance 12-16 Master Plan Consistency Report are incorporated by this reference as if specifically set forth herein at length. During his

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presentation, Mr. Scheule reviewed Ordinance No. 12-16 and the Ordinance 12-16 Master Plan Consistency Report with the Ocean City Planning Board. Thereafter, Mr. Scheule addressed questions from Ocean City Planning Board members in respect of Ordinance No. 12-16 and the Ordinance 12-16 Master Plan Consistency Report.

3. One member of the public testified and offered comments at the time of public hearing on the Ordinance 12-16 Master Plan Consistency Report on November 7, 2012 as follows: *Richard Lawson, 316 Haven Avenue.*

**NOW, THEREFORE, BE IT RESOLVED** by the Ocean City Planning Board on November 7, 2012 that the Ordinance 12-16 Master Plan Consistency Report attached hereto as Exhibit "A" is **APPROVED AND ADOPTED** and, shall be **REFERRED** to the City Council for the City of Ocean City for legal action with the following comments and recommendations:

1. For all of the reasons delineated in the Ordinance 12-16 Master Plan Consistency Report, Ordinance No. 12-16 is entirely consistent with the Ocean City Master Plan.

This Resolution for approval, adoption, and referral was adopted on motion made by Ocean City Planning Board Member Jones and seconded by Ocean City Planning Board Member Adams on November 7, 2012 ["Jones Motion"]. The vote on the Jones Motion was six (6) in favor of and zero (0) against with Ocean City Planning Board

Members McMahon, Dattilo, Jones, McClellan, Adams, and Loeper all voting in the affirmative.

OCEAN CITY PLANNING BOARD



JOHN LOEPER,  
CHAIRPERSON

Dated: November 14, 2012

**CERTIFICATION**

I, JAIME M. CORNELL-FINE, Secretary to the Ocean City Planning Board, do hereby certify that the foregoing Decision and Resolution was duly adopted at the meeting of the Ocean City Planning Board held on November 7, 2012 and memorialized herein pursuant to N.J.S. 40:55D-10 g. (2) on November 14, 2012.



JAIME M. CORNELL-FINE,  
Secretary, Ocean City Planning Board



CITY OF OCEAN CITY  
ORDINANCE NO. 12-16  
**Master Plan Consistency Report**

**Introduction** - Ordinance 12-16 - An ordinance amending and supplementing Chapter XXV Zoning and Land Development of the Revised General Ordinances of the City of Ocean City to change zoning designations as follows was introduced and adopted on first reading by City Council on October 23, 2012:

- a. The Zoning District designation for Block 309, Lots 2.02 and 2.03 is hereby changed from NEN Zone to RMF Zone,
- b. The Zoning District designation for Block 400, Lots 11, 12 and 13 is hereby changed from RMF Zone to C-2-40/4000 Zone,
- c. The Zoning District designation for Block 1202, Lots 1.01 through 16, inclusive, is hereby changed from RMF Zone to R-2-30 Zone,
- d. The Zoning District designation for Block 1302, Lots 1 through 9, inclusive, is hereby changed from RMF Zone to R-2-30 Zone, and
- e. The Zoning District designation for Block 1505, Lots 2 and 2.01 is hereby changed from DB Zone to R-1-30 Zone.

According to the October 25, 2012 referral from the City Clerk, Ordinance 12-16 will be advertised according to law and is scheduled to have second reading and public hearing at the November 29, 2012 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 12-16 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*" . . . the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*



While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

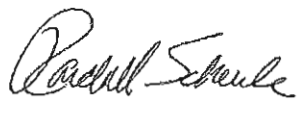
**Ordinance Summary** - Ordinance 12-16 proposes five revisions to the Zoning Map recommended in the Master Plan Reexamination Report adopted by the Planning Board on October 17, 2012. The parcels affected and the new zoning designations proposed by these Zoning Map revisions are identified in the Introduction of this Report.

**Conclusion** - As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 12-16 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 12-16 proposes revisions to the City's Zoning Map that are recommended in the Master Plan Reexamination Report adopted by the Planning Board on October 17, 2012. Based on the Ordinance's consistency with the Reexamination Report it is my professional opinion that Ordinance 12-16 is wholly consistent with the Ocean City Master Plan.

This Report was prepared for the Ocean City Planning Board by:



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

October 31, 2012

**ORDINANCE NO. 12-17**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV,  
ZONING AND LAND DEVELOPMENT, OF THE REVISED GENERAL  
ORDINANCES OF THE CITY OF OCEAN CITY TO CHANGE THE ZONE  
DESIGNATION OF BLOCK 309, LOTS 6 – 13 and A PORTION OF  
BLOCK 309, LOT 14 FROM NEIGHBORHOOD BUSINESS TO R-2-30**

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 MAP**, of the Revised General Ordinances of the City of Ocean City is amended as follows:

a. In response to the recommendations set forth in the Ocean City Master Plan Reexamination Report adopted October 17, 2012 by the Ocean City Planning Board, the Zoning District designation for Block 309, Lots 6, 7, 8, 9, 10, 11, 12, 12.01, 13 and the northerly 60 feet of Lot 14 is hereby changed from NB Zone to R-2-30 Zone.

**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

\_\_\_\_\_  
Michael J. Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 23rd day of October, 2012, was taken up for a second reading and final passage at a meeting of said Council and held on the 29th day of November, 2012 in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Sheila Cottrell, Deputy City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY SERVICES

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**TRANSMITTAL OF RESOLUTION**  
**ADOPTING CONSISTENCY REPORT**

**TO: Linda MacIntyre, City Clerk**  
**City of Ocean City**

**RE: ORDINANCE 12-17 Master Plan Consistency Report**

**DATE: November 16, 2012**

**Consistency Report Adopted: 11/7/12**  
**Resolution Memorialized: 11/14/12**

Attached please find the memorialized resolution adopting the Consistency Report for the Ordinance mentioned above.

c. file

PLANNING DIVISION  
115 12<sup>th</sup> STREET, OCEAN CITY, NJ 08226  
609-399-6111 ext. 9733 FAX: 609-525-2496

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**GARY R. GRIFFITH, ESQUIRE**  
**GRIFFITH and CARLUCCI, P.C.**  
**801 Asbury Avenue - Suite 200**  
**Ocean City, New Jersey 08228**  
**(609) 399-6900**  
**Attorneys for the Ocean City Planning Board**

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**OCEAN CITY PLANNING BOARD**

**RESOLUTION**

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1. As required by the Municipal Land Use Law, N.J.S. 40:55D-1 *et seq.*, City Council for the City of Ocean City through the City Clerk for the City of Ocean City has requested that the Ocean City Planning Board review Ordinance No. 12-17 for consistency with the Ocean City Master Plan.

2. On November 7, 2012, the Ocean City Planning Board reviewed Ordinance No. 12-17 for consistency with the Ocean City Master Plan and considered the Ordinance 12-17 Master Plan Consistency Report ["Ordinance 12-17 Master Plan Consistency Report"] a true copy of which is attached hereto as Exhibit "A" and conducted a public hearing thereon. Randall E. Scheule, P.P. & A.I.C.P. ["Planner"] prepared the Ordinance 12-17 Master Plan Consistency Report on November 1, 2012 and was present at the public hearing on November 7, 2012. The Planner presented the Ordinance 12-17 Master Plan Consistency Report to the Ocean City Planning Board. All of the provisions of the Ordinance 12-17 Master Plan Consistency Report are incorporated by this reference as if specifically set forth herein at length. During his

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presentation, Mr. Scheule reviewed Ordinance No. 12-17 and the Ordinance 12-17 Master Plan Consistency Report with the Ocean City Planning Board. Thereafter, Mr. Scheule addressed questions from Ocean City Planning Board members in respect of Ordinance No. 12-17 and the Ordinance 12-17 Master Plan Consistency Report.

3. One member of the public testified and offered comments at the time of public hearing on the Ordinance 12-17 Master Plan Consistency Report on November 7, 2012 as follows: *Dale Braun , 326 West Avenue.*

**NOW, THEREFORE, BE IT RESOLVED** by the Ocean City Planning Board on November 7, 2012 that the Ordinance 12-17 Master Plan Consistency Report attached hereto as Exhibit "A" is **APPROVED AND ADOPTED** and, shall be **REFERRED** to the City Council for the City of Ocean City for legal action with the following comments and recommendations:

1. For all of the reasons delineated in the Ordinance 12-17 Master Plan Consistency Report, Ordinance No. 12-17 is entirely consistent with the Ocean City Master Plan.

This Resolution for approval, adoption, and referral was adopted on motion made by Ocean City Planning Board Member Jones and seconded by Ocean City Planning Board Member McClellan on November 7, 2012 ["Jones Motion"]. The vote on the Jones Motion was six (6) in favor of and zero (0) against with Ocean City Planning

Board Members McMahon, Dattilo, Jones, McClellan, Adams, and Loeper all voting in the affirmative.


OCEAN CITY PLANNING BOARD

  
JOHN LOEPER,  
CHAIRPERSON

Dated: November 14, 2012

**CERTIFICATION**

I, JAIME M. CORNELL-FINE, Secretary to the Ocean City Planning Board, do hereby certify that the foregoing Decision and Resolution was duly adopted at the meeting of the Ocean City Planning Board held on November 7, 2012 and memorialized herein pursuant to N.J.S. 40:55D-10 g. (2) on November 14, 2012.

  
JAIME M. CORNELL-FINE,  
Secretary, Ocean City Planning Board

CITY OF OCEAN CITY  
ORDINANCE NO. 12-17  
**Master Plan Consistency Report**

**Introduction** – Ordinance 12-17 – An ordinance amending and supplementing Chapter XXV Zoning and Land Development of the Revised General Ordinances of the City of Ocean City to revise zoning designations as follows, was introduced and adopted on first reading by City Council on October 23, 2012:

The Zoning District designation for Block 309, Lots 6, 7, 8, 9, 10, 11, 12, 12.01, 13 and the northerly 60 feet of Lot 14 is hereby changed from NB Zone to R-2-30 Zone.

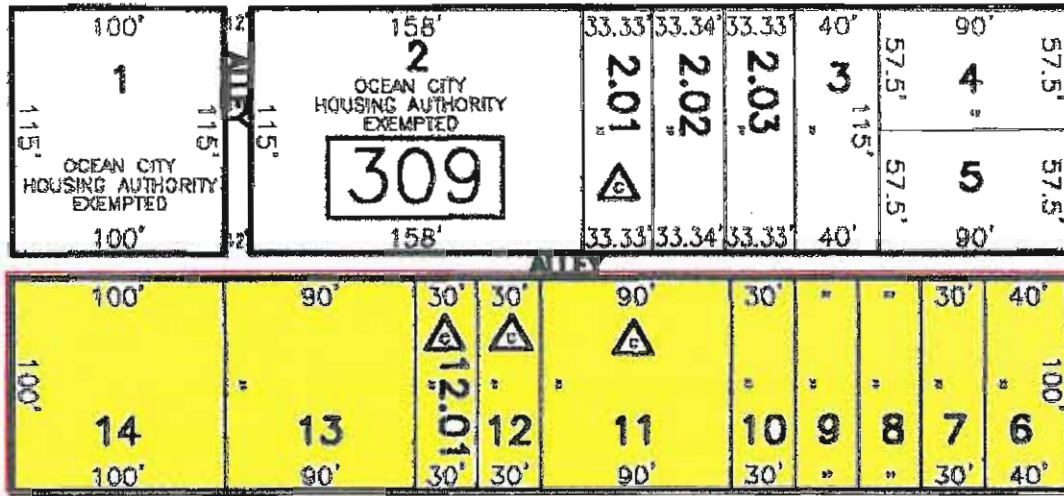
According to the October 25, 2012 referral from the City Clerk, Ordinance 12-17 will be advertised according to law and is scheduled to have second reading and public hearing at the November 29, 2012 City Council meeting.

The “Municipal Land Use Law” provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 12-17 to City Council. NJS 40:55D-26 describes the Planning Board’s responsibility regarding the master plan consistency review as follows:

*“ . . . the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate.”*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all “development regulations” must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must “either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements.” The “Master Plan” referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary** - Ordinance 12-17 proposes revisions to the Zoning Map that are recommended in the Master Plan Reexamination Report adopted by the Planning Board on October 17, 2012. The parcels affected by this Zoning Map revision are identified in the Introduction of this Report and the following exhibit. The 40' corner at Fourth and West will permit residential-commercial use, and is to be retained in the Neighborhood Business Zone.



**Summary and Conclusion** - As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 12-17 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.


Ordinance 12-17 proposes revisions to the City's Zoning Map that are described in Master Plan Amendment #7 of the Master Plan Reexamination Report adopted by the Planning Board on October 17, 2012. It is my professional opinion that Ordinance 12-17 as proposed is wholly consistent with the Ocean City Master Plan.



Ordinance 12-17

Master Plan Consistency Report

This Report was prepared for the Ocean City Planning Board by:



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Randall E. Scheule, PP/ AICP

New Jersey Professional Planner License No. LI003666

November 1, 2012

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

# 1

BID SPECIFICATIONS  
AVAILABLE IN THE CITY  
CLERK'S OFFICE

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR  
CITY CONTRACT #12-66, ACQUISITION OF RECONDITIONED 6X6 M 813  
MILITARY CARGO TRUCKS**

**BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #12-66, Acquisition of Reconditioned 6x6 M 813 Military Cargo Trucks.

\_\_\_\_\_  
Michael J. Allegretto  
Council President

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, December 5, 2012 with the bid opening scheduled on Thursday, December 20, 2012 and an anticipated date of award on Thursday, December 27, 2012.

Files: RAU 12-66 M813 Military Vehicles.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 ..... 20 .....

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

.....  
City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF FIRE & RESCUE SERVICES

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To: Michael Dattilo, Business Administrator

Cc: Joseph Clark, Purchasing

From: Christopher Breunig, Fire Chief

Reference: Replacement of the storm trucks

I am requesting that we pursue the replacement of the storm trucks as soon as possible. Capital funds were in place to purchase and replace exiting trucks in the upcoming years. The recent storm has taken its toll on an all-ready ageing fleet. The exiting older trucks have proved vital and worth while, but they are beyond there years and are need of major repairs or upgrades. We would need over \$10,000 for repairs or upgrades. Some of the areas that failed were the entire electrical system on the vehicles, lights, heat, pumps, starters and batteries, to name a few. We will continue to encounter these breakdowns and problems, even when fixed.

During the last couple of storms it has become aware that we can not rely on the help or presence of the NJ National Guard. The city at this point must be prepare and equip itself to handle any future storms.

We are looking to replace 3 vehicles in excess of 35 years of age each and proving too difficult to fix or find parts. While at their time, they were once state of the art, they are now dated and prove to be a liability. The recent storm revealed glaring faults with the current setup on these vehicles. The record tides hampered our ability to provide safe and consistent rescue services to our community.

The new generation of vehicles is constructed to weather all aspects of a storm. They are designed so that key components are located above the hazards of flooding. With new designs in height, passenger areas, engines batteries, body design and safety improvements this would facilitate a better response by our fire department. Improved passenger compartments, increase safety for riders and operators of the vehicles.

We have been actively pursuing our options and believe in the proposed replacements set forth. They would be a newer generation with a larger body design. The upgrades in the key components of this vehicle would prove to be successful in most flooding conditions. This would also provide an overall safer operation with a larger passenger compartment on the rear body. Increase our operability of loading and unloading passengers. The electrical system would be located at higher levels and weather proofed. All of the running gear and motors are better equipped to sustain salt water contact. Overall, less maintenance and "down time". The purchase prices, along with the years of viable service, are both cheap and long.

Please set forth in the acquisitions of these vehicles as to aid in our responses to future natural disasters.

550 ASBURY AVENUE, OCEAN CITY, NJ 08226  
609-525-9182 FAX: 609-398-7447

*Printed on Recycled Paper*

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

#2

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY CONTRACT #13-04,  
PRINTING SERVICES FOR THE CITY OF OCEAN CITY &  
THE OCEAN CITY BOARD OF EDUCATION**

**BE IT RESOLVED**, by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #13-04, Printing Services for the City of Ocean City & the Ocean City Board of Education.

\_\_\_\_\_  
Michael J. Allegretto  
Council President

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, December 5, 2012 with the bid opening scheduled on Thursday, December 20, 2012 and an anticipated date of award on Thursday, January 10, 2013.

Files: RAU 13-04 Printing Services oc/ocboe.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 ..... 20 .....

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

.....  
City Clerk

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

#3

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY AND BENECARD SERVICES, INC. ("BENECARD"), AS THE PROVIDER OF THE EMPLOYEE AND RETIREE PRESCRIPTION DRUG BENEFIT PROGRAM**

**WHEREAS**, the City of Ocean City is desirous of entering into a Professional Services Contract with Benecard Services, Inc., "Benecard," of 3131 Princeton Pike, Building 2B, Suite 103, Lawrenceville, NJ 08648, to provide the Employee and Retiree Prescription Drug Benefit Program; and

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

**WHEREAS**, Benecard Services, Inc., "Benecard," has been determined to have the necessary expertise and ability to provide the Prescription Drug Benefit Program for employees and retirees of the City of Ocean City; and

**WHEREAS**, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contracts issued in the calendar year 2013 with said firm will exceed \$17,500.00; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Frank Donato III, Director of Financial Management; Joann Cioeta, Human Resources Director; Dorothy F. McCrosson, Esq., City Solicitor; Kevin Croly, Innovative Risk Solutions, Inc. (Broker of Record); Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing have reviewed the said firm's proposal and recommended that Benecard Services, Inc., "Benecard," of 3131 Princeton Pike, Building 2B, Suite 103, Lawrenceville, NJ 08648, be awarded a alternative-non-advertised contract for the Employee and Retiree Prescription Drug Benefit Program; and

**WHEREAS**, this contract is awarded through an alternative non-advertised process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, Benecard Services, Inc., "Benecard" has completed and submitted a Business Entity Disclosure Certification which certifies that "Benecard" has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, New Jersey, in the previous one-year period, and that the contract will prohibit "Benecard" from making any reportable contributions through the term of the contract; and

**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 to **Benecard Services, Inc., "Benecard," of 3131 Princeton Pike, Building 2B, Suite 103, Lawrenceville, NJ 08648** for professional services as the provider of the Employee and Retiree Prescription Drug Benefit Program as follows:

1. Fees shall be charged and paid as per attached Schedule "A."
2. The term of the contract shall be for a period of twelve (12) months, commencing on January 1, 2013, through December 31, 2013.
3. A copy of the Pay-to-Play Certification & the Business Registration Certificate (BRC) for Benecard Services, Inc., "Benecard," has been submitted and shall be placed on file in the City's Purchasing Division Office.
4. 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.

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**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 **Benecard Services, Inc., "Benecard," of 3131 Princeton Pike, Building 2B, Suite 103, Lawrenceville, NJ 08648** beginning on January 1, 2013 and continuing through until December 31, 2013 as the provider of the Employee and Retiree Prescription Drug Benefit Program for the City of Ocean City as listed and in accordance with this resolution and submitted proposal.

The Director of Financial Management certifies that 2013 funds contingent upon the adoption of the 2013 Local Municipal Budget and shall be charged to the Operating Account No. 3-01-20-025-371.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

Files: RPS 2013 Benecard Prescription Durg Program.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 ..... 20 .....

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

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City Clerk

# Memo

**To:** Michael Dattilo  
**From:** Joann Cioeta  
**Date:** 11/14/2012  
**Re:** **Benecard Resolution**

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Mike –

We received notification from the State Health Benefits Program that our health plan costs would increase 8.4% effective 1/1/2013. Our insurance broker Innovative Risk Solutions scanned the group health market and was successful in negotiating a fully-insured medical and prescription drug program with AmeriHealth that mirrors the Horizon Direct 10 Plan in the SHBP, with a reduction in rate of 6.7

Benecard is the prescription drug provider in the AmeriHealth Plan. The prescription drug co-pays will remain the same as they would have under SHBP.

The savings in the City's 2013 operating budget is anticipated to be in excess of \$700,000. And employees will experience a savings in their monthly health care contributions. 2013 represents year two of the four-year phase-in of monthly health care contributions.

You, Finance Director Frank Donato, Insurance Brokers Sean Gormley and Kevin Croly and I have met and discussed the advantages. We met with the leadership of all of the major City unions, and they have had the opportunity to communicate with their memberships. The unions are supportive of this change.

We will schedule employee meetings and one retiree meeting in early December to explain the transition and to answer any questions. Representatives from Benecard and AmeriHealth will be at those meetings.

## ATTACHMENT "A"

**Group 1 (Actives): Co-Pay –**

Retail: \$3.00 Generic / \$10.00 Brand

Mail Order: \$5.00 Generic / \$15.00 Brand

Day Supply Limitation: Retail – up to 30 days (1x co-pay),  
 31-60 days (2x co-pay),  
 61-90 days (3x co-pay);

Mail Order – up to 90 days

This program includes Step Therapy, Mandatory Mail Order for Specialty Drugs, and Dose Optimization

**Rates for 12-Month Contract (January 1, 2013 through December 31, 2013)**

Category	Single	Parent/Child	Parent/Children	Member/Spouse	Family	Totals
# of plan members	53	27	0	30	126	236
Monthly Rates	\$129.12	\$213.04	\$213.04	\$284.06	\$309.88	
Annualized Cost						\$721,938.82
<i>Includes Cost Management</i>						

\*OAD RATE: \$102.99

Rates valid for 30 days from the date of issue.

**Group 2 (Early Retirees): Co-Pay –**

Retail: \$11.00 Generic / \$23.00 Preferred Brand / \$46.00 Non-Preferred Medication

Mail Order: \$11.00 Generic / \$34.00 Preferred Brand / \$57.00 Non-Preferred Medication

Day Supply Limitation: Retail – up to 30 days (1x co-pay),  
 31-60 days (2x co-pay),  
 61-90 days (3x co-pay);

Mail Order – up to 90 days

\*\*This is a Preferred Medication Program

Annual Out of Pocket Maximum: \$1,355.00 per Employee

This program includes Step Therapy, Mandatory Mail Order for Specialty Drugs, and Dose Optimization

**Rates for 12-Month Contract (January 1, 2013 through December 31, 2013)**

Category	Single	Parent/Child	Parent/Children	Member/Spouse	Family	Totals
# of plan members	27	4	0	17	24	72
Monthly Rates	\$228.21	\$376.55	\$376.55	\$502.07	\$547.71	
Annualized Cost						\$352,177.43
<i>Includes Cost Management</i>						

\*OAD RATE: \$182.03

Rates valid for 30 days from the date of issue.

City of Ocean City  
 (12-Month Contract - Active and Retiree  
 Population w/EGWP)



11072012-12



## ATTACHMENT "A"

Page 2

**Group 3 (Medicare Retirees): Co-Pay –**

**Retail: \$11.00 Generic / \$23.00 Preferred Brand / \$46.00 Non-Preferred Medication**

**Mail Order: \$11.00 Generic / \$34.00 Preferred Brand / \$57.00 Non-Preferred Medication**

**Day Supply Limitation: Retail – up to 30 days (1x co-pay),**

**31-60 days (2x co-pay),**

**61-90 days (3x co-pay);**

**Mail Order – up to 90 days**

**\*\*This is a Preferred Medication Program**

**Annual Out of Pocket Maximum: \$1,355.00 per Employee**

This program includes Step Therapy, Mandatory Mail Order for Specialty Drugs, and Dose Optimization

**Rates for 12-Month Contract (January 1, 2013 through December 31, 2013)**

Category	Single	Parent/Child	Parent/Children	Member/Spouse	Family	Totals
# of plan members	22	0	0	31	2	55
Monthly Rates	\$286.90	\$473.38	\$473.38	\$631.17	\$688.55	
Annualized Cost						\$327,060.99
<i>Includes Cost Management</i>						

\*OAD RATE: \$228.84

Rates valid for 30 days from the date of issue.

**Prospective Rate Adjustment for Second Year:**

Should the City wish to extend the proposed contract for the period January 1, 2014 through December 31, 2014 the following grid illustrates the rate adjustments that will be offered based on the program's actual loss ratio performance for the period January 1, 2013 through December 31, 2013. The loss ratio shall be determined by dividing the actual claim and network costs incurred (Claims Payments) by the total program costs billed for the period. The table below identifies the rate adjustments required at various loss ratio levels. The percentage adjustments listed assume that plan design and other program elements remain unchanged throughout the contract period. This grid is provided for illustrative purposes only and is non-binding on the parties.

**Please Note:** The rate adjustments below are contingent upon a like brokerage commission of 2% for the period January 1, 2014 through December 31, 2014.

Actual Loss Ratio for the period January 1, 2013 to December 31, 2013	Rate change for the period January 1, 2014 to December 31, 2014
< = 85.0%	+0.0%
85.1% – 88.0%	+3.0%
88.1% – 91.0%	+6.0%
91.1% – 94.0%	+9.0%
94.1% – 97.0%	+12.0%
97.1% – 100.0%	+15.0%
> = 100.1%	Experience Based

City of Ocean City  
(12-Month Contract - Active and Retiree  
Population w/EGWP)



11072012-12

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**



**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY AND AMERIHEALTH INSURANCE COMPANY OF NEW JERSEY, "AMERIHEALTH," AS THE PROVIDER OF THE EMPLOYEE AND RETIREE HEALTH CARE BENEFIT PROGRAM**

**WHEREAS**, the City of Ocean City is desirous of entering into a Professional Services Contract with with AmeriHealth Insurance Company of New Jersey, "AmeriHealth," of 259 Prospect Plains Road, Building M, Cranbury, NJ 08512, to provide the Employee and Retiree Group Health Care Benefit Program; and

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

**WHEREAS**, AmeriHealth Insurance Company of New Jersey, "AmeriHealth," has been determined to have the necessary expertise and ability to provide the Health Care Benefit Program for employees and retirees of the City of Ocean City; and

**WHEREAS**, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contracts issued in the calendar year 2013 with said firm will exceed \$17,500.00; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Frank Donato III, CMFO, Director of Financial Management; Joann Cioeta, Human Resources Director; Dorothy F. McCrosson, Esq., City Solicitor; Kevin Croly, Innovative Risk Solutions, Inc. (Broker of Record); Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing have reviewed the said firm's proposal and recommended that AmeriHealth Insurance Company of New Jersey, "AmeriHealth," of 259 Prospect Plains Road, Building M, Cranbury, NJ 08512, be awarded a alternative-non-advertised contract for the Employee and Retiree Health Care Benefit Program; and

**WHEREAS**, this contract is awarded through an alternative non-advertised process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, AmeriHealth Insurance Company of New Jersey, "AmeriHealth" has completed and submitted a Business Entity Disclosure Certification which certifies that "AmeriHealth" has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, New Jersey, in the previous one-year period, and that the contract will prohibit "AmeriHealth" from making any reportable contributions through the term of the contract; and

**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 to **AmeriHealth Insurance Company of New Jersey, "AmeriHealth," of 259 Prospect Plains Road, Building M, Cranbury, NJ 08512** for professional services as the provider of the Employee and Retiree Health Care Benefit Program as follows:

1. Fees shall be charged and paid as per attached Schedule "A."
2. The term of the contract shall be for a period of twelve (12) months, commencing on January 1, 2013, through December 31, 2013.
3. A copy of the Pay-to-Play Certification & the Business Registration Certificate (BRC) for AmeriHealth Insurance Company of New Jersey, "AmeriHealth" has been submitted and shall be placed on file in the City's Purchasing Division Office.
4. 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.

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**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 **AmeriHealth Insurance Company of New Jersey, "AmeriHealth," of 259 Prospect Plains Road, Building M, Cranbury, NJ 08512** beginning on January 1, 2013 and continuing through until December 31, 2013 as the provider of the Employee and Retiree Health Care Benefit Program for the City of Ocean City as listed and in accordance with this resolution and submitted proposal.

The Director of Financial Management certifies that 2013 funds contingent upon the adoption of the 2013 Local Municipal Budget and shall be charged to the Operating Account No. 3-01-20-025-371.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

Files: RPS 2013 AmeriHealth Health Care Benifit Program.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 ..... 20 .....

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

.....  
City Clerk

# Memo

**To:** Michael Dattilo  
**From:** Joann Cioeta  
**Date:** 11/14/2012  
**Re:** **AmeriHealth Resolution**

---

Mike –

We received notification from the State Health Benefits Program that our health plan costs would increase 8.4% effective 1/1/2013. Our insurance broker Innovative Risk Solutions scanned the group health market and was successful in negotiating a fully-insured medical and prescription drug program with AmeriHealth that mirrors the Horizon Direct 10 Plan in the SHBP, with a reduction in rate of 6.7%. In addition, when we compared AmeriHealth's network of providers with that of Horizon BC/BS, AmeriHealth offers a wider network both in-state and out-of-state.

The savings in the City's 2013 operating budget is anticipated to be in excess of \$700,000. And employees will experience a savings in their monthly health care contributions. 2013 represents year two of the four-year phase-in of monthly health care contributions.

You, Finance Director Frank Donato, Insurance Brokers Sean Gormley and Kevin Croly and I have met and discussed the advantages. We met with the leadership of all of the major City unions, and they have had the opportunity to communicate with their memberships. The unions are supportive of this change.

We will schedule employee meetings and one retiree meeting in early December to explain the transition and to answer any questions. Representatives from AmeriHealth will be at those meetings.



**RESOLUTION**

5  
#5

**AUTHORIZING AN EMPLOYEE HEALTH CARE  
COVERAGE WAIVER WITH A REIMBURSABLE OPTION**

**WHEREAS**, the City of Ocean City provide employees with a comprehensive Health Care Plan; and

**WHEREAS**, N.J.S.A. 40A:10-17.1 provides that, notwithstanding the provisions of any other law to the contrary, a municipality that enters into a contract providing group health care benefits to its employees pursuant to N.J.S.A. 40A:10-16, may allow an employee who is eligible for other health care coverage to waive coverage under the municipality's plan to which the employee is entitled by virtue of employment with municipality; and

**WHEREAS**, the City plans to implement this voluntary option to its Health Care Plan effective January 1, 2013; and

**WHEREAS**, the employees of the City may be interested in waiving employee coverage under the existing Health Care Plan; and

**WHEREAS**, an employee who does not need to be covered by the City's Health Care Benefits because he or she is covered by another health plan from a different source may accept a stipend from the City in lieu of coverage if the employee meets the following conditions:

- a. Complete forms supplied by the Human Resources Division requesting the waiver.
- b. Provide proof of coverage through their spouse or another employer's plan.
- c. If married, provide a signed release by the spouse approving the waiver of health insurance and prescription plan for a stipend and verifying that the spouse has other health insurance coverage.
- d. The stipend shall be provided if the employee opts out for the City's Health Care Benefits and Prescription Plan only. The stipend will be paid on a quarterly basis. The stipend is taxable and not part of the employee's base pay. In addition, the employee who opts out of City's Health Care Benefits and Prescription Plan shall benefit by not having to contribute to health benefits.
- e. If an employee desires to re-enter the City's health coverage plan due to other than a Life Event change, the employee must wait until there is an open enrollment period in October of each year, return any prorated stipend and comply with any pre-existing health restrictions that may apply from the City's current insurer.
- f. If the employee leaves the City's employment for any reason, the stipend will be prorated for the time worked and the balance must be repaid.
- g. The annual stipend offered to employees who have Family or Member/Spouse coverage shall be twenty-five percent (25%) of the net amount saved by the City because of the waiver of coverage or \$5,000, whichever is less. The annual stipend offered to employees who have Parent with Child or Single coverage shall be twenty-five percent (25%) of the net amount saved by the City because of the waiver of coverage or \$3,000, whichever is less.
- h. The city reserves the right to reduce or eliminate the opt-out provision in the future based on Health Insurance and economic conditions.

**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 that the City is hereby authorized to provide an annual stipend in the of twenty-five percent (25%) of the net amount saved by the City because of the waiver of coverage or \$5,000, whichever is less, to employees who have Family or Member/Spouse coverage; and, with respect to employees who have Parent with Child or Single coverage, an annual stipend in the amount of twenty-five percent (25%) of the net amount saved by the City because of the waiver of coverage or \$3,000, whichever is less, for opting out of the City's Health Care Benefits and Prescription Plan only. The stipend will be prorated if for less than one year and will be paid on a quarterly basis.

The City reserves the right to terminate the opt-out provision in the future based on Health Insurance and economic conditions. This opt-out program will be offered effective January 1, 2012 and shall be paid by the City Finance Director from the Insurance Appropriation Account.

**BE IT FURTHER RESOLVED** that the Director of Financial Management certifies that funds are available from the Medical Insurance account.

\_\_\_\_\_  
Frank Donato, CFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto,  
Council President

File name: OPT out health care

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 ..... 20 .....

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Kemenosh	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Sheppard	_____	_____	_____	_____
Wagner	_____	_____	_____	_____

.....  
City Clerk

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

#6

**AUTHORIZING PROFESSIONAL SERVICES CONTRACTS BETWEEN  
THE CITY OF OCEAN CITY AND BONNIE D. PUTTERMAN, ESQ., SWIFT LAW FIRM, LLC &  
TEITLER & TEITLER, LLC FOR CONFLICT PUBLIC DEFENDER LEGAL SERVICES  
FOR THE CITY OF OCEAN CITY**

**WHEREAS**, the Law Offices of Douglas K. Walker, P.C. is the duly contracted Ocean City Municipal Public Defender for the City of Ocean City; and

**WHEREAS**, it sometimes arises that Douglas K. Walker, P.C. is unable to serve as the municipal public defender in situations in which there exist a conflict of interest; and

**WHEREAS**, cases arise from time to time where more than one municipal public defender maybe required by Law to serve as a public defender in the Ocean City Municipal Court; and

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

**WHEREAS**, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified that the total value of the contract(s) may exceed \$17,500; and

**WHEREAS**, the Request for Proposal, City RFP #Q-11-008, Conflict Public Defender Legal Counsel Services for the City of Ocean City was advertised in the Ocean City Sentinel on Wednesday, July 27, 2011, the specifications were posted on the City of Ocean City's website www.ocnj.us and the invitation to quote was sent to eight (8) prospective bidders; and

**WHEREAS**, proposals were received & opened for City RFP #Q-11-008, Conflict Public Defender Legal Counsel Services for the City of Ocean City on Tuesday, August 16, 2011 and three (3) proposals were received; and

**WHEREAS**, based on the review and evaluations conducted in accordance with New Jersey State Local Public Contract Law by Dorothy F. McCrosson, Esq., Director of Law; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager of the received proposals for City RFP #Q-11-008, Conflict Public Defender Legal Counsel Services for the City of Ocean City it was recommended that a contracts be awarded to Bonnie D. Putterman, Esq.; Swift Law Firm, LLC & Teitler & Teitler, LLC; and

**WHEREAS**, City Council awarded the original professional services contract for City RFP #Q-11-008, Conflict Public Defender Legal Counsel Services for the City of Ocean City for a one (1) year duration beginning on December 1, 2011 and continuing through November 30, 2012 to Bonnie D. Putterman, Esq.; Swift Law Firm, LLC & Teitler & Teitler, LLC on Tuesday, November 29, 2011 through the passage of Resolution No. 11-48-110; and

**WHEREAS**, Bonnie D. Putterman, Esq.; Swift Law Firm, LLC & Teitler & Teitler, LLC have been determined to have the necessary expertise and ability to perform the required legal counsel services; and

**WHEREAS**, the City of Ocean City has developed and established set fees for services that are required by the City on an annual basis; and

**WHEREAS**, Bonnie D. Putterman, Esq.; Swift Law Firm, LLC & Teitler & Teitler, LLC have agreed to the fees that were proposed in City RFP #Q-11-008, Conflict Public Defender Legal Counsel Services for the City of Ocean City for a second one (1) year duration beginning on December 1, 2012 and continuing through November 31, 2013; and

**WHEREAS**, these contracts are awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, Bonnie D. Putterman, Esq.; Swift Law Firm, LLC & Teitler & Teitler, LLC have completed and submitted a Business Entity Disclosure Certification which certifies that each entity or individual named above 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 these same entities and individuals from making any contributions through the term of the contract; and

**WHEREAS**, the vendors are 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



**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 contracts to **Bonnie D. Putterman, Esq., 5916 Main Street, Mays Landing, NJ 08330; Swift Law Firm, LLC, 1335 Tilton Road, Northfield, NJ 08225 & Teitler & Teitler, LLC, 109 34<sup>th</sup> Street, Suite #201, Ocean City, NJ 08226** for Conflict Public Defender for a second one (1) year duration beginning on December 1, 2012 and continuing through November 30, 2013 as follows:

<b><u>Item</u></b>	<b><u>Description</u></b>	<b><u>2<sup>nd</sup> Year Rate</u></b>
--------------------	---------------------------	--

The scope and established fees for this contract shall be as follows:

- |    |   |           |
|----|---|-----------|
| 1. | Legal Services Provided as the Conflict Public Defender (Per case fee) for the City of Ocean City.....  | \$ 300.00 |
| 2. | The term of the contract shall be for a period of one (1) year commencing on December 1, 2012 and continuing through November 30, 2013.   |           |
| 3. | A copy of the Business Entity Certification, A Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) shall be on placed on file in the Purchasing Division |           |
| 4. | 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 agreements with Bonnie D. Putterman, Esq., 5916 Main Street, Mays Landing, NJ 08330; Swift Law Firm, LLC, 1335 Tilton Road, Northfield, NJ 08225 & Teitler & Teitler, LLC, 109 34<sup>th</sup> Street, Suite #201, Ocean City, NJ 082261 beginning on December 1, 2012 and continuing through November 30, 2013 for Conflict Public Defender Legal Services as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services and that 2013 funding is contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate accounts as Purchase Orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Michael J. Allegretto  
 Council President

Files: RPS 2012 Conflict Public Defender.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 ..... 20 .....

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 City Clerk



PURCHASING DIVISION  
SUMMARY OF RFP

CITY OF OCEAN CITY  
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Tuesday, August 16, 2011  
CITY RFP# 11-008  
PROPOSAL NAME: Conflict Public Defender Legal Counsel Services for the City of Ocean City

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

NAME, ADDRESS & BID OF EACH VENDOR		Bonnie D. Putterman, Esquire 5916 Main Street Mays Landing, NJ 08330	Swift Law Firm, LLC 1335 Tilton Road Northfield, NJ 08225	Teitler & Teitler, LLC 109 34th Street, Suite 201 Ocean City, NJ 08226
		Bonnie Putterman, Attorney	Claire S. Swift, Esquire	Avery Teitler, Managing Member
		Ph: (609) 625-8383	Ph: (609) 484-3300	Ph: (609) 814-9995
		Fx: (609) 625-3325	Fx: (609) 484-3033	Fx: (609) 398-4017
		email: puttermanlaw@aol.com	email: Swiftclaire@yahoo.com	email: 9teitler@teitlerlaw.com
ITEM	DESCRIPTION			
1.0	Legal Services provided as the Conflict Public Defender (per case fee) for the City of Ocean City (\$300.00 per case for 2011/2012, 2012/2013, 2013/2014)	\$300.00 per case	\$300.00 per case	\$300.00 per case
	Name of Attorney Proposed	Bonnie D. Putterman, Law Office of Bonnie D. Putterman	Claire S. Swift, Swift Law Firm, LLC	Avery Teitler, Teitler & Teitler, LLC
<i>Required Information</i>				
	RIGHT TO EXTEND-TIME OF AWARD:	YES/NO Y	YES/NO Y	YES/NO Y
	STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO Y	YES/NO Y	YES/NO Y
	NON-COLLUSION AFFIDAVIT:	YES/NO Y	YES/NO Y	YES/NO Y
	NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO Y	YES/NO Y	YES/NO Y
	NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE:	YES/NO Y	YES/NO Y	YES/NO Y
	SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDER:	YES/NO Y	YES/NO Y	YES/NO Y
	ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:	YES/NO N/A	YES/NO N/A	YES/NO N/A
	NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:	YES/NO Y	YES/NO Y	YES/NO Y
	NUMBER OF COPIES:	3	3	3

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

#7

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF A CONTRACT, FINAL ACCEPTANCE AND PAYMENT FOR THE DEMOLITION OF THE PROPERTY AT 701 – 03 EIGHT STREET COMMONLY KNOWN AS THE BELLEVUE HOTEL**

**WHEREAS**, an emergent condition was declared at 701-03 Eight Street; Block:704 Lot:10, and a contract was awarded to Terra Technical Services, LLC for City RFP # Q12-012, Demolition of Bellevue Hotel, 701-03 8<sup>th</sup> Street, Block:704 Lot:10; and

**WHEREAS**, Patrick W. Newton Jr., Construction Official and Arthur J. Chew, PE, City Engineer conducted inspections of the buildings located on 701-03 Eight Street and found them to be in such poor condition that the possibility of collapse and damage to adjacent properties and the public existed; and

**WHEREAS**, the City of Ocean City contracted with Lamont Czar, P.E., Czar Engineering, LLC. to inspect and appraise the actual condition of the buildings; and

**WHEREAS**, Lamont Czar, P.E., Czar Engineering, LLC; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services, Patrick W. Newton Jr., Construction Official, Arthur J. Chew, PE, City Engineer and Roger Rinck, Manager of Engineering reviewed the submitted reports and determined that the buildings were in a state of collapse which created an imminent hazard pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32 and was in need of immediate demolition; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Arthur J. Chew, PE, City Engineer; Joseph S. Clark, QPA, Purchasing Manager and Frank Donato, III, CFMO, Director of Financial Management reviewed the reports and proposals and determined that time was of the essence in order to prevent an eminent danger to the public and awarded a contract to Terra Technical Services, LLC in accordance with N.J.S.A. 40A: 11-6; and

**WHEREAS**, the New Jersey Public Contract Law, N.J.S.A. 40A: 11-6. permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate replacement/reconstruction or demolition of said article is required to rectify the emergent conditions; and

**WHEREAS**, on September 7, 2012 City RFP#Q12-012, Demolition of Bellevue Hotel, 701-03 8<sup>th</sup> Street, Block:704 Lot:10 were received & opened a Purchase Order was issued to **Terra Technical Services, LLC, 600 South Brandywine Avenue, Building 100, Downingtown, PA 19335** in an amount of **\$158,000.00**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, Purchasing Manager reviewed Change Order No. 1 in the amount of (\$4,674.95) for the demolition of the Bellevue Hotel to be in proper order; and

**WHEREAS**, all invoices for recognized time and material cost have been submitted for a total contract amount including Change Order No. 1 of **\$145,658.80**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services, Patrick W. Newton Jr., Construction Official, Arthur J. Chew, PE, City Engineer and Roger Rinck, Manager of Engineering; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, Purchasing Manager have reviewed and certified that all work has been completed in accordance to the job specifications and the Certified Payrolls and Contractor's Affidavit of Payment/Release of Liens have been submitted and are in proper order; 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 that it authorizes Final Acceptance and Payment to **Terra Technical Services, LLC, 600 South Brandywine Avenue, Building 100, Downingtown, PA 19335** for the final contract amount of **\$145,658.80**; and

**BE IT FURTHER RESOLVED** that the Director of Financial Management shall process a Final Payment to Terra Technical Services, LLC in the amount of \$145,658.80 (Change Order #1 & PO #12-02508) that was charged to Capital Account No. C-04-55-279-010.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES: RES Emergent condition Bellevue – Terra Technical Services.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 ..... 20 .....

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

.....  
City Clerk



PURCHASING DIVISION  
SUMMARY OF BIDS

CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Friday, September 7, 2012 @ 2:00, PM, EDT

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

PROPOSAL NAME: Demolition of the Bellevue Hotel  
Demolition & Disposal of the Building Located at  
701-03 8th Street Block: 704, Lot: 10

NAME, ADDRESS & BID OF EACH BIDDER		EarthTech Contracting, Inc.	Richard E. Pierson Construction Co., Inc.	Terra Technical Services, LLC				
Engineer's Estimate: \$200,000.00		155 Route 50	426 Swedesboro Road	600 South Brandywine Avenue				
		Greenfield, NJ 08230	Pilesgrove, NJ 08098	Building 100				
				Downingtown, PA 19335				
		Robert Breunig, President/Owner	Cherri M. Coles, Assistant Secretary	Conrad E. Muhly, President				
		Ph: (609) 390-2127	Ph: (856) 769-8244	Ph: (610) 269-1010				
		Fx: (609) 390-2447	Fx: (856) 769-5630	Fx: (610) 269-6355				
		email: robert@earthtech.biz	email: info@repierson.com	email: cmuhly@goterra.com				
		TOTAL COST	TOTAL COST	TOTAL COST				TOTAL COST
ITEM #1	PROPERTY DESCRIPTION							
1	Demolition and disposal of the 6 story building with 4 story addition located at 701-03 8th Street, Block: 704, Lot: 10 1 LS	\$ 168,783.00	\$ 399,230.00	\$ 158,000.00				\$
REQUIRED INFORMATION								
	BID DEPOSIT/BOND:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO (required to submit prior to award of contract)
	CONSENT OF SURETY:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO (required to submit prior to award of contract)
	STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NON-COLLUSION AFFIDAVIT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	REQUIRED SUB-CONTRACTORS LISTING:	YES/NO	Y	YES/NO	Y (NONE)	YES/NO	Y	YES/NO
	OTHER SUB-CONTRACTORS INDICATED:	YES/NO	Y (1)	YES/NO	N/A	YES/NO	Y (1)	YES/NO
	ACKNOWLEDGMENT OF RECEIPT OF ADDENDA AND NOTICES:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NJ BUSINESS REGISTRATION CERTIFICATE SUB CONTRACTORS (BRC) SUBMITTED:	YES/NO	Y	YES/NO	N/A	YES/NO	Y	YES/NO
	NJ PUBLIC WORKS CONTRACTOR REGISTRATION ACT CERTIFICATE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
	NJ PW CONTRACTOR REGISTRATION ACT CERTIFICATE FOR SUB CONTRACTORS:	YES/NO	Y	YES/NO	N/A	YES/NO	Y	YES/NO
	NUMBER OF COPIES SUBMITTED (1)		1		1		1	



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

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September 11, 2012

**Mail Code 501-04B  
State of New Jersey  
Department of Environmental Protection  
Historic Preservation Office  
PO Box 420  
Trenton, NJ 08625-0420**

**RE: STRUCTURAL ASSESSMENT  
THE BELLEVUE HOTEL  
BLOCK 704 LOT 10  
701-03 8<sup>TH</sup> STREET  
OCEAN CITY, NJ 08226**

To Whom It May Concern:

I am a licensed engineer in the State of New Jersey who was responsible for maintenance and operations of the historic Atlantic City Convention Hall (Boardwalk Hall, national register number 87000814) as the Operations Manager from April 2001 to July 2003.

I have inspected the Bellevue Hotel on no less than three (3) separate site visits as well as reviewed the September 6, 2012 structural report prepared by Lamont H. Czar, P.E.. As noted in the structural report, the roof structure is in a state of collapse and many structural members have been compromised. From the time of the collapse on August 26, 2012 to the time of this report, the owner of the property has failed to take any action to repair or preserve the structure. The structural integrity of the building is deteriorating daily. The building is unsafe and a significant life safety hazard to those in the building and individuals in the public right of way around the property.

It is clear from a visual inspection that the interior of the building has undergone numerous renovations over the years. I have also interviewed individuals (Roger Rinck and Robert Hart) that both stated that the interior of the building is drastically different from the historic hotel they remember.

Since this building has little to no historic fabric remaining inside the structure, the structural members of the building have been seriously compromised, the building poses a life safety hazard, and the fact that the scope of work required to safely render this building structurally sound, remediate and comply with occupancy requirements of the


ENGINEERING DIVISION 115 12<sup>th</sup> Street, OCEAN CITY, NJ 08226  
609-399-6111 FAX: 609-525-0831

*Printed on Recycled Paper*

building code far exceeds standard construction practice, the recommended best treatment for this historic building is reconstruction in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Therefore, the building should be demolished as soon as possible in the interest of human safety. I base this recommendation on my personal site inspection, personal interviews, inspection reports of other professional engineers, recognized construction codes and practices, as well as my experience in maintaining a historically significant building.

If you have any questions, please feel free to contact me at 609-399-6111.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. J. Chew', is written over a light blue rectangular background.

Mr. Arthur J. Chew, P.E., P.P.  
City Engineer

AJC  
Attachments

N:\Planning and Engineering\Engineering\9-Parcel Information\Block 704 Lot 10 - Bellvue\Bellevue Demolition\Structural Assessment 12-09-11.doc



# NOTICE OF IMMINENT HAZARD

City of Ocean City  
115 12th Street  
Ocean City, NJ 08226  
609-5259179

Application Date:  
Control Number: 0  
Permit Number: 0  
Date Permit Issued:  
Notice Date: 9/5/2012  
Violation Number: 20120047/0

## IDENTIFICATION

Work Site Location: <u>701-03 EIGHTH ST</u>	Block: <u>704</u> Lot: <u>10</u> Qualif: <u>-</u>
Owner In Fee: <u>OCEAN CITY PLAZA, LLC</u>	Agent/Contractor: <u>OCEAN CITY PLAZA, LLC</u>
Address: <u>641 CHESTER CREEK RD</u>	Address: <u>641 CHESTER CREEK RD</u>
<u>BROOKHAVEN PA 19015</u>	<u>BROOKHAVEN PA 19015</u>
Telephone: _____	Telephone: _____

To:  Owner: \_\_\_\_\_  Other: \_\_\_\_\_  
 Agent/Contractor: \_\_\_\_\_

Date Of Inspection: 9/5/2012 Date Of This Notice: 9/5/2012

## ACTION

Take **NOTICE** that as a result of the inspections conducted by this agency on 9/5/2012 of the above property, an imminent hazard has been found to exist pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2:32. The building or structure, or portion thereof, deemed an imminent hazard is described as follows:

As such, you are hereby **ORDERED** to immediately and forthwith vacate the above structure or portion thereof.

Further, you are **ORDERED** to:

- Immediately correct the above noticed imminent hazards so as to render the structure temporarily safe and secure.
- Demolish the above structure by 9/7/2012

Failure to immediately comply with this **ORDER** may result in the necessary correction being made by the Construction Official at the expense of the property owner pursuant to N.J.A.C. 5:23-2.32(b)5.

Failure to render the structure temporarily safe and secure and/or demolish the structure in accordance with this **ORDER** will result in this matter being forwarded to legal counsel for prosecution, and assessment of penalties up to \$2,000.00 per week per violation. You must immediately declare to the Construction Official, your acceptance or rejection of the terms of this **ORDER**.

**If you wish to contest this Order, you must apply for a stay to a court of competent jurisdiction within 24 hours.**

If you have any questions concerning this matter, please call: 609-5259179

By Order of: Patrick W. Newton Jr.  
 Patrick W. Newton Jr. CONSTRUCTION OFFICIAL

Date: 9/5/12

Sent by Certified Mail # :





# ENFORCEMENT ATTACHMENT

City of Ocean City  
115 12th Street  
Ocean City, NJ 08226  
609-5259179

Date Issued:  
Control Number: 0  
Permit Number: 0  
Permit Date:  
Notice Date: 09/05/2012  
Violation Number: 20120047 / 0

## IDENTIFICATION

Work Site Location:	<u>701-03 EIGHTH ST</u>	Block:	<u>704</u>	Lot:	<u>10</u>	Qual:	<u>-</u>
Owner In Fee:	<u>OCEAN CITY PLAZA, LLC</u>	Agent:	<u>OCEAN CITY PLAZA, LLC</u>				
Address:	<u>641 CHESTER CREEK RD</u>	Address:	<u>641 CHESTER CREEK RD</u>				
	<u>BROOKHAVEN PA 19015</u>		<u>BROOKHAVEN PA 19015</u>				
Telephone:	<u></u>	Telephone:	<u></u>				

## ACTION

Date Of Notice: 09/05/2012

Date Of Inspection: 09/05/2012

Compliance Due Date: 09/07/2012

## VIOLATIONS

COLLAPSE OF ROOF ON 4 STORY SECTION HAS CAUSED THE EXTERIOR BEARING WALLS TO BOW OUTWARD AND SEPARATE FROM THE LOAD BEARING INTERIOR PARTITION WALLS. THERE IS A IMMINENT DANGER OF FURTHER COLLAPSE.

IF THE CITY DEEMS NECESSARY THEY WILL PROCEED WITH THE DEMOLITION OF THE PROPERTY TO PRESERVE THE HEALTH AND SAFETY OF THE PUBLIC.

## REQUIRED ACTIONS

ALL PERMITS REQUIRED UNDER THE NEW JERSEY UNIFORM CONSTRUCTION CODE MUST BE SECURED PRIOR TO PERFORMING WORK.

# CZAR Engineering, L.L.C.

Lamont H. Czar, P.E.  
5014 Fernwood Avenue  
Egg Harbor Township, New Jersey 08234

Phone: (609) 653-9445  
Fax: (609) 653-2015  
www.czarengineering.com

September 6, 2012

Arthur J. Chew, P.E., P.P.  
Ocean City Engineer  
Planning and Engineering Department  
City of Ocean City  
550 Asbury Avenue  
Ocean City, NJ 08226

RE: Roof Collapse  
Hotel Bellevue  
701 East 8<sup>th</sup> Street  
Ocean City, New Jersey

Dear Mr. Chew:

Per your request, on this date I inspected the Hotel Bellevue building, located at Eighth Street and Ocean Avenue in Ocean City, New Jersey.

The roof structure of the building is structurally unsound and presently in a state of collapse. This building is unsafe and a significant life safety hazard.

I believe the scope of work required to safely render this building structurally sound, remediate and comply with the occupancy requirements of the building code far exceeds standard construction practice.

Therefore, based on my review of the information presented, my personal site inspection, recognized construction codes and practices, and years of experience as a practicing structural engineer, it is my opinion within a reasonable degree of engineering certainty that, in the interest of public safety, this building must be demolished immediately.

Per *"The International Building Code / 2006"* as adopted by the State of New Jersey Department of Community Affairs, Construction Code Element's *"Uniform Construction Code"*, this building must be barred from occupancy except for the sole purpose of demolition.

Roof Collapse  
Hotel Bellevue  
701 East 8<sup>th</sup> Street  
Ocean City, New Jersey

Ponding water on the roof must be immediately pumped off to avoid further catastrophic failure.

Until the demolition is completed, the site perimeter and the half of Ocean Avenue closest to the building are to be barricaded to prohibit public access.

Be advised that as a licensed Professional Engineer, per New Jersey Statutes, Title 45, Chapter 8 of the licensing law, I must safeguard the life, health and welfare of the public. Therefore, based on the unsafe conditions observed, I am duty bound to place my report on file with the Ocean City Building Official's office.

Mr. Chew, if you need further information, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Czar', written in a cursive style.

Lamont "Butch" Czar, P.E.  
NJPE Lic. No. 33827

cc: Pat Newton - Ocean City Building Official

**CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

# 8

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF  
A CONTRACT TO SERVICEMASTER FOR WATER REMEDIATION AND PROPERTY  
RESTORATION AT VARIOUS CITY OWNED PROPERTIES**

**WHEREAS**, an emergent condition was declared by Governor Chris Christie on Saturday, October 27, 2012 by Executive Order #104 in anticipation of Hurricane Sandy's landfall; and

**WHEREAS**, Mayor Jay Gillian; Frank Donato III, Director of Emergency Management; Scott Morgan, Deputy Director of Emergency Management; Chief Chad C. Callahan, Police Department; Chief Christopher J. Breunig, Department of Fire & Rescue Services; Michael A. Dattilo, Business Administrator and James V. Mallon, Director of Community Services issued mandatory evacuation orders ahead of Hurricane Sandy; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering and Joseph S. Clark, QPA, Purchasing Manager conducted inspections and meetings on the condition of the City buildings once Hurricane Sandy had passed and access could be gained to the City buildings; and

**WHEREAS**, Michael Rossbach, Director of Public Works, Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services, and Joseph S. Clark, QPA, Purchasing reviewed the submitted a reports and determined that several City buildings had severe water damage and were in need of immediate remediation: and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Steven Longo, Manager of Public Buildings & Property; Frank Donato, III, CMFO, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the reports and proposals and determined that time was of the essence in order to prevent further damage to the City property and entered into an initial contract with ServiceMaster in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, the New Jersey Public Contract Law, N.J.S.A. 40A:11-6 permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate remediation of said article is required to rectify the emergent conditions; and

**WHEREAS**, on October 31, 2012 an initial proposal was received and a work order was issued to ServiceMaster, 223 W. Park Avenue, Vineland, NJ 08360 in an amount of \$51,838.00; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property and Joseph S. Clark, QPA, Purchasing Manager reviewed the initial proposal and the work order in the amount of \$51,838.00 for the water remediation and property restoration of various City properties to be in proper order; and

**WHEREAS**, all invoices for work performed to date have been submitted in the amount of \$51,838.00 and subsequently additional invoices may follow in the coming weeks to complete the total contract; and

**WHEREAS**, ServiceMaster has submitted a copy of the Business Entity Certification, a Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) which shall be on placed on file in the Purchasing Division; 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 that it authorizes a contract for water remediation and property restoration services to **ServiceMaster, 223 W. Park Avenue, Vineland, NJ 08360**; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the City Purchasing Manager is hereby authorized to enter into a formal contract and issue Purchase Orders as required to ServiceMaster, 223 W. Park Avenue, Vineland, NJ 08360 for water remediation and property restoration of various City buildings as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services and shall be charged to the appropriate accounts as Purchase Orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES: RES Emergent Condition ServiceMaster.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 ..... 20 .....

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

.....  
City Clerk

**Darleen H. Korup**

---

**From:** Steven Longo  
**Sent:** Wednesday, November 07, 2012 4:13 PM  
**To:** Darleen H. Korup  
**Cc:** Joseph Clark ; Roger A. Rinck; Frank Donato  
**Subject:** Resolution (Water Remediation Services-City Buildings)

As discussed by phone, please find below the companies that are currently providing water remediation and property restoration services at several buildings throughout the city:

ServiceMaster 223 W park Ave Vineland, NJ 08360 (856) 692-4269	Servpro of Lansdale 777 Schwab Road, Suite P Hatfield, PA 19440 (215) 368-4110	Northstar Environmental 36 Clermont Drive Clermont, NJ 08210 (609) 263-6666
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The total dollars to date for ServiceMaster are \$51,838, Servpro is \$20,116 and at this point Northstar is in the process of forwarding the company's total dollars to date, which is anticipated to be approximately 30K. In addition, there are other buildings that may be added to the scope of the tri-company effort and thus the overall dollar figure will continue to grow. Further, there is still the historical aspects of the Transportation Center that may be handled by Northstar's historic buildings service branch and I imagine the cost for this level of service is greater than the traditional building water remediation currently underway.

The buildings in the current scope of work include: City Hall, Music Pier, Fleet Operations, Transportation Center, Airport Restaurant-Golf Pro Shop, 46<sup>th</sup> St Firehouse-Beach Fee and Post Office, 29<sup>th</sup> St Firehouse, Bayside-Pool House & garage, Community Center-entry levels and rear stair tower, 58<sup>th</sup> St Beach Patrol, 9<sup>th</sup> & Atlantic-lease (Spadafora's), 8<sup>th</sup> & Boardwalk Parking-lease, 15<sup>th</sup> & West Ave building-1<sup>st</sup> floor/garage (unoccupied) and portions of the 36 & Bay Ave building (Crew).

The basics of the this particular emergency service include, initial inspection, protection of contents, water extraction, removal of non-salvageable carpet, tile vinyl and subfloor, evaluation and removal of baseboards and drywall/sheetrock, application antimicrobials, placement of high velocity air movers, dehumidifiers and the disinfecting of all surfaces, bottom of cabinets, etc.

It is my understanding that this particular type of work is considered cleanup and thus no prevailing wage requirement is provided as this effort continues. Please let me know what additional information may be required at this point to draft a resolution for City Council authorization.

Thanks in advance for your anticipated cooperation and assistance.

Steven Longo, Manager  
Buildings and Grounds Division  
Department of Public Works

**CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

#9

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF  
A CONTRACT TO SERVPRO OF LANSDALE FOR WATER REMEDIATION AND PROPERTY  
RESTORATION AT VARIOUS CITY OWNED PROPERTIES**

**WHEREAS**, an emergent condition was declared by Governor Chris Christie on Saturday, October 27, 2012 by Executive Order #104 in anticipation of Hurricane Sandy's landfall; and

**WHEREAS**, Mayor Jay Gillian; Frank Donato III, Director of Emergency Management; Scott Morgan, Deputy Director of Emergency Management; Chief Chad C. Callahan, Police Department; Chief Christopher J. Breunig, Department of Fire & Rescue Services; Michael A. Dattilo, Business Administrator and James V. Mallon, Director of Community Services issued mandatory evacuation orders ahead of Hurricane Sandy; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering and Joseph S. Clark, QPA, Purchasing Manager conducted inspections and meetings on the condition of the City buildings once Hurricane Sandy had passed and access could be gained to the City buildings; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services and Joseph S. Clark, QPA, Purchasing reviewed the submitted a reports and determined that several City buildings had severe water damage and were in need of immediate remediation to prevent further loss and damage; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Steven Longo, Manager of Public Buildings & Property; Frank Donato, III, CMFO, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the reports and proposals and determined that time was of the essence in order to prevent further damage to the City property and entered into an initial contract with Servpro of Lansdale in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, the New Jersey Public Contract Law, N.J.S.A. 40A:11-6 permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate remediation of said article is required to rectify the emergent conditions; and

**WHEREAS**, on October 31, 2012 an initial proposal was received and a work order was issued to **Servpro of Lansdale, 777 Schwab Road, Suite P, Hatfield, PA 19440** in an amount of **\$20,116.00**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property and Joseph S. Clark, QPA, Purchasing Manager reviewed the initial proposal and the work order in the amount of \$20,116.00 for the water remediation and property restoration of various City properties to be in proper order; and

**WHEREAS**, all invoices for work performed to date have been submitted in the amount of **\$20,116.00** and subsequently additional invoices may follow in the coming weeks to complete the total contract; and

**WHEREAS**, Servpro of Lansdale has submitted a copy of the Business Entity Certification, a Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) which shall be on placed on file in the Purchasing Division; 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 that it authorizes a contract for water remediation and property restoration services to **Servpro of Lansdale, 777 Schwab Road, Suite P, Hatfield, PA 19440**; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the City Purchasing Manager is hereby authorized to enter into a formal contract and issue Purchase Orders as required to Servpro of Lansdale, 777 Schwab Road, Suite P, Hatfield, PA 19440 for water remediation and property restoration of various City buildings as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services and shall be charged to the appropriate accounts as Purchase Orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES: RES Emergent condition Servpro of Lansdale.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 ..... 20 .....

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

.....  
City Clerk



**Darleen H. Korup**

---

**From:** Steven Longo  
**Sent:** Wednesday, November 07, 2012 4:13 PM  
**To:** Darleen H. Korup  
**Cc:** Joseph Clark ; Roger A. Rinck; Frank Donato  
**Subject:** Resolution (Water Remediation Services-City Buildings)

As discussed by phone, please find below the companies that are currently providing water remediation and property restoration services at several buildings throughout the city:

ServiceMaster 223 W park Ave Vineland, NJ 08360 (856) 692-4269	Servpro of Lansdale 777 Schwab Road, Suite P Hatfield, PA 19440 (215) 368-4110	Northstar Environmental 36 Clermont Drive Clermont, NJ 08210 (609) 263-6666
---	---	--

The total dollars to date for ServiceMaster are \$51,838, Servpro is \$20,116 and at this point Northstar is in the process of forwarding the company's total dollars to date, which is anticipated to be approximately 30K. In addition, there are other buildings that may be added to the scope of the tri-company effort and thus the overall dollar figure will continue to grow. Further, there is still the historical aspects of the Transportation Center that may be handled by Northstar's historic buildings service branch and I imagine the cost for this level of service is greater than the traditional building water remediation currently underway.

The buildings in the current scope of work include: City Hall, Music Pier, Fleet Operations, Transportation Center, Airport Restaurant-Golf Pro Shop, 46<sup>th</sup> St Firehouse-Beach Fee and Post Office, 29<sup>th</sup> St Firehouse, Bayside-Pool House & garage, Community Center-entry levels and rear stair tower, 58<sup>th</sup> St Beach Patrol, 9<sup>th</sup> & Atlantic-lease (Spadafora's), 8<sup>th</sup> & Boardwalk Parking-lease, 15<sup>th</sup> & West Ave building-1<sup>st</sup> floor/garage (unoccupied) and portions of the 36 & Bay Ave building (Crew).

The basics of the this particular emergency service include, initial inspection, protection of contents, water extraction, removal of non-salvageable carpet, tile vinyl and subfloor, evaluation and removal of baseboards and drywall/sheetrock, application antimicrobials, placement of high velocity air movers, dehumidifiers and the disinfecting of all surfaces, bottom of cabinets, etc.

It is my understanding that this particular type of work is considered cleanup and thus no prevailing wage requirement is provided as this effort continues. Please let me know what additional information may be required at this point to draft a resolution for City Council authorization.

Thanks in advance for your anticipated cooperation and assistance.

Steven Longo, Manager  
Buildings and Grounds Division  
Department of Public Works

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

#10

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF  
A CONTRACT TO NORTHSTAR ENVIRONMENTAL FOR WATER REMEDIATION AND  
PROPERTY RESTORATION AT VARIOUS CITY OWNED PROPERTIES**

**WHEREAS**, an emergent condition was declared by Governor Chris Christie on Saturday, October 27, 2012 by Executive Order #104 in anticipation of Hurricane Sandy's landfall; and

**WHEREAS**, Mayor Jay Gillian; Frank Donato III, Director of Emergency Management; Scott Morgan, Deputy Director of Emergency Management; Chief Chad C. Callahan, Police Department; Chief Christopher J. Breunig, Department of Fire & Rescue Services; Michael A. Dattilo, Business Administrator and James V. Mallon, Director of Community Services issued mandatory evacuation orders ahead of Hurricane Sandy; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering and Joseph S. Clark, QPA, Purchasing Manager conducted inspections and meetings on the condition of the City buildings once Hurricane Sandy had passed and access could be gained to the City buildings; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services and Joseph S. Clark, QPA, Purchasing reviewed the submitted a reports and determined that several City buildings had severe water damage and were in need of immediate remediation to prevent further loss and damage; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Steven Longo, Manager of Public Buildings & Property; Frank Donato, III, CMFO, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the reports and proposals and determined that time was of the essence in order to prevent further damage to the City property and entered into an initial contract with Northstar Environmental in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, the New Jersey Public Contract Law, N.J.S.A. 40A:11-6 permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate remediation of said article is required to rectify the emergent conditions; and

**WHEREAS**, on October 31, 2012 an initial proposal was received and a work order issued to **Northstar Environmental, 36 Clermont Drive, Clermont, NJ 08210** in the amount of **\$30,000.00**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Michael Rossbach; Director of Public Works; Steven Longo, Manager of Public Buildings & Property and Joseph S. Clark, QPA, Purchasing Manager reviewed the initial proposal and the work order in the amount of \$30,000.00 for the water remediation and property restoration of various City properties to be in proper order; and

**WHEREAS**, all invoices for work performed to date have been submitted in the amount of **\$30,000.00** and subsequently additional invoices may follow in the coming weeks to complete the total contract; and

**WHEREAS**, Northstar Environmental has submitted a copy of the Business Entity Certification, a Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) which shall be on placed on file in the Purchasing Division; and

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

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**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the City Purchasing Manager is hereby authorized to enter into a formal contract and issue Purchase Orders as required to Northstar Environmental, 36 Clermont Drive, Clermont, NJ 08210 for water remediation and property restoration of various City buildings as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services and shall be charged to the appropriate accounts as Purchase Orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES: RES Emergent condition Northstar Environmental.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 ..... 20 .....

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

.....  
City Clerk

**Darleen H. Korup**

---

**From:** Steven Longo  
**Sent:** Wednesday, November 07, 2012 4:13 PM  
**To:** Darleen H. Korup  
**Cc:** Joseph Clark ; Roger A. Rinck; Frank Donato  
**Subject:** Resolution (Water Remediation Services-City Buildings)

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The total dollars to date for ServiceMaster are \$51,838, Servpro is \$20,116 and at this point Northstar is in the process of forwarding the company's total dollars to date, which is anticipated to be approximately 30K. In addition, there are other buildings that may be added to the scope of the tri-company effort and thus the overall dollar figure will continue to grow. Further, there is still the historical aspects of the Transportation Center that may be handled by Northstar's historic buildings service branch and I imagine the cost for this level of service is greater than the traditional building water remediation currently underway.

The buildings in the current scope of work include: City Hall, Music Pier, Fleet Operations, Transportation Center, Airport Restaurant-Golf Pro Shop, 46<sup>th</sup> St Firehouse-Beach Fee and Post Office, 29<sup>th</sup> St Firehouse, Bayside-Pool House & garage, Community Center-entry levels and rear stair tower, 58<sup>th</sup> St Beach Patrol, 9<sup>th</sup> & Atlantic-lease (Spadafora's), 8<sup>th</sup> & Boardwalk Parking-lease, 15<sup>th</sup> & West Ave building-1<sup>st</sup> floor/garage (unoccupied) and portions of the 36 & Bay Ave building (Crew).

The basics of the this particular emergency service include, initial inspection, protection of contents, water extraction, removal of non-salvageable carpet, tile vinyl and subfloor, evaluation and removal of baseboards and drywall/sheetrock, application antimicrobials, placement of high velocity air movers, dehumidifiers and the disinfecting of all surfaces, bottom of cabinets, etc.

It is my understanding that this particular type of work is considered cleanup and thus no prevailing wage requirement is provided as this effort continues. Please let me know what additional information may be required at this point to draft a resolution for City Council authorization.

Thanks in advance for your anticipated cooperation and assistance.

Steven Longo, Manager  
Buildings and Grounds Division  
Department of Public Works

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

# 11

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF  
A CONTRACT TO POLYGON GROUP, USA FOR DOCUMENT RESTORATION AND  
REMEDICATION OF VARIOUS CITY DOCUMENTS AND RECORDS**

**WHEREAS**, an emergent condition was declared by Governor Chris Christie on Saturday, October 27, 2012 by Executive Order #104 in anticipation of Hurricane Sandy's landfall; and

**WHEREAS**, Mayor Jay Gillian; Frank Donato III, Director of Emergency Management; Scott Morgan, Deputy Director of Emergency Management; Chief Chad C. Callahan, Police Department; Chief Christopher J. Breunig, Department of Fire & Rescue Services; Michael A. Dattilo, Business Administrator and James V. Mallon, Director of Community Services issued mandatory evacuation orders ahead of Hurricane Sandy; and

**WHEREAS**, Linda P. MacIntyre, City Clerk; Gary M. Hink, Tax Collector; Joseph A. Elliot, Tax Assessor; Steven Longo, Manager of Public Buildings & Property; Michael A. Dattilo, Business Administrator and Joseph S. Clark, QPA, Purchasing Manager conducted inspections and meetings on the condition of the City documents and records that were contained in the various City buildings that were flooded by Hurricane Sandy; and

**WHEREAS**, Linda P. MacIntyre, City Clerk; Gary M. Hink, Tax Collector; Joseph A. Elliot, Tax Assessor; Patrick W. Newton, Jr., Construction Official; Steven Longo, Manager of Public Buildings & Property; Frank Donato, III, CMFO, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the submitted law, reports and proposals and determined that time was of the essence in order to prevent further damage to City documents and entered into an initial contract with Polygon Group, USA in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, the New Jersey Public Contract Law, N.J.S.A. 40A:11-6 permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate remediation of said article is required to rectify the emergent conditions; and

**WHEREAS**, on October 31, 2012 an initial proposal was received and a work order was issued to **Polygon Group, USA, 100 Naamans Road, Claymont, DE 19703** in the amount of **\$58,815.00**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Linda P. MacIntyre, City Clerk; Gary M. Hink, Tax Collector; Joseph A. Elliot, Tax Assessor; Patrick W. Newton, Jr., Construction Official; Steven Longo, Manager of Public Buildings & Property; Frank Donato, III, CMFO, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the initial proposal and the work order in the amount of \$58,815.00 for the document restoration and remediation of various City documents to be in proper order; and

**WHEREAS**, all invoices for work performed to date have been submitted in the amount of **\$58,815.00** and subsequently additional invoices may follow in the coming weeks to complete the total contract; and

**WHEREAS**, Polygon Group, USA has submitted a copy of the Business Entity Certification, a Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) which shall be on placed on file in the Purchasing Division; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City that it authorizes a contract for water remediation and property restoration services to **Polygon Group, USA, 100 Naamans Road, Claymont, DE 19703**; and

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the City Purchasing Manager is hereby authorized to enter into a formal contract and issue Purchase Orders as required to Polygon Group, USA, 100 Naamans Road, Claymont, DE 19703 for water remediation and property restoration of various City buildings as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services and shall be charged to the appropriate accounts as Purchase Orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES: RES Emergent condition Polygon Group, USA.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 ..... 20 .....

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

.....  
City Clerk

## Darleen H. Korup

---

**From:** Steven Longo  
**Sent:** Thursday, November 08, 2012 1:17 PM  
**To:** Darleen H. Korup  
**Cc:** Joseph Clark ; Frank Donato  
**Subject:** File/Records Restoration Services (Polygon)

Please note that restoration services have been secured through a firm by the name of Polygon for the files and records that sustained water damage at City Hall and the Asbury Ave storage building as a result of the hurricane. Several restoration companies were contacted and Polygon offered service consistent with others at the lowest rate available. The dollars for this service are such that a resolution will need to be prepared for City Council authorization on the next available meeting agenda.

Polygon is a national company and is locally based in Delaware. The company address is as follows:

Polygon  
100 Naamans Rd  
Claymont, DE 19703  
T (800) 422-6379 F (302) 798-4254

The scope of service includes the restoration of approximately 220-cubic feet of documents and ledgers, along with approximately 1000-blueprints that need to be dried, cleaned and irradiated to allow them to be handled in a safe manner and to return to useable status. The documents that were impacted will be removed from the local storage facility and City Hall and transported to the company headquarters where the restoration process will take place. Approximately 6-Polygon employees will pack the documents from both locations for transport purposes. This effort should take a day to complete. Polygon estimates that the drying and treatment process will take up to 60-days to complete. Any document that is considered a priority will be labeled as such and the treatment process will begin with those immediately so they can be available for use more quickly than non-priority documentation. At the conclusion of the drying, cleaning and sanitation of the documents, Polygon will return the documents to the Ocean City facilities at an arranged time and will take them back to their previous locations and shelves. The estimate for this service is \$58,815 and is based on General Service Administration (GSA) guidelines.

Please let me know if you have any questions and thanks in advance for your assistance in this matter.

Steven Longo, Manager  
Buildings and Grounds Division  
Department of Public Works  
115 East 12th Street  
Ocean City, NJ 08226  
☎: (609) 399-6111, 9731 ☎: (609) 399-8407  
[www.ocnj.us](http://www.ocnj.us)

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CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

# 12

**DECLARING THAT AN EMERGENT CONDITION EXISTS AND AUTHORIZING AN AWARD OF A CONTRACT TO LEWANDOWSKI CONSTRUCTION INDUSTRIES, LLC AND MATHIS CONSTRUCTION COMPANY, INC. FOR SAND HAULING AT VARIOUS LOCATIONS**

**WHEREAS**, an emergent condition was declared by Governor Chris Christie on Saturday, October 27, 2012 by Executive Order #104 in anticipation of Hurricane Sandy's landfall; and

**WHEREAS**, Mayor Jay Gillian; Frank Donato III, Director of Emergency Management; Scott Morgan, Deputy Director of Emergency Management; Chief Chad C. Callahan, Police Department; Chief Christopher J. Breunig, Department of Fire & Rescue Services; Michael A. Dattilo, Business Administrator and James V. Mallon, Director of Community Services issued mandatory evacuation orders ahead of Hurricane Sandy; and

**WHEREAS**, the National Weather Service forecasted another weather event for November 7, 2012 which could have the potential to flood the City again and cause more damage due to the sand depletion of the beachfront; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services and Joseph S. Clark, QPA, Purchasing reviewed the impending storm conditions and determined that it was in the best interest of the City to create berms by replacing & relocating the beachfront sand to sustain the properties and deter flooding; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer; Roger Rinck, Manager of Engineering; Michael A. Dattilo, Business Administrator; James V. Mallon, Director of Community Services; Frank Donato, III, Director of Financial Management and Joseph S. Clark, QPA, Purchasing Manager reviewed the reports and proposals and determined that time was of the essence in order to prevent further damage to the property and awarded a two (2) contracts to Lewandowski Construction Industries, LLC and Mathis Construction Company, Inc. in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, the New Jersey Public Contract Law N.J.S.A. 40A:11-6 permits municipalities to make required purchases without public bidding or advertising, when situations of emergency affecting public health, safety, or welfare have been declared and when immediate remediation of said article is required to rectify the emergent conditions; and

**WHEREAS**, on November 2, 2012 initial proposals were received and the work orders were issued to **Lewandowski Construction Industries, LLC, 323 Garfield Avenue, Waterford, NJ 08089** in the amount of **\$113,689.75** & **Mathis Construction Company, Inc., 1510 Route 539, Suite 1, Little Egg Harbor, NJ 08087** in the amount of **\$133,085.14**; and

**WHEREAS**, Michael A. Dattilo, Business Administrator; Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings & Property; Arthur J. Chew, PE, City Engineer and Joseph S. Clark, QPA, Purchasing Manager reviewed the initial proposals and the work orders in the amount of \$246,774.89 for the creation of berms to protect properties and deter additional flooding to be in proper order; and

**WHEREAS**, all invoices have been submitted for a total contract amount of **\$113,689.75** to **Lewandowski Construction Industries, LLC** & **\$133,085.14** to **Mathis Construction Company, Inc.** for a total of **\$246,774.89**; and

**WHEREAS**, Lewandowski Construction Industries, LLC & Mathis Construction Company, Inc. have has submitted a copy of the Business Entity Certification, a Sworn Statement by a Professional Provider, Determination of Value and Business Registration Certificate (BRC) and Prevailing Wage Sheets which shall be on placed on file in the Purchasing Division; 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 that it authorizes contract for sand hauling and berm construction to **Lewandowski Construction Industries, LLC, 323 Garfield Avenue, Waterford, NJ 08089** in the amount of \$113,689.75 & **Mathis Construction Company, Inc., 1510 Route 539, Suite 1, Little Egg Harbor, NJ 08087** in the amount of \$133,085.14; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the City Purchasing Manager is hereby authorized to enter into a formal contract and issue Purchase Orders to **Lewandowski Construction Industries, LLC, 323 Garfield Avenue, Waterford, NJ 08089** in the amount of \$113,689.75 & **Mathis Construction Company, Inc., 1510 Route 539, Suite 1, Little Egg Harbor, NJ 08087** in the amount of \$133,085.14 for sand hauling water and berm construction to sustain the properties and deter flooding as listed and in accordance with this resolution and submitted proposals.

The Director of Financial Management certifies that funds are available for 2012 services 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

\_\_\_\_\_  
Michael J. Allegretto  
Council President

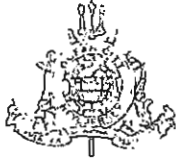
FILES: RES Emergent Condition Sand Hauling.doc

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 ..... 20 .....

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

.....  
City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

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## Memo

**To:** Michael Dattilo  
**From:** Arthur J. Chew, PE, PP  
**CC:** Joseph Clark, Georgia Arnold  
**Date:** November 16, 2012  
**Re:** Emergent Condition – Sand Hauling

As you are aware, the storm surge from Hurricane Sandy destroyed the dunes on the beaches from 59<sup>th</sup> Street to 50<sup>th</sup> Street as well as from 11<sup>th</sup> Street to Waverly Beach at the north end of the island. Many of the areas north of 11<sup>th</sup> Street lack any storm protection at this time since they do not have bulkheads. With the predicted nor'easter for Wednesday, November 7, 2012, I recommend immediate actions are taken to install sand berms as protective measures to reduce the likelihood of damage to city infrastructure and private properties.

For the areas south of 50<sup>th</sup> Street, I recommend that Bird Construction begin moving the sand collected from the streets to create a berm 20 feet east of the bulkhead. For the areas north of 11<sup>th</sup> Street, I recommend that sand is harvested from the area around the Longport Bridge and used to create a berm on the beach. I will coordinate with NJDEP and USFW to make sure that all approvals for these proposed actions are received prior to any sand hauling operations.

AJC

N:\Planning and Engineering\Engineering\2-Beach and Bay\2-XX-003 Storm Damage Reports\2012-10-29 Sandy Emergent Condition 12-11-01.doc

ENGINEERING DIVISION 115 12<sup>th</sup> Street, OCEAN CITY, NJ 08226  
609-399-6111 FAX: 609-525-0831

*Printed on Recycled Paper*

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**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

# 13

**A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN STATE CONTRACT #T-0106, POLICE & HOMELAND SECURITY EQUIPMENT & SUPPLIES –STATEWIDE FOR THE PURCHASE OF ONE (1) 2011 OR NEWER ZODIAC BOAT FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Ocean City is a participating agency under the New Jersey Department of the Treasury, Division of Purchase and Property, Purchase Bureau, Cooperative Purchasing Program; and

**WHEREAS**, the New Jersey Cooperative Purchasing Program has acted as lead agency and awarded a contract for Police & Homeland Security Equipment & Supplies-Statewide (T-0106); and

**WHEREAS**, the Zodiac boat shall be utilized by the Police Department to perform patrols & maintain safety of the waterways surrounding the City of Ocean City; and

**WHEREAS**, Chief Chad C. Callahan, Director of the Police; Captain John Jay Prettyman, Police Department; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the State Contract Index #T-0106 for Police & Homeland Security Equipment & Supplies-Statewide for Zodiac boats, with the State Contract Vendor, Zodiac of North America, Inc., State Contract Vendor #81374; and

**WHEREAS**, it is recommended that the City Council approve the purchase of the one (1) model year 2011 Zodiac 2400 LE, 750 SRR for use by the Police Department for marine/waterway presence duties from the State Contract Vendor, Zodiac of North America, Inc.; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey, that one (1) model year 2011 Zodiac 2400 LE, 750 SRR for the Police Department be and hereby purchased from Zodiac of North America, Inc., State Contract Vendor #81374 as follows:

**Zodiac of North America, Inc.**  
**540 Thompson Creek Road**  
**Stevensville, MD 21666**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1.	2011 Zodiac, 2400 LE, 750 SRR 24' RIB w/2011 Evinrude E-Tec 150 hp engines Trailer, Electronics, Lights & Siren USCG safety package, lettering and 2 day Training	1 Each	\$ 85,904.41	\$ <u>85,905.41</u>
Total Amount of One (1) 2011 Zodiac, 2400 LE, 750 SRR W/Trailer & Listed Package.....				\$ 85,905.41
<b>Total Amount of State Contract # T-0106; Police &amp; Homeland Security Equipment &amp; Supplies-Statewide for the Police Department.....</b>				<b>\$ 85,905.41</b>

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**BE IT FURTHER RESOLVED** by the City Council of Ocean City, New Jersey that the purchase of one (1) model year 2011 Zodiac 2400 LE, 750 SRR for use by the Police Department for marine operations, be purchased from **Zodiac of North America, Inc., 540 Thompson Creek Road, Stevensville, MD**, State Contract Vendor #81374 in the amount of \$85,905.41 and that Joseph S. Clark, QPA, City Purchasing Manager is authorized to issue a purchase order for said vessel as stated above and in accordance with the terms of the State Contract for Police & Homeland Security Equipment & Supplies-Statewide, State Contract Index #T-0106.

The Director of Financial Management certifies that funds are available and shall be charged to Grant Account No. G-02-40-181-193.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato, III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Michael J. Allegretto  
 Council President

Files: RSC Zodiac Boat.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 ..... 20 .....

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

.....  
 City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

POLICE DEPARTMENT

RECEIVED

**To:** Mayor Jay Gillian  
**From:** Chief Chad Callahan *Callahan*  
**Ref:** Port Security Grant – Zodiac Boat Acquisition  
**Cc:** Michael Dattilo, Business Administrator

NOV 14 2012

PURCHASING OFFICE

November 13<sup>th</sup>, 2012

Mayor Gillian,

In early 2012, a grant opportunity became available under the Port Security Grant Program that, if awarded, would provide funding for the purchase of equipment allowing our Department to return to providing a presence on the navigable waterways surrounding our island. We applied, and subsequently were awarded the grant funding for such an undertaking.

During the summer of 2012, we began to research and plan for the acquisition of the equipment with a goal of providing a "Presence" on our waterways in early 2013.

While researching this new endeavor, I discussed our new program with the New Jersey State Police Marine Services Bureau, the United States Coast Guard, and several other Police Departments with marine services operations.

Both the New Jersey State Police and the United States Coast Guard were extremely excited about our intentions, and expressed a true concern for the safety of our boaters and recreational watercraft operators. They each described similar budgetary situations which forced them to limit their presence on our waterways as they are covering large areas with low numbers of boats and personnel. They expressly welcomed any assistance that we could give them, and we agreed to partner with both agencies to provide the safest possible experience on our waterways.

After conducting this research, it was decided that we would look to purchase a rigid hull inflatable boat otherwise known as a RIB boat.

The New Jersey State Police and United States Coast Guard both utilize Zodiac rigid hull inflatable boats (RIB) almost exclusively. It is the opinion and experience of both of these agencies that purchasing a Zodiac RIB is our best option based on price, performance, longevity, and most of all dependability.

835 CENTRAL AVENUE, OCEAN CITY, NJ 08226  
609-399-9111 FAX: 609-399-0226  
www.ocnj.us

Following the recommendation of both the New Jersey State Police and United States Coast Guard, I began to research RIB's. During my research, I discovered that Zodiac North America has a current contract with the State of New Jersey which ensures that their pricing has been vetted and approved for Municipal purchases. I then began to research the Zodiac product line.

After speaking to the Law Enforcement sales division, it was determined that a 24 foot RIB would best fit our needs. After some more detailed discussions, it was further discovered that Zodiac North America had 2 demo boats that were being shipped to Annapolis, MD to assist with the United States Sailboat and Power Boats Shows in Annapolis, MD from October 5-14, 2012.

Captain Prettyman and I then made plans to travel to Annapolis on October 4, 2012 to sea trial the boat.

We met with Zodiac personnel who gave us a tour of the factory, and we were able to observe several RIB's being assembled including 5 boats for the Mexican Military Forces.

We then boarded one of the demo boats and were able sea trial the 24 foot Zodiac for approximately 2 hours. We were both extremely impressed with the operation of the RIB including its speed, maneuverability, and most of all its stability.

At the conclusion of our sea trial, Captain Prettyman and I both agreed that this RIB was the perfect fit for our needs.

The RIB mentioned above is a 2011 Zodiac LE 750 demo in excellent condition. This is a 24 foot RIB equipped with twin 2011 Evinrude E-Tec 150 hp engines with low operational hours. Upon purchase, the factory will issue a warranty for both the hull and engines "As if new". The purchase price is approximately \$80,000. Purchasing this RIB as opposed to a new 2012 or 2013 model will save us approximately \$31,000.00.

The most important part of a purchase this size is the warranty coverage. Due to the excellent condition of this RIB, it will be issued a warranty exactly the same as a newly purchased RIB.

This purchase will be under the guidelines dictated by the official New Jersey State Contract Pricing, and funded by the Port Security Grant Program we were awarded in September.

After conducting extensive research on RIB's, consulting with the New Jersey State Police and United States Coast Guard, I am confident that as we begin to provide a presence on our waterways this is the best possible vessel available.

Attached you will find a final quote for the vessel from Zodiac for the 2400 Law Enforcement Special in the amount of \$85,905.41. This quote also includes a trailer, electronics, lights and siren, USCG safety package, lettering, and 2 day training.

Any questions about this acquisition please contact me directly.

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# 2400 LE Spec - 750 SRR - Ocean City New Jersey Police Department

Dealer Price List  
FY2012

Raymarine 2400 LE

Pricing subject to change without notice

Part #	Description	Comments	QTY
<b>Boat</b>			
ZU25034	HULL	Zodiac 2400 LE (750 SRR) built for military use with reinforced GRP hulls for multiple application. The decks are self draining. The hull features a molded bow box and aft motor well. The entire deck is open and reinforced allowing for installation of a wide range of consoles, bolsters and other equipment	1
	TUBE	The tubeset for the 2400 LE is a removable hypalon 1670 dtx polyamide coated material. The tubeset features intercommunication overpressure release valves. The hypalon material has superior air holding characteristics and provides maximum resistance to UV exposure.	
	Z65321	TUBE 750 SRR GREY	1
<b>TOTAL BOAT PRICE</b>			
<b>Electrical System &amp; Components</b>			
ZSC-9002400-1	DEL & PREP	Shrink Wrap	1
ZSC-8652400-1	ANCILLIARY	Accessories catalog, foot pump, 2 paddles	1
ZSC-4902400-1	BASIC BOAT EQUIP	Additional Standard Equipment for Basic Boat	1
ZSC-1452400-1	FUEL VENT	FUEL VENT SYSTEM, 750SRR/2400	1
ZSC-6752400-1	HATCH SPRINGS	Hatch Springs	1
ZSC-4301500-1	BILGE PUMP	Bilge Pump 1500GPH	1
ZSC-2601000-1	COMPASS	Ritchie - F82	1
ZSC-3601000-1	HORN	HORN, ONGARO 12C, SS	1
ZSC-4401000-1	ACCY PLUG	Sealink Rec Marinc 12 VRC Accesory plug	1
ZNA1062	TUBE LETTERING	Tube Lettering	1
TBD	TRAINING	Tactical Training	1
<b>TOTAL STANDARD EQUIPMENT PRICE - REQUIRED</b>			
<b>Console and Seating</b>			
ZSC-0101000-1DG	CONSOLE/T-TOP	Grey FRP console with forward seating and large dash for electronics mounting Powder Coated Black T-top through-bolted to console and deck. Oversize tubing.	1
<b>TOTAL ELECTRICAL SYSTEM PRICE</b>			

Part #	Description	Comments	QTY
ZSC-0801020-1DG	BOLSTER	Standard 2 person bolster aluminum with aft sliding doors for storage	1
<b>TOTAL CONSOLE AND SEATING PRICE</b>			
<b>Aluminum Package</b>			
ZSC-6202400-1	BOW POST	Reinforced bow post integrated through the stringer system of the boat for forward towing	1
ZSC-6252400-1	TOW POST	Reinforced stern post integrated through the stringer system of the boat for aft towing	1
ZSC-6302400-1	ROPE GUARD	Aluminum rope guard is attached to the Aft frame. This allows for proper safety mechanism during towing of large buoys, boats and other apparatus.	1
<b>TOTAL ALUMINUM PACKAGE PRICE</b>			
<b>OPTIONS - ELECTONICS OPTIONS AVAILABLE AT REQUEST</b>			
ZSC-2501001-1	HAILER	Strobe, Red & Blue, LED, Whelen L31HBF, Whelen Siren Speaker SA315P	1
TBD	E120W RAYMARINE ELECTRONICS PACKAGE	4 KW HD Radome, GPS, Depth Sounder, Weather Antenna, Includes Raymarine VHF Radio. No Flir Included.	1
TBD	FLIR	Raymarine Flir	1
<b>TOTAL OPTIONS PACKAGE</b>			
<b>Engine Rigging Package - (CHOOSE ONLY ONE) Other options available upon request</b>			
ZSC160B201-1	PRE-RIG TWIN	Digital Gauges and Mechanical Binnacle System - Additional Options Available	1
ZSC-1702400-2	STEERING	Hydraulic Steering System Twin - 2.4L Helm	1
<b>TOTAL ENGINE RIGGING PRICE</b>			
<b>Engines (CHOOSE ONLY ONE) Other options available upon request</b>			
N00637-1	E-TEC TWIN 150	E150 HP Engines Standard and Counter Rotating	1
PROPS will be Stainless Steel and ordered based on the load and speed requirement provided by the cust			
<b>Additional Equipment and Options</b>			
<b>USCG SAFETY PACKAGE</b>			
10996999	LIFE JACKET	Basic Mustang Life Jacket	6
9376450	ALERT/LOCATE KIT	Orion Deluxe HP Alert/Locate Kit	1
8700692	SIGNALING KIT	Accessory Signaling Kit	1
378366	HORN	Sports Air Horn	1
316234	FIRE EXTINGUISHER	Fire Extinguisher	1
314338	LIFE RING BRACKET	Life Ring Bracket	1
10663524	LIFE RING	20" Orange Life Ring	1
MD3183LE	INFLATABLE PFD	Inflatable PFD w/ HIT (Auto Hydrostatic) & Customizable. Back Flap- Law Enforcement	6
5528468	DOCK LINES	1/2" X 25' PRESPLICED DOCK LINES	9
8681926	BAG	GILL WATERPROOF DUFFEL BAG	6
<b>ANCHOR PACKAGE</b>			
11189511	CHAIN/ROPE	Chain/Rope Package	1
388942	ANCHOR	7LB Fortress Anchor	1
583601	STORAGE	Anchor Storage Bag	1
<b>Trailer Options</b>			





**ZODIAC**

MILPRO

Part #	Description	Comments	QTY
N09315	TA102B 20-23 5200 D1X	I-Tube frame, tandem torsion axles, oil bath hubs, ST205 radial tires, stainless hardware, hydraulic surge disc brakes on one axle, stainless brake lines, and black composite fenders	1
	Shipping	FOB to Ocean City New Jersey	1
<b>Sell Price Rigged</b>			<b>\$85,905.41</b>

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**



**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 November 9, 2012 to November 21, 2012.

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

\_\_\_\_\_  
Frank Donato III  
Chief Financial Officer

\_\_\_\_\_  
Michael J. Allegretto  
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS - 11.09.12 TO 11.21.12.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 ..... 20 .....

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

.....  
City Clerk



PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
12-00550	02/27/12	SPINN	SPINNING WHEEL FLORIST INC.	Open	65.00	0.00	B
12-00601	03/06/12	GOVDEALS	GOV DEALS	Open	533.35	0.00	
12-00613	03/06/12	WATSN	WATSON & HENRY ASSOCIATES RES. 11-48-141-ENG. & CONST.	Open	2,500.00	0.00	
12-00629	03/12/12	PERFECT	PERFECT TOUCH LANDSCAPING, INC RES.# 12-48-211	Open	3,669.00	0.00	
12-00911	04/13/12	ARSEN	ARSENAL SOUND CO.	Open	540.00	0.00	
12-01189	05/03/12	GARDE	GARDEN STATE HIGHWAY PROD. INC	Open	6,600.74	0.00	
12-01198	05/04/12	HYDROMAR	HYDRO-MARINE CONST. CO., INC. CC 12-18 R-1; RES.12-48-282	Open	148,038.80	0.00	
12-01200	05/07/12	SAM 1	SAM'S CLUB/GEMB	Open	3,862.63	0.00	
12-01224	05/07/12	NJDEP	TREAS, STATE OF NJ/1989 GT J8 54504248005067 & OSP22 1224	Open	16,113.75	0.00	
12-01225	05/07/12	NJDEPGFB	TREAS, STATE OF NJ/1995 GT 0508-07-056 & 056(A)	Open	8,047.04	0.00	
12-01234	05/07/12	OCHUM	OCEAN CITY HUMANE SOCIETY 2012 ALLOTMENT	Open	10,000.00	0.00	
12-01238	05/07/12	BRINKS	BRINKS INC.	Open	75.80	0.00	B
12-01521	06/07/12	FRALING	FRALINGER ENGINEERING PA Q10-010; RES. 11-48-038	Open	17,522.00	0.00	
12-01547	06/08/12	CHATT	THE CHATTERBOX	Open	79.70	0.00	
12-01881	07/27/12	VERIZ	VERIZON 609 399-0505 087 47Y	Open	101.99	0.00	B
12-02100	08/14/12	KARABASH	KARABASHIAN EDDINGTON PLANNING RESOLUTION #12-48-352	Open	7,091.25	0.00	B
12-02101	08/14/12	KARABASH	KARABASHIAN EDDINGTON PLANNING RESOLUTION #12-48-352	Open	460.00	0.00	
12-02125	08/21/12	ACTIO	ACTION SUPPLY, INC.	Open	756.00	0.00	B
12-02144	08/21/12	CAPRI	CAPRIONI PORTABLE TOILETS	Open	96.50	0.00	
12-02373	09/06/12	PANITCH	PANITCH, SCHWARZE, BELISARIO &	Open	600.00	0.00	
12-02587	09/20/12	STETS	BW STETSON	Open	10.00	0.00	
12-02669	09/25/12	OC EXCHA	OCEAN CITY EXCHANGE CLUB	Open	1,000.00	0.00	
12-02679	09/25/12	OCTHEATR	OCEAN CITY THEATRE COMPANY	Open	2,319.75	0.00	B
12-02684	09/25/12	EXPRS	EXPRESS PRESS BUSINESS CARDS BRYAN COTTRELL	Open	56.00	0.00	
12-02691	09/26/12	DISCOUNT	DISCOUNT SCHOOL SUPPLY	Open	638.38	0.00	
12-02699	09/26/12	DUNCA	DUNCAN PARKING TECHNOLOGIES, IN	Open	1,116.62	0.00	
12-02710	09/26/12	EXPRS	EXPRESS PRESS	Open	170.00	0.00	
12-02763	10/04/12	POSTM	US POSTMASTER	Open	320.00	0.00	
12-02782	10/05/12	SCHWA	SCHWAAB, INC. RUBBER STAMPS	Open	216.95	0.00	
12-02783	10/05/12	TAASJ	TECHNICAL ASSISTANTS ASSN. SJ 2013 MEMBERSHIP RENEWAL	Open	80.00	0.00	
12-02784	10/05/12	LACASSE	GROUPE LACASSE, INC. FILE COMPRESSORS	Open	370.50	0.00	
12-02785	10/05/12	BOANJ	BUILDING OFFICIALS ASSOC OF NJ 2013 MEMBERSHIP RENEWAL	Open	150.00	0.00	
12-02786	10/05/12	MEIA	MEIA SOUTH JERSEY 2013 MEMBERSHIP RENEWAL	Open	110.00	0.00	
12-02789	10/05/12	ASSOCIAT	ASSOCIATION OF STATE FLOODPLAI 2013 MEMBERSHIP RENEWAL	Open	220.00	0.00	
12-02790	10/05/12	NJSPIA	NJ STATE PLUMBING INSPECTORS 2013 MEMBERSHIP RENEWAL	Open	150.00	0.00	
12-02795	10/11/12	BASILEF	FRANK BASILE ESCROW REFUND	Open	408.86	0.00	
12-02796	10/11/12	VELOCITE	VELOCITEL SITE DEVELOPMENT INC ESCROW REFUND	Open	400.00	0.00	
12-02797	10/11/12	KERNF	FRANK J & SANDRA S KERN ESCROW REFUND	Open	355.86	0.00	
12-02798	10/11/12	DARCANGE	PATRICIA A & MICHAEL D ESCROW REFUND	Open	123.32	0.00	
12-02799	10/11/12	S T	S & T AMUSEMENT COMPANY ESCROW REFUND	Open	400.00	0.00	
12-02801	10/12/12	WEBPAGE	WEBPAGEFX, INC	Open	11,750.00	0.00	
12-02813	10/12/12	NJPO	NJ PLANNING OFFICALS 2013 MEMBERSHIP RENEWAL	Open	360.00	0.00	
12-02817	10/12/12	NJAPZ	N.J. ASSN OF PLANNING & ZONING ANNUAL LUNCHEON 2012	Open	100.00	0.00	
12-02821	10/12/12	ROBERTSO	ROBERTS OXYGEN COMPANY, INC oxygen order	Open	257.40	0.00	
12-02834	10/16/12	CUMMA	CUMMINS-ALLISON CORPORATION	Open	813.00	0.00	
12-02841	10/16/12	RALPH	V.E. RALPH, INC. ems supplies	Open	3,865.40	0.00	
12-02843	10/16/12	LAWN	LAWN & GOLF SUPPLY COMPANY, INC	Open	11,500.00	0.00	
12-02847	10/16/12	F E	F & E BUSINESS MACHINES	Open	769.75	0.00	
12-02848	10/16/12	MALIA	MALIA'S RUBBER STAMP COMPANY	Open	271.45	0.00	
12-02862	10/17/12	TURTLES	TURTLESINGER, INC.	Open	100.00	0.00	
12-02905	10/24/12	TRACKER	TRACKER SOFTWARE CORP., INC	Open	3,012.00	0.00	
12-02914	10/24/12	DRAGERSD	DRAGER SAFETY DIAGNOSTICS, INC	Open	155.00	0.00	
12-02917	10/24/12	SCIBA	ATLANTIC COUNTY MUNICIPAL JIF REFUND OF DEPOSITED CHECK	Open	213.00	0.00	
12-02944	10/26/12	INTERBOR	INTERBORO MUSIC BOOSTERS	Open	2,273.75	0.00	

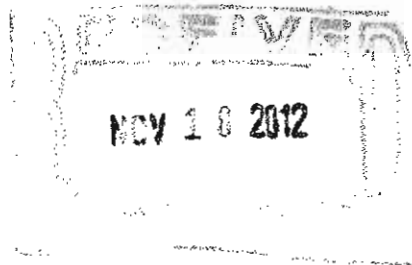
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
12-02945	10/26/12	HILT2 HILTI, INC.		Open	1,595.99	0.00	
12-02949	10/26/12	PHILIPIN PHILIPPINE FOLK ARTS		Open	100.00	0.00	
12-02950	10/26/12	CODED CODED SYSTEMS LLC	SUPPLEMENT 19/ZONING ORDINANCE	Open	448.60	0.00	
12-02957	11/01/12	TOWNSWAR TOWNWARE CORP.		Open	1,737.00	0.00	
12-02962	11/13/12	GARVEY LISA GARVEY	FIRE DEPT TEMPORARY RENTAL	Open	2,600.00	0.00	
12-02963	11/13/12	BERG BERGER REALTY INC.	FIRE DEPT TEMPORARY RENTAL	Open	2,200.00	0.00	
12-02964	11/13/12	INNOL INNOVATIVE LEADERSHIP, LLC		Open	800.00	0.00	
12-02967	11/13/12	WARTON WARTON HARDWARE		Open	2,062.82	0.00	
12-02971	11/13/12	ACR ATLANTIC COUNTY RENTAL		Open	3,820.00	0.00	
12-02974	11/15/12	TERPAKM MICHAEL TERPAK		Open	3,600.00	0.00	
12-02975	11/15/12	WALLA WALLACE HARDWARE INC.		Open	6.58	0.00	
12-02976	11/15/12	41COTTRE SHEILA COTTRELL		Open	35.19	0.00	
12-02977	11/19/12	WALLA WALLACE HARDWARE INC.		Open	100.43	0.00	
12-02978	11/19/12	MAB M.A.B. PAINTS #173		Open	79.99	0.00	
12-02979	11/19/12	MAB M.A.B. PAINTS #173		Open	150.87	0.00	
12-02980	11/20/12	ADA D DEAN ADAMS	ESCROW REFUND	Open	425.00	0.00	
12-02987	11/20/12	SEAVIEWS SEAVIEW SHOW MANAGEMENT INC		Open	2,200.00	0.00	
12-02988	11/20/12	SCARLETT PAUL SCARLETT		Open	200.00	0.00	
12-02992	11/21/12	HIGHLAND HIGHLAND YOUTH PERFORMANCE		Open	600.00	0.00	
12-02993	11/21/12	27STANIS RICHARD STANISLAW		Open	800.00	0.00	
12-02994	11/21/12	CAPEHOR CAPE SHORE CORALE		Open	800.00	0.00	
12-02995	11/21/12	HSAIJ JOSEPH HSAI		Open	300.00	0.00	

Total Purchase Orders: 127 Total P.O. Line Items: 329 Total List Amount: 1,861,898.36 Total Void Amount: 0.00

2012  
Recreation Official Bill List

11/21/2012

Voucher #	Name	Amount
3563	Greg Dohahue	\$ 280.00 Recreation Fall Soccer
3564	Anthony Strazzeri	70.00 Recreation Fall Soccer
		<u>\$ 350.00</u>



CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

#15

RESOLUTION

AMENDING THE 2012 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE  
ADDITIONAL REVENUE FROM SUSTAINABLE JERSEY CORP.,  
2012 SUSTAINABLE JERSEY SMALL GRANTS PROGRAM

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 \$2,000.00 from Sustainable Jersey Corp., 2012 Sustainable Jersey Small Grants Program and wishes to amend its 2012 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 that 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 2012 in the sum of \$2,000.00, which item is now available as a revenue from:

GENERAL REVENUES

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

Public and Private Revenue Offset with Appropriations (continued):  
Sustainable Jersey Corp., 2012 Sustainable Jersey Small Grants Program.....\$2,000.00  
pursuant to the provisions of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$2,000.00 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  
Sustainable Jersey Corp., 2012 Sustainable Jersey Small Grants Program... ..\$2,000.00

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

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of December 5, 2012.

Michael J. Allegretto,  
Council President

FILES/Chapter 159 Sustainable Jersey Corp., 2012 Sustainable Jersey Small Grant Program

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 ..... 20 .....

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

City Clerk

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

# 16

RESOLUTION

AMENDING THE 2012 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE  
ADDITIONAL REVENUE FROM THE STATE OF NEW JERSEY, DEPARTMENT OF THE  
TREASURY, RECYCLING TONNAGE 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 \$30,869.64 from the State of New Jersey, Department of the Treasury, Recycling Tonnage Grant and wishes to amend its 2012 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 that 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 2012 in the sum of \$30,869.64, which item is now available as a revenue from:

GENERAL REVENUES

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

Public and Private Revenue Offset with Appropriations (continued):  
State of New Jersey, Department of the Treasury, Recycling Tonnage.....\$30,869.64  
pursuant to the provisions of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$30,869.64 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

State of New Jersey, Department of the Treasury, Recycling Tonnage.....\$30,869.64

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

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of December 5, 2012.

Michael J. Allegretto,  
Council President

FILES/Chapter 159 Recycling Tonnage 2012

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 ..... 20 .....

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

City Clerk



CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

# 17

APPROVING THE MODIFICATION OF THE CITY OF OCEAN CITY ANNUAL ACTION PLAN FOR FISCAL YEAR 2012 BEGINNING SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2013 IN ACCORDANCE WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the U.S. Department of Housing and Urban Development has identified the City of Ocean City, Cape May County, New Jersey as an entitlement grantee, and the City of Ocean City has elected to accept its status as an entitlement grantee and therefore took the following required steps in order to receive its Community Development Block Grant in the amount of \$309,396.00; and

WHEREAS, the City Council of the City of Ocean City, New Jersey approved and adopted the Annual Action Plan for fiscal year 2012 at its meeting duly held on the 28<sup>th</sup> day of June 2012; and

WHEREAS, the City of Ocean City experienced substantial physical and economic loss due to the Impact of Hurricane Sandy October 29, 2012; and

WHEREAS, the City of Ocean City desires to modify its Annual Action Plan for fiscal year 2012 in order to assist the community in disaster recovery; and

WHEREAS, the City of Ocean City prepared, advertised and made available for public review for a seven (7) day period a draft Modification to the Annual Action Plan for fiscal year 2012-2013; and

WHEREAS, the City of Ocean City's public review period concluded on November 26, 2012; and

WHEREAS, the City of Ocean City desires to request waivers in order to implement the disaster recovery plan included in the Modification of its Annual Action Plan for fiscal year 2012 in an expeditious manner; and

WHEREAS, the City of Ocean City is required to submit the request for Modification of its Annual Action Plan for fiscal year 2012 and associated waiver requests to the U.S. Department of Housing and Urban Development; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City that the request **Modification of its Annual Action Plan for fiscal year 2012 and associated waiver requests** be submitted to U.S. Department of Housing and Urban Development, Newark Field Office—Region II at One Newark Center, 13<sup>th</sup> Floor, Newark, NJ 07102-5260 for their review and approval.

Michael Allegretto, Council President

File name: CDBG Action Plan modification

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 ..... 20 .....

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guimosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

City Clerk

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**# 18**

**SUPPORTING A BEACH REPLENISHMENT PROJECT  
FROM 36<sup>TH</sup> TO 59<sup>TH</sup> STREETS IN OCEAN CITY**

**WHEREAS**, the City of Ocean City has been fortunate to receive regular beach replenishment projects in the area from the north end of the island to 36<sup>th</sup> Street; and

**WHEREAS**, the beach and dune systems created by these projects served to successfully protect public and private properties from serious damage during the recent storm related to Hurricane Sandy; and

**WHEREAS**, the area of Ocean City south of 36<sup>th</sup> Street is not part of the federal project and has suffered serious erosion in recent years; and

**WHEREAS**, some areas of Ocean City south of 36<sup>th</sup> Street suffered serious damage to public and private properties during the recent storm; and

**WHEREAS**, this area is on a list of authorized projects and is known as "New Jersey Shore Protection Great Egg Harbor Inlet to Townsends Inlet; and

**WHEREAS**, a Project Partnership Agreement for this area is under review by the Army Corps of Engineers; and

**WHEREAS**, The Project Partnership Agreement and subsequent funding of the project would provide desperately needed beach replenishment and dune building and serve to protect billions of dollars in public and private property.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of Ocean City, NJ that the City respectfully requests approval of the Project Partnership Agreement referenced herein.

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Senator Robert Menendez, Senator, Frank R. Lautenberg and Congressman Frank LoBiondo.

\_\_\_\_\_  
Michael J. Allegretto  
Council President

File name: SUPPORTING A BEACH.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 ..... 20 .....

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

.....  
City Clerk