

ORDINANCE No. 13-06

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF DEDICATION AND PERPETUAL STORM DAMAGE REDUCTION EASEMENT ON REAL PROPERTY KNOWN AS BLOCK 70.44, LOTS 16.02 & 16.03 TO THE STATE OF NEW JERSEY

Section 1.

Purpose

It is the intent of the City of Ocean City to grant to the State of New Jersey an easement and right-of-way on the beach property shown on the current Tax Map of the City of Ocean City as Block 70.44, Lots 16.02 and 16.03 in order to authorize the State of New Jersey and its duly authorized agents to construct the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project at Ocean City.

Section 2.

Conveyance Authorized

The City of Ocean City is hereby authorized to convey to the State of New Jersey by Deed of Dedication and Perpetual Storm Damage Easement an easement and right-of-way for the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project at Ocean City in, on, over and across the real property owned by the City of Ocean City and as Block 70.44, Lots 16.02 & 16.03 on the Tax Map of the City of Ocean City. The consideration for this conveyance shall be the benefits which the City of Ocean City derives from the successful implementation of the said Project.

Section 3.

Execution of Documents, Appraisals

The Mayor or his designee is hereby authorized to execute the appropriate documents to effectuate the conveyance including, but not limited to, deed and Seller's Residency Certification/Exemption and other related documents.

Section 4.

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 5.

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

Section 6.

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

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 **February, 2013**, and **will be** taken up for a second reading and final passage at a meeting of said Council to be held on the ____ day of _____, **2013** in Council Chambers, City Hall, Ocean City, New Jersey, at in the evening.

Linda P. MacIntyre, City Clerk

Prepared by:

DOROTHY F. McCROSSON, ESQUIRE

DEED OF DEDICATION AND PERPETUAL STORM

DAMAGE REDUCTION EASEMENT

THIS DEED OF DEDICATION AND PERPETUAL STORM DAMAGE REDUCTION EASEMENT is made this ____ day of _____, 2013, BY AND

BETWEEN

CITY OF OCEAN CITY, whose post office address is 861 Asbury Avenue, Ocean City, NJ 08226,

referred to herein as **Grantor**,

AND

THE STATE OF NEW JERSEY, c/o Bureau of Coastal Engineering, NJ Dept. of Environmental Protection, 1510 Hooper Avenue, Toms River, NJ 08753,

referred to herein as the **Grantee**,

WITNESSETH

WHEREAS, Grantor is the owner of that certain tract of land, located in the City of Ocean City, County of Cape May, State of New Jersey, and identified as **Block 70.44, Lots 16.02 and 16.03**, on the official tax map of the City of Ocean City hereinafter the "Property," and Grantor holds the requisite interest to grant this Deed of Easement; and

WHEREAS, the Grantee recognizes that the beach at the City of Ocean City, New Jersey is subject to constant erosion and degradation, thereby destroying a valuable natural resource and threatening the safety and property of the Grantor and of all of the citizens of the State; and,

WHEREAS, the Grantee desires to participate with the United States Army Corps of Engineers to construct the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project at Ocean City, hereinafter the "Project"; and,

WHEREAS, construction of the Project includes periodic renourishment, which may be performed solely by the Grantee or in conjunction with the United States Army Corps of Engineers; and,

WHEREAS, in order to accomplish part of the Project, Grantee needs a Perpetual Storm Damage Reduction Easement on portions of said Property herein described; and,

WHEREAS, the State of New Jersey and United States Army Corps of Engineers will not participate in the Project unless the Grantee acquires the real property interest herein described in all real property needed for the Project; and,

WHEREAS, the Grantor desires to cooperate in allowing the Project to take place on a portion of said Property; and,

WHEREAS, the Grantor acknowledges that it will benefit from the successful implementation of the Project; and,

WHEREAS, the Grantor acknowledges that after successful implementation of the Project the beach and dune are still subject to the forces of nature which can result in both erosion and accretion of the beach and dune; and,

WHEREAS, this Deed of Easement will also serve to implement the Public Trust Doctrine and ensure permanent public access, use and enjoyment of the beach and ocean.

NOW, THEREFORE, in consideration for the benefits to be received by the Grantor from the successful implementation of the Project, the Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

GRANT OF EASEMENT: A perpetual and assignable easement and right-of-way for the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project at Ocean City in, on, over and across that land of the Property as shown on the City of Ocean City official tax maps for the Blocks and Lots listed above for use by the State of New Jersey, its representatives, agents, contractors and assigns to:

- a. Construct, preserve, patrol, operate, maintain, repair, rehabilitate, and replace a public beach, dune system, and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand, to accomplish any alterations of the contours on said land, to construct berms and dunes, and to nourish and re-nourish periodically;
- b. Move, temporarily store and remove equipment and supplies;
- c. Erect and remove temporary structures;
- d. Perform any other work necessary and incident to the construction, periodic renourishment, and maintenance of the Great Egg Harbor Inlet and Pecks Beach, New Jersey Project at Ocean City together with the right of public use and access;
- e. Post signs, plant vegetation on said dunes and berms;
- f. Erect, maintain, and remove silt screens and snow fences;
- g. Facilitate preservation of dune and vegetation through the limitation of public access to dune areas;
- h. Trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures, and obstacles within the limits of the easement.
- i. Implement the Public Trust Doctrine and ensure permanent public access, use and enjoyment of the beach and ocean.

The easement reserves to the Grantor, the Grantor's heirs, successors and assigns the right to construct a private dune overwalk structure in accordance with any applicable Federal, State, or local laws or regulations, provided that such structure shall not violate the integrity of the dune in shape, dimension, or function. Prior approval of the plans and specifications for such structures must be obtained from the City of Ocean City and the State of New Jersey. Such structures are to be considered subordinate to the construction, operation, maintenance, repair, rehabilitation, and replacement of the project. The easement reserves to the Grantor, the Grantor's heirs, successors, and assigns all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby conveyed to the Grantee, subject however to existing easements for utilities and pipelines, existing public highways, existing paved public roads and existing public streets. Grantor hereby expressly agrees not to grade or excavate within the easement area or to place therein any structure or material other than a dune walkover as referenced above without prior approval of the plans and specifications for said activities from the State of New Jersey and/or any applicable Federal agency, as required.

Duration of Easement: The easement granted hereby shall be in perpetuity, and in the event that the State of New Jersey shall become merged with any other geo-political entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives,

heirs, successors and assigns and shall continue as a servitude running in perpetuity with the land.

Municipality to Maintain Beach: The Grantor acknowledges its obligation, consistent with all Federal, State and local statutes and regulations, to use its best, good-faith efforts to cause the beach area abutting the Property to be maintained, consistent with any applicable Federal, State or local laws or regulations, notwithstanding any action or inaction of the State of New Jersey, Department of Environmental Protection or the United States Army Corps of Engineers to maintain the beach area.

Character of Property: Notwithstanding the foregoing, nothing herein is intended or shall be deemed to change the overall character of the Property as private property; nothing herein shall be deemed to grant to the Grantee or otherwise permit the Grantee or any other person to cross over or use any part of the Property which is not within the Easement Area; nothing herein is intended or shall be deemed to alter the boundary lines or setback lines of the Property.

Miscellaneous:

1. The enforcement of the terms of this Easement shall be at the discretion of the Grantee and any forbearance by Grantee to exercise its rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent violation or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.

2. The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.

3. If any provision of this Deed of Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

4. Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first class mail, postage prepaid and by Certified Mail, Return Receipt Requested, addressed to the mailing addresses set forth above or any other address of which the relocating party shall notify the other, in writing.

5. The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

IN WITNESS WHEREOF, with the parties understanding and agreeing to the above, they do hereby place their signatures on the date at the top of the first page.

Accepted by the
Property Owner, GRANTOR

Attested by:

CITY OF OCEAN CITY

BY: _____
JAY A. GILLIAN, Mayor

LINDA P. MacINTYRE, Clerk

Date: _____

Accepted by the
STATE OF NEW JERSEY, GRANTEE

Witnessed by:

BY: _____
David Rosenblatt
Administrator
Office of Engineering & Construction

NOTARY PUBLIC OF THE
STATE OF NEW JERSEY

Date _____

STATE OF NEW JERSEY, COUNTY OF CAPE MAY : ss

I CERTIFY that on _____, 2013, **Linda P. MacIntyre**, City Clerk
of the City of Ocean City, personally came before me and this person
acknowledged under oath, to my satisfaction, that:

- (a) she is the City Clerk of the City of Ocean City, the Municipal
Corporation named in this deed;
- (b) she is the attesting witness to the signing of this agreement by the
proper municipal officer who is the Mayor;
- (c) this person knows the proper seal of the corporation which was affixed
to this deed; and
- (d) this person signed this proof to attest to the truth of these facts.

Notary Public of New Jersey

ORDINANCE NO. 13-07

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE REVISED ORDINANCES OF THE CITY OF OCEAN CITY **2013 RESIDENTIAL MECHANICAL**

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 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 amended by adding and revising terms and definitions as follows:

25-105.3 Nonconforming Structures, Uses, and Lots.

a. Existing buildings, structures and uses which do not comply with the regulations of this Ordinance shall be allowed to continue subject to the following:

1. In the event that any structure is destroyed by fire, flood, or other natural catastrophe in an amount up to one hundred percent (100%) of the cost of replacement of the structure the previous use may be continued notwithstanding any use violation of this Ordinance.

2. In the event any structure is destroyed by fire, flood or other natural catastrophe in an amount greater than seventy-five percent (75%) of the cost of replacement of the structure, such structure shall not be restored unless such structure shall thereafter conform to all regulations of the zoning district (excluding use) in which it is located. In this instance, variance approval shall not be required for pre-existing, nonconforming lots.

3. Expansion of nonconforming buildings. Where buildings have become nonconforming by virtue of the more stringent area, yard and height standards of this Ordinance, said nonconforming buildings or structures may be modified, provided that such modifications do not increase the non-conformity respective to the area, yard, height and other bulk requirements for the zone.

4. Elevating nonconforming buildings. Buildings that are nonconforming by virtue of the area and yard standards of this Ordinance may be elevated to comply with BFE requirements, provided that such building conforms to the permitted building height. This section applies to the habitable area of principal buildings including porches, and does not apply to decks.

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:

Attic shall mean the unfinished, non-habitable space between the ceiling beams of the top story and the roof rafters

Base Flood Elevation shall mean the elevation, based on mean sea level, of a flood that has a one percent (1%) or greater chance of occurrence in any given year as established by the Federal Emergency Management Agency and as shown on the Flood Insurance Rate Maps or on other FEMA flood maps, including the Advisory Base Flood Maps, as may be in effect.

Building Area, Nonhabitable shall mean:

1. An Attic and enclosed, unfinished area located below BFE including Carport, Crawlspace, elevator, Private Residential Garage, Stairwell and Storage Room, and
- ~~1-2. Unenclosed unenclosed~~ exterior living areas of a building, such as porches, decks and balconies. Although not enclosed, these elements may have a roof.

Building Height for all residential uses regardless of FEMA flood zone designation shall mean the vertical distance between the Zoning Flood Elevation or Lowest Floor, whichever is lower, 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.

Carport shall mean a roofed structure enclosed on not more than two (2) sides providing space for the parking of motor vehicles. ~~Where buildings are regulated by total stories, a carport constructed as an integral component of the principal structure, shall be included in the determination of total stories.~~

Crawl Space shall mean a non-habitable space between the top of the lowest habitable floor and the floor or ground below, which permits access to pipes, ducts, and wiring. A Crawl Space shall not be considered a *Story* where its height does not exceed five (5) feet, nor where additional height in excess of five (5) feet is required for the top of the lowest habitable floor to conform to FEMABFE requirements. Egress windows, egress doors, plumbing, telephone and cable connections shall not be permitted in a Crawl Space.

Floor Area Ratio (FAR) shall mean the sum of the gross horizontal areas of all floors except Crawl Space in a principal structure divided by the lot area. The value in the FAR numerator shall be the area (in square feet) established by measuring from the exterior faces of exterior walls and shall include all floor area except Crawl Space having a floor to ceiling joist height, or in the attic, a floor to underside of roof rafters height of seven feet (7') and greater.

Garage (Private Residential) shall mean a building or space with a minimum ceiling height of eight (8) feet used as an accessory to the principal residential building which provides for the parking and storage of motor vehicles owned and operated by the residents thereof, and in which no residential occupancy, occupation, business or other service for profit is conducted. ~~Where buildings are regulated by total stories, a garage constructed as an integral component of the principal structure, shall be included in the determination of total stories.~~

Zoning Flood Elevation (ZFE) shall mean the elevation at the top of the lowest floor or two (2) feet above Base Flood Elevation, whichever is lower, 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 floor shall be nine (9) feet above *Finished Grade* ~~unless the above provisions result in a higher elevation requirement, in which case the applicable above provision applies.~~

Section 3

Section 25-204.21.7 Encroachments Permitted in Minimum Required Yards of the Revised General Ordinances of the City of Ocean City is amended as follows:

b. *Side Yard.* These encroachments are not permitted on any lot that utilizes the side yard provisions contained in subsection 25-204.21.8.

1. Trash enclosures and HVAC equipment may extend into the largest side yard not more than twenty-five percent (25%) of the side yard dimension, provided ~~that at a minimum,~~ the minimum side yard setback is maintained, and that such ~~enclosures and HVAC~~ equipment does ~~do~~ not exceed the minimum elevation necessary to comply with FEMA BFE requirements. six feet (6') above grade and are properly screened.

Section 4

Section 25-204.22.7 Encroachments Permitted in Minimum Required Yards of the Revised General Ordinances of the City of Ocean City is amended as follows:

b. *Side Yard.* These encroachments are not permitted on any lot that utilizes the side yard provisions contained in subsection 25-204.21.8.

1. Trash enclosures and HVAC equipment may extend into the largest side yard not more than twenty-five percent (25%) of the side yard dimension, provided ~~that at a minimum,~~ the minimum side yard setback is maintained, and that such ~~enclosures and HVAC~~ equipment does ~~do~~ not exceed the minimum elevation necessary to comply with FEMA BFE requirements. six feet (6') above grade and are properly screened.

Section 5

Section 25-204.27.1.b Qualifications of the Revised General Ordinances of the City of Ocean City is amended as follows:

b. *Front Steps.* Front steps that connect the porch to the street level are required. Steps to a grade-level garage or storage room do not satisfy this qualification. Buildings on lots without alley access are encouraged to have front steps but are not required to have them. Corner lots shall have front steps on at least one (1) of the frontages. These steps and associated landings may extend to within six (6) inches ~~four feet (4')~~ of the front and/or side property line provided they do not extend past the nearest edge of the existing sidewalk or sidewalk line established for the subject block. exceed six feet (6') above the adjacent grade elevation. Steps and landings which exceed the maximum permitted elevation shall increase their setback by one foot (1') for every one foot (1') (or fraction thereof) that they exceed the six foot (6') elevation.

Section 6

Section 25-300.1.a Encroachments in Front Yards, Rear Yards and Side Yards of the Revised General Ordinances of the City of Ocean City is amended as follows:

1. Front Yard. (Amend the following subsection as indicated):

(a) Steps and landings, ~~or terraced walkways not greater than six feet (6') above grade and~~ providing access only to the ~~Lowest Floor first floor~~, shall be permitted to extend to ~~within six (6) inches a point that is four feet (4') from~~ of the front property line or right-of-way, but shall not extend past the nearest edge of the existing sidewalk or sidewalk line established for the subject block. A terraced walkway shall:

(1) Be constructed of brick, stone or other maintenance-free material. Concrete and unfaced concrete block is not permitted.

(2) Have not more than two (2) risers between landings

(3) Provide landings extending at least three (3) feet in the direction of travel

2. Rear Yard. (Amend the following subsection as indicated):

(o) Steps and landings ~~not greater than six feet (6') above grade and~~ providing access to the ~~Lowest Floor first floor~~ only, shall be permitted to extend a distance not to exceed thirty (30) percent of the required rear yard setback.

3. Side Yard. (Amend the following subsection the indicated):

(h) Shower enclosures and HVAC equipment may extend into the largest side yard not more than twenty percent (20%) of the side yard dimension, provided that the minimum required side yard setback is maintained and, that shower enclosures do not exceed a height of eight feet (8') above grade, and HVAC equipment and associated screening does not exceed ~~a height of six feet (6') above grade,~~ the minimum elevation necessary to comply with FEMA BFE requirements.

(i) On corner lots where the larger of two side yards faces the street, steps may extend from an entry porch to the side yard setback line. From this point, a terraced walkway may encroach to within six (6) inches of the side property line provided:

(1) The terraced walkway is constructed of brick, stone or other maintenance-free material. Concrete and unfaced concrete block shall not be permitted.

(2) Not more than two (2) risers are constructed between landings

(3) Landings shall extend at least three (3) feet in the direction of travel

Section 7

Section 25-300.18 Floor Area Ratio of the Revised General Ordinances of the City of Ocean City is amended as follows:

25-300.18 Floor Area Ratio.

a. *Purpose.* Floor Area Ratio (FAR) is provided as a means of regulating building mass, and to establish buildings that are more proportional to the lots on which they are located.

b. *Applicability.* For all detached single-family buildings, the numerator of the FAR shall be established by measuring from the exterior faces of exterior walls and shall include all floor area except Crawl Space having structural headroom seven feet (7') and greater. Detached accessory structures such as garages and sheds are not included in the calculation of Floor Area

Ratio. ~~Porches and decks may be included in FAR depending upon their design and location as noted below.~~

Section 8

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 **February, 2013** and will be taken up for a second reading and final passage at a meeting of said Council held on the _____ day of _____, in Council Chambers, City Hall, Ocean City, New Jersey, at 7 o'clock in the evening.

Linda P. MacIntyre, City Clerk

February 27, 2013 - 4:35 PM

Ordinance #13-07
Summary
2013 Residential Mechanical

Section 1 –

Permits buildings with nonconforming setbacks to elevate to BFE/ZFE without variance approval

Section 2 –

Redefines Attic as non-habitable space

BFE is revised to include ABFE and other maps as may be adopted

Redefines Nonhabitable Building Area to include: Porches, Decks, balconies, Attic, unfinished area below BFE, Carport, Garage, Crawlspace, stairwell, elevator, Storage Room

Clarifies that residential Building Height is measured from ZFE

Removes Carport from being calculated as a Story

Redefines Floor Area Ratio to exclude Crawl Spaces

Specifies that Garage with 8' ceiling is non-habitable space

“V Zone” exception removed from Zoning Flood Elevation

Story term/definition will be deleted if determined that this control is no longer needed

Section 3 –

Permits HVAC equipment in the Riviera to be elevated to BFE

Section 4 –

Permits HVAC equipment in the Bayou to be elevated to BFE

Section 5 –

As a Design Incentive, removes 6' height limitation and permits steps and landings within 6" of property line

Section 6 –

As a front yard Encroachment, removes 6' height limitation and permits steps and landings, and terraced walkways within 6" of property line

As a permitted rear yard Encroachment, permits steps and landings to Lowest Floor without height limitation

As a permitted side yard Encroachment, permits HVAC equipment to be elevated to BFE

As a permitted corner lot side yard Encroachment, permits terraced walkways

Section 7 -

FAR is applied to the Habitable Building Area only

2/27/13

ORDINANCE NO. 13-04

A BOND ORDINANCE APPROPRIATING \$5,788,000.00 AND AUTHORIZING THE ISSUANCE OF \$5,498,600.00 IN BONDS AND NOTES OF THE CITY OF OCEAN CITY FOR THE VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF OCEAN CITY, NEW JERSEY

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

Section 1. The several improvements described in Section 3 of this Bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by Ocean City, New Jersey for said several improvements or purposes stated in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$5,788,000.00 including the aggregate sum of \$289,400.00 from Capital Improvement Fund as the several down payments for said improvements for purposes required by law and more particularly described in Section 3 and now available therefore by virtue of a provision in a previously adopted budget or budgets of the City for down payment or for capital improvement or purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$5,788,000.00 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the City of Ocean City are hereby authorized to be issued in the principal amount of \$5,498,600.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$5,498,600.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriations made for an estimated cost of each purpose (in each case, including all work or materials necessary therefore or incidental thereto, and as shown on and in accordance with the plans and specifications therefore on file in the Office of the City Clerk and hereby approved), and the estimated maximum amounts of bonds or notes to be issued for each such purpose, are respectively as follows:

SEE ATTACHED SECTION 3

The excess of the appropriations made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared and recited as stated:

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

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 8.47 years.

(c) The supplemental debt statement required by the said law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statements show that the gross debt of the City as defined in said law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$5,498,600.00 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$550,000.00 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering cost and other items of expense listed in and permitted under Section 40A:2-20 of said Law, may be included as part of the cost of said improvements are included in the foregoing estimate therefore.

Section 5. The funds from time to time received by the City on account of any grant or monies referred to in Section 1 of this Bond Ordinance shall be used for financing the improvement or purpose described in Section 3 of this Bond Ordinance, by application thereof, either to direct payment of the costs of said improvements or purpose, or to payment or reduction of the amount of the obligations of the City authorized by this Bond Ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the City as funds applicable only to the payment of obligations of the City authorized by this Bond Ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such terminations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Administrator and Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate, the maturity schedule of the notes sold, and price obtained and the name of the purchaser.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

Section 9. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 10. The Capital Budget of the City of Ocean City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies created hereby. To the extent of any inconsistencies, a revised budget has been filed with the Division of Local Government Services.

Section 11. The Bond Ordinance shall take effect twenty (20) days after first publication thereof after final adoption, as provided by said Local Bond Law.

Jay A. Gillian, Mayor

Michael J. Allegretto, Council President

STATEMENT

The Bond Ordinance published herewith has been finally adopted on February 28, 2013 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement.

Linda P. MacIntyre, City Clerk

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council **held on the 14th February, 2013** and **was taken** up for a second reading and final passage at a meeting of said Council **held on the 28th day of February, 2013** at the Free Public Library of Ocean City in room N110, Ocean City, New Jersey at 7:00 o'clock in the evening.

Linda P. MacIntyre, City Clerk

Section 3 of Bond Ordinance 13-04

Improvement or Purpose	Improvement Authorization	Estimated Maximum Amount of Bonds or Notes	Useful Life
(A) Dredging Program for Lagoon mouths including but not limited to, permitting, engineering, dredging of bayfront areas and lagoons, preparation of a confined disposal facility and disposal of dredged material	\$ 550,000	\$522,500	5
(B) Improvement by construction and reconstruction of various streets, alleys, and drainage systems based on the City of Ocean City rating system including associated professional services	\$ 2,900,000	\$2,755,000	10
(C) Improvement by construction of ADA beach access paths	\$ 15,000	\$14,250	5
(D) Improvement by construction, rehabilitation, remediation and repair of public buildings including but not limited to City Hall and 29th St. Firehouse, and associated professional services	\$ 690,000	\$655,500	10
(E) Improvement by construction, rehabilitation, and repair of public facilities including but not limited to the 15th St. playground, fountains and footbaths in the beach and boardwalk areas, and general property improvements including irrigation, lighting, fencing and landscaping improvements	\$ 425,000	\$403,750	10
(F) Acquisition of parking facilities equipment including but not limited to meters upgrades and replacements	\$ 65,000	\$61,750	5
(G) Acquisition of the following small equipment including but not building and grounds equipment, and Music Pier chair replacements	\$ 100,000	\$95,000	5
(H) Acquisition of public safety radios	\$ 25,000	\$23,750	5
(I) Acquisition by public purchase of the following vehicles and equipment including but not limited to a Pumper Truck, Mini Dump Truck with snow plow and spreader, Utility Body Pick ups, Extended Cab Pick up, & Utility Vans	\$ 1,018,000	\$967,100	5
	\$5,788,000	\$5,498,600	8.47

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

ADOPTING THE 2013 BUDGET OF THE
SPECIAL IMPROVEMENT DISTRICT OF THE
CITY OF OCEAN CITY

WHEREAS, as required by N.J.S.A. 40:56-84, the District Management Corporation shall submit a detailed annual budget for the approval by resolution of the governing body in an amount of \$259,612.00; and

WHEREAS, Business and Neighborhood Development Association, Inc. is designated as the District Management Corporation; and

WHEREAS, proper notice was given by public advertising and posting in public places, regarding the time, place and the date of public hearing on the Special Improvement Budget; and

WHEREAS, the attached statement of revenues and appropriations shall constitute the Special Improvement District Budget for year 2013. Said budget was published in the Ocean City Sentinel Ledger in the issue of January 30, 2013. A public hearing on the Special Improvement Budget was held in the Ocean City Council Chambers on February 28, 2013 at 7:00 p.m.

NOW, THEREFORE BE IT RESOLVED, that the 2013 Budget for the Special Improvement District is hereby adopted.

CERTIFIED BY:



Frank Donato III
Chief Financial Officer

Michael Allegretto
Council President

2013 Adoption SID Budget

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

2013 SPECIAL IMPROVEMENT DISTRICT		SID ZONES			
		Boardwalk	Ninth Street	Asbury Avenue	TOTAL
		47.50%	9.66%	42.84%	
REVENUES					
TOTAL LEVY BY DISTRICT	\$	87,495	\$ 17,790	\$ 78,922	\$ 184,207
FUND RAISING ACITIVITIES/SPONSORSHIPS					
		75,405			75,405
TOTAL REVENUES	\$	162,900	\$ 17,790	\$ 78,922	\$ 259,612
APPROPRIATIONS					
BAND/MAINSTREET Overhead Expenses	\$	10,150	\$	6,487	\$ 16,637
Office Supplies		2,000			2,000
Phone/Internet				5,000	5,000
Payroll Services		150		1,487	1,637
Promotion Administration		8,000			8,000
Mainstreet Conferences/Other Meetings					-
State Fees/Payments					-
subtotal to top		10,150	-	6,487	16,637
Salaries+Benefits					
	\$	6,071	\$ 482	\$ 27,289	\$ 33,842
Executive Director				22,500	22,500
Accountant		2,371	482	2,139	4,992
Promotions Coordinator					-
Maintenance Worker		3,000			3,000
Payroll Taxes+ Benefits		700		2,650	3,350
subtotal to top		6,071	482	27,289	33,842
Audit + Insurance					
	\$	5,360	\$ 1,091	\$ 4,834	\$ 11,284
Promotions					
	\$	137,389	\$	10,857	\$ 164,463
Advertisement		7,389			7,389
Promotions		130,000	16,217	10,857	157,074
subtotal to top		137,389	16,217	10,857	164,463
Design Expense					
				12,000	12,000
Debt Service:State Loan Payable					
	\$	3,930	\$	17,455	\$ 21,385
Reserved					
					-
Total Appropriations	\$	162,900	\$ 17,790	\$ 78,922	\$ 259,612
 Introduction: 1/24/2013					
Advertisement 1/30/2013					
Public Hearing 2/28/2013					
Final Adoption 2/28/2013					
 Band President					
 Frank Donato CFO #N0651					

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#1

**AUTHORIZING THE AWARD OF CITY CONTRACT #13-25, FABRICATION & SUPPLY
OF WELDED ALUMINUM RAILING TO INCLUDE ALL INCIDENTALS**

WHEREAS, bids were authorized by Resolution No. 12-49-057 on December 13, 2012, for City Contract #13-25, Fabrication & Supply of Welded Aluminum Railing to Include All Incidentals; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, December 19, 2012, the Notice to Bidders was posted on the City of Ocean City's website, www.ocnj.us and the Invitation to Bid was distributed to five (5) prospective bidder(s); and

WHEREAS, bid proposals were opened for City Contract #13-25, Fabrication & Supply of Welded Aluminum Railing to Include All Incidentals on Thursday, January 24, 2013 and five (5) bid proposals were received per the attached Summary of Bids; and

WHEREAS, Michael Rossbach, Director of Public Works; Arthur Chew, PE, Municipal Engineer; Georgia Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the bid proposals and specifications and recommend that the contract be awarded to BR Welding, Inc., the lowest responsible bidder; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey, that City Contract #13-25, Fabrication & Supply of Welded Aluminum Railing to Include All Incidentals be and is hereby awarded to the following lowest responsible bidder as follows:

BR Welding, Inc. 3 Brook Road Howell, NJ 07731

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Cost</u>
1	20' 2-rail sections with cast flange detail #2 to include all incidentals	0-2,000 LF	\$ 22.50
2	8' rail sections with cast flange detail #2 to include all incidentals	0 LF	N/A
3	End caps	0-200 Each	\$ 4.38
4	Ribbed tubes to connect rail sections	0-200 Each	\$ 2.14
5	Boardwalk pavilion railing (3 rail), attached diagram labeled aluminum pipe hand rail detail, supplier to make railing in equal parts to specified length shown	0-500 LF	\$ 103.00

BE IT FURTHER RESOLVED that the Mayor and City Purchasing Manager are hereby authorized to enter into a contract with BR Welding, Inc., 3 Brook Road, Howell, NJ 07732 for City Contract #13-25, Fabrication & Supply of Welded Aluminum Railing to Include All Incidentals as listed and in accordance with the bid specifications and the bid proposal form.

The Director of Financial Management certifies that funds are contingent upon the 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
Files: RAW 13-25 Railing.doc

Michael J. Allegretto
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the day of 20

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

City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF PUBLIC WORKS

Memo

To: Joseph Clark, Purchasing Agent

From: Michael Rossbach, Director of Public Works

Subject: Aluminum Railing

Date: February 13, 2013

In reference to contract #13-25 "Fabrication and Supply of Welded Aluminum Railing to Include All Incidentals" Please accept the bid from BR Welding Inc as they are the lowest responsible bidder. As you know this is the contract that supplies the city with boardwalk and beach access railing. Joe Berenato and I have met with the contractor and reviewed the workmanship as well as the alternate mounting flange to be used in their fabrication. Both Joe and I believe the workmanship and flange configuration are of acceptable quality.

If you have any questions or need further support, don't hesitate to contact me.

cc Michael Dattilo, Administrator
File

115 12TH STREET, OCEAN CITY, NJ 08226-3642
609-525-9261 Fax:609-399-8407
www.ocnj.us



PURCHASING DIVISION
SUMMARY OF BID PROPOSALS

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

CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, January 24, 2013 @ 2:00 PM, EST
CITY CONTRACT #: 13-25
PROPOSAL NAME: Fabrication & Supply of Welded Aluminum
Railing to Include All Incidentals

NAME, ADDRESS & BID OF EACH BIDDER			Accent Fence, Inc. 1450 Bremen Avenue Egg Harbor City, NJ 08215			BR Welding, Inc. 3 Brook Road Howell, NJ 07731			Ohana Metal & Iron Works Inc. 60 Miller Road Montgomery, NY 12549			South State, Inc. P. O. Box 68 Bridgeport, NJ 08302			Tuttle Aluminum & Bronze, Inc. 120 Shadowlawn Drive Fishers, IN 46038		
Greg Carnesale, President			Brandon Reo, President			Erez Ohana, President			Chester J. Ottinger, Jr., President			Peter Q. Tuttle II					
Ph: (609) 965-6400 Fx: (609) 965-6403 email: gcarcent@aolc.com			Ph: (732) 363-8253 Fx: (732) 363-0155 email: BRWelding@aol.com			Ph: (845) 344-7520 Fx: (845) 357-0242 email: ohanametal@gmail.com			Ph: (856) 451-5300 Fx: (856) 455-3461 email: bbryan@southstateinc.com			Ph: (317) 842-2420 x 12 Fx: (317) 845-1328 email: qtuttle@tuttlealuminum.com					
ITEM	DESCRIPTION	QTY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1	20' 2-rail sections with cast flange detail #2 to include all incidentals	0- 2,000 LF	\$ 55.00	\$ 110,000.00	\$ 22.50	\$ 45,000.00	\$ 41.50	\$ 83,000.00	\$ 50.00	\$ 100,000.00	\$ 23.03	\$ 46,060.00					
2	8' rail sections with cast flange detail #2 to include all incidentals	0- LF	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A					
3	End Caps	0- 200 Each	\$ 13.60	\$ 2,720.00	\$ 4.38	\$ 876.00	\$ 3.00	\$ 600.00	\$ 14.00	\$ 2,800.00	\$ 3.50	\$ 700.00					
4	Ribbed tubes to connect rail sections	0- 200 Each	\$ 4.80	\$ 960.00	\$ 2.14	\$ 428.00	\$ 3.00	\$ 600.00	\$ 5.00	\$ 1,000.00	\$ 2.75	\$ 550.00					
	Boardwalk Pavilion Railing (3 rail), attached diagram labeled Aluminum pipe hand rail detail, supplier to make railing in equal parts to 5 specified length shown																
5																	
TOTAL AMOUNT OF ALL ITEMS BID			\$ 122.00	\$ 61,000.00	\$ 103.00	\$ 51,500.00	\$ 82.00	\$ 41,000.00	\$ 100.00	\$ 50,000.00	\$ 133.69	\$ 66,845.00					
Number of days for delivery after receipt of PO:			\$ 174,680.00			\$ 97,804.00			\$ 125,200.00			\$ 153,800.00			\$ 114,155.00		
			90 days			90 days			90 days			90 days			65 days		
Required Contract Information																	
RIGHT TO EXTEND-ITEM FOR AWARD:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
STOCKHOLDER DISCLOSURE STATEMENT:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
NON-COLLUSION AFFIDAVIT:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY :			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
AFFIRMATIVE ACTION REGULATION COMPLAINT:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
BUSINESS REGISTRATION CERTIFICATE SUBMITTED:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
REQUIRED REFERENCE LIST:			YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	
NUMBER OF COPIES PROVIDED (2):				2		2		2		2		2		2		2	

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#2

**AUTHORIZING PAYMENT TO SERBER KONSCHAK, LLP FOR SERVICES RENDERED
PURSUANT TO THE EMPLOYMENT CONTRACT BETWEEN THE CITY OF OCEAN CITY AND
THE OCEAN CITY BEACH PATROL ADMINISTRATIVE ASSOCIATION**

WHEREAS, Article XIV of the employment contract between the City of Ocean City and the Ocean City Beach Patrol Administrative Association provides as follows:

The CITY shall provide legal representation for all employees for all litigation arising as a result of the action taken by any employee in the course of their duties and within their authority as a CITY employee.

WHEREAS, Thomas A. Mullineaux (hereinafter, "Chief Mullineaux") is a City employee whose employment was governed by the Ocean City Beach Patrol Administrative Association employment contract; and

WHEREAS, Chief Mullineaux was a party to litigation arising as a result of action he took as an employee in the course of his duties and within his authority as a City employee; and

WHEREAS, the law firm of Serber Konschak, LLP provided legal services to Chief Mullineaux in the said litigation; and,

WHEREAS, the law firm of Serber Konschak, LLP has submitted its invoice for such legal services; and,

WHEREAS, Serber Konschak, LLP has received \$2,598.75 of its fee, to date, and has agreed to accept \$21,569.00 as payment in full for services rendered to Chief Mullineaux; and,

WHEREAS, the legal services provided by Serber Konschak, LLP were provided to Chief Mullineaux and not to the City, which were not required to be competitively bid and are permitted through an alternative non-advertised process, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) & N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Serber Konschak, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Serber Konschak, LLP has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby authorize payment to **Serber Konschak, LLP , 201 East Thirty-Fourth Street, Ocean City, NJ 08226** for legal services rendered as follows:

- | | | | |
|----|--|----|-----------|
| 1. | Requisition awaiting approval..... | \$ | 21,569.00 |
| 2. | A copy of Business Entity Certification, Determination of Value and the Business Registration Certification (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office. | | |
| 3. | 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 issue a purchase order to pay the sum of \$21,569.00 to Serber Konschak, LLP, 201 East Thirty-Fourth Street, Ocean City, NJ 08226 for legal services rendered in accordance with this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate account when the Purchase Order is issued.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management

Michael J. Allegretto
Council President

Files: RPS 2013 Serber Konschak, LLP .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 PAYMENT TO LANCIANO & ASSOCIATES, LLC FOR SERVICES RENDERED
PURSUANT TO THE EMPLOYMENT CONTRACT BETWEEN THE CITY OF OCEAN CITY AND
THE OCEAN CITY BEACH PATROL ADMINISTRATIVE ASSOCIATION**

WHEREAS, Article XIV of the employment contract between the City of Ocean City and the Ocean City Beach Patrol Administrative Association provides as follows:

The CITY shall provide legal representation for all employees for all litigation arising as a result of the action taken by any employee in the course of their duties and within their authority as a CITY employee.

WHEREAS, Thomas A. Mullineaux (hereinafter, "Chief Mullineaux") is a City employee whose employment was governed by the Ocean City Beach Patrol Administrative Association employment contract; and

WHEREAS, Chief Mullineaux was a party to litigation arising as a result of action he took as an employee in the course of his duties and within his authority as a City employee; and

WHEREAS, the law firm of Lanciano & Associates, LLC provided legal services to Chief Mullineaux in the said litigation; and,

WHEREAS, the law firm of Lanciano & Associates, LLC has submitted its invoice for such legal services; and,

WHEREAS, Lanciano & Associates has received \$3,815 of its fee, to date, and has agreed to accept \$33,110.23 as payment in full for services rendered to Chief Mullineaux; and,

WHEREAS, the legal services provided by Lanciano & Associates, LLC were provided to Chief Mullineaux and not to the City, which were not required to be competitively bid and are permitted through an alternative non-advertised process, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) & N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Lanciano & Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Lanciano & Associates, LLC has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby authorize payment to **Lanciano & Associates, LLC, 2 Route 31 North, Pennington, NJ 08534** for legal services rendered as follows:

1. Requisition awaiting approval..... \$ 33,110.23
2. A copy of Business Entity Certification, Determination of Value and the Business Registration Certification (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.
3. 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 issue a purchase order to pay the sum of \$33,110.23 to Lanciano & Associates, LLC, 2 Route 31 North, Pennington, NJ 08534 for legal services rendered in accordance with this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate account when the Purchase Order is issued.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management

Michael J. Allegretto
Council President

Files: RPS 2013 Lanciano & Associates, LLC.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

#4

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY & TETRA TECH, INC. AS A CONSULTANT FOR THE HAZARD MITIGATION GRANT PROGRAM

WHEREAS, the City of Ocean City requires professional services for the Office of Emergency Management for consultation and support on the hazard mitigation grant program (HMGP); and

WHEREAS, it is determined to be in the best interests of the City of Ocean City to have a Tetra Tech, Inc. act as a consultant on the City's hazard mitigation grant program (HMGP); and

WHEREAS, Tetra Tech, Inc. has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

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

WHEREAS, a contract for Professional Services with Tetra Tech, Inc. may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) & N.J.S.A. 19:44A-20.5; and

WHEREAS, Tetra Tech, Inc. has agreed to act as a consultant for the hazard mitigation grant program (HMGP) for the City of Ocean City's Office of Emergency Management for the calendar year 2013; and

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

WHEREAS, the City of Ocean City is desirous of entering into a Professional Services Contract with Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405 to act as the City's consultant for the hazard mitigation program (HMGP); and

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

WHEREAS, Frank Donato, III, Emergency Management Coordinator; Scott Morgan, Deputy Emergency Management Coordinator; Michael A. Dattilo, Business Administrator; Georgia Arnold, Capital Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend award of a professional service contract to Tetra Tech, Inc. for Hazard Mitigation Grant Program (HMGP) Consultant Services for the City of Ocean City, NJ; 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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby awards a professional services contract to **Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405** for Hazard Mitigation Grant Program (HMGP) Consultant Services for the City of Ocean City, NJ as follows:

1. Requisition awaiting approval..... \$ 17,500.00
2. The term of the contract shall be for a period of one (1) year, commencing on January 1, 2013 and continuing through December 31, 2013.
3. A copy of Business Entity Certification, Determination of Value and the Business Registration Certification (BRC) 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 Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405 for professional services as consultant for the Hazard Mitigation Grant Program (HMGP) as listed in accordance with this resolution and submitted proposal.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate account as the Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management

Michael J. Allegretto
Council President

Files: RPS 2013 Tetra Tech, Inc.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



February 11, 2013

Mr. Frank Donato III
Director of Financial Management, CFO
Emergency Management Coordinator
City of Ocean City
861 Asbury Avenue
Ocean City, NJ 08226

Subject: Proposal for HMGP Grant Support

Dear Mr. Donato:

Tetra Tech Inc. (Tetra Tech) is pleased to submit to the City this proposal to provide mitigation grant application support for the Sandy Hazard Mitigation Grant Program (DR-4086).

It is our understanding that the City is seeking Tetra Tech's support in project identification, the preparation and submission of Letter of Intent (LOIs), and subsequently in the development and submission of HMGP grant applications with associated Benefit-Cost Analysis (BCA).

Specifically, Tetra Tech will, at the City's request, perform the following work activities:

- Assist the City with identifying eligible and potentially cost-effective projects, including review of the OCNJ Hazard Mitigation Update for 2012 document.
- Review the existing LOI data collected and identify additional information needed to support strong LOI's.
- Support the City with necessary data and information collection to support the LOIs and subsequent BCA efforts.
- Prepare the LOI for residential elevations by the March 22, 2013 deadline (assumed) to Cape May County OEM.
- Provide support for, prepare and submit LOIs for other identified projects.

Once LOIs are approved by NJOEM for formal grant application, Tetra Tech shall:

- Work along with the City to collect needed data and documentation to support HMGP grant applications.
- Prepare the complete HMGP grant application and BCA, with all attachments.
- Complete and submit the application with BCA under the HMGP (hard-copy submission).

Tetra Tech, Inc.
800 The America's Road
Marlton, NJ 08053
TEL: 856-830-8842 FAX: 856-830-8801
jonathan.raser@tetratech.com www.tetratech.com



We assume that the LOI submission deadline to Cape May County is March 22, 2013, based on the March 31, 2013 deadline that LOIs are to be submitted to NJOEM by the County.

Tetra Tech estimates the costs for services to provide project identification, data and information collection, and LOI development and submission not to exceed \$17,500. Tetra Tech proposes to perform this work on a time and materials basis, according to our attached 2013 Professional Rate Schedule.

Further, much of the data and information collected will support formal grant application development and submission, including the development of preliminary BCAs to screen projects (and properties in the case of residential structural elevations) for cost-effectiveness. The costs for full grant application support will necessarily depend on the number and complexity of projects, and Tetra Tech will provide estimates for those efforts as they materialize. As I believe we have demonstrated during similar grant support efforts, Tetra Tech strives to be efficient in our work and achieve the greatest benefit for the City.

Tetra Tech notes that the costs of these grant support services may be eligible pre-award costs under the HMGP grant program, and a percentage may be reimbursable under the grant if awarded. Tetra Tech shall work closely with the City to assure that the highest possible BCAs are determined and documented, and shall further advise the City if a project or project alternate does not appear to have sufficient cost-effectiveness and thus would have less chance of grant award.

We appreciate the opportunity to provide this proposal, and would welcome the opportunity to discuss any aspects of this proposal. I may be reached at (973) 630-8042 if you have any questions or need any additional information.

Sincerely,
Tetra Tech, Inc.

A handwritten signature in cursive script, appearing to read 'Jonathan Raser', written in black ink.

Jonathan Raser, CFM
Hazard Mitigation Program Manager

Attach: 2013 Professional Rate Schedule
Professional Services Agreement
New Jersey Business Registration Certificate
W-9

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#5

**AUTHORIZING A CONTRACT BETWEEN THE CITY OF OCEAN CITY & LINE SYSTEM INC. FOR
SUPPLY & DELIVERY OF LOCAL & LONG DISTANCE TELEPHONE EXCHANGE SERVICE**

WHEREAS, the City of Ocean City requires certain professional technologies to supply & deliver local & long distance telephone exchange service for the City of Ocean City; and

WHEREAS, Line Systems, Inc. has supplied telecommunications services for various business, government and schools at a sizeable savings; and

WHEREAS, the City of Ocean City desires to proceed with a contract for a telecommunications service provider for local & long distance exchange service; and

WHEREAS, Line Systems, Inc. has proposed similar sizeable saving and has been determined to have the necessary expertise and ability to perform said telecommunication services; and

WHEREAS, a contract with Line Systems, Inc. may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1) (f) and 40A:11-15 (8); and

WHEREAS, Line Systems, Inc. has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Line Systems, Inc. has not made any reportable contributions to a political or candidate committee for an elected office in the City of Ocean City, County of Cape May, New Jersey in the previous one year period, and that the contract will prohibit Line Systems, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, Michael A. Dattilo, Business Administrator; Benjamin M. Hurst, Manager of IT; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the submitted proposal and recommend that the City of Ocean City, NJ execute a professional telecommunications service contract with **Line Systems, Inc., 1645 West Chester Pike, Suite 200, West Chester, PA 19382-7955** for local & long distance telephone exchange service; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that a professional services contract with Line Systems, Inc. be awarded as follows:

1. Line Systems, Inc. is hereby engaged as a telecommunications service provider for local & long distance exchange service for the City in accordance with the submitted proposal.
2. The term of the contract shall be for a period of three (3) years, commencing on January 1, 2013 and continuing through December 31, 2015.
3. A copy of the BRC and Business Entity Certification will be 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.

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and City Purchasing Manager are hereby authorized to execute the agreement and to cause a notice of this decision to be published according to N.J.S.A 40A:11-5 (l) (f). The formal contract agreement for local & long distance telephone exchange service with Line Systems, Inc., 1645 West Chester Pike, Suite 200, West Chester, PA 19382-79553 beginning on January 1, 2013 and continuing through December 31, 2015 for professional telecommunications services as the local & long distance exchange service provider, as listed in accordance with this resolution, submitted proposal and contract.

The Director of Financial Management certifies that funds are contingent upon the 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
Files: RAW Line System Inc.doc

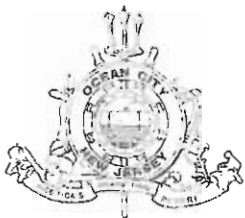
Michael J. Allegretto
Council President

Offered by **Seconded by**

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the **day of** **20**

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

.....
City Clerk:



IT DIVISION

CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

C13-023

TO: Mike Dattilo, Business Administrator
FROM: Max Hurst, Director of IT
DATE: February 14, 2013
SUBJECT: Local and Long Distance Telephone Service Contract

We have been examining our local and long distance expenses in an effort to save money. In the recent past we have been successful by using AT&T, ATX, Magellan Hill Technologies, and Verizon. Our most recent effort was a contract with Magellan Hill Technologies in 2009.

The telecommunication world is a competitive market, which can provide a certain degree of savings. We continue to learn from our past experiences while balancing risk / reward. Line Systems, Incorporated meets our needs and provides cost savings over our previous contract with Magellan Hill Technologies.

Our ability to enter into an agreement with Line Systems, Inc. (LSI) has been discussed in detail during the past several months. I am pleased to report that DCA, BPU and our Purchasing Division have all reached the same legal consensus to enter into a contract with LSI. References for this authority can be found in 40A:11-5, Section 5. A Council Resolution is required.

We have successfully modified the proposed LSI service contract to include annual performance meetings to ensure that our projected savings and service accurately reflect our expectations. This proposal will not affect the 911 Communications Center or certain broadband connections. Please keep in mind this proposal only deals with telephone service – hardware is not included or effected.

Please consider this a joint recommendation from Purchasing and IT to approve a three year contract with LSI to provide citywide local and long distance services. We have reviewed their business references (government and private sector) and are pleased to recommend them as a true business partner.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#6

**AUTHORIZING THE AWARD OF A CONTRACT TO WASTE MANAGEMENT OF NEW JERSEY, INC. FOR
ADDITIONAL SOLID WASTE COLLECTIONS FOR HURRICANE SANDY DEBRIS**

WHEREAS, the City of Ocean City was in need of supplemental waste containers, additional refuse collection trucks and associated services to accommodate the additional Hurricane Sandy debris; and

WHEREAS, it is determined in the best interest of the City of Ocean City to have these solid waste collection services performed to assist the residents and City in the recovery from Hurricane Sandy; and

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

WHEREAS, Waste Management of New Jersey, Inc. has previously provided similar services for the City of Ocean City, NJ; and

WHEREAS, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings and Grounds; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the proposal for the supplemental waste containers, refuse collection trucks and associated services to accommodate the additional Hurricane Sandy debris and recommend that Waste Management of New Jersey, Inc., 1490 Southwest Boulevard, Vineland, NJ 08360 be awarded an alternative non-advertised method contract for the additional waste containers and services provided for the Hurricane Sandy clean up; and

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

WHEREAS, the City of Ocean City may enter into an alternative non-advertised method contract pursuant to the provisions of N.J.S.A.19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that an alternative non-advertised method contract with **Waste Management of New Jersey, Inc., 1490 Southwest Boulevard, Vineland, NJ 08360** be awarded as follows:

1. Supply & Service of waste containers/roll off's, additional refuse collection trucks and additional debris collection services for Hurricane Sandy debris removal and clean-up as determined by the Department of Public Works.
Requisitions awaiting approval (Hurricane Sandy Clean-up)..... \$ 28,200.00
Total to Date..... \$ 28,200.00
2. A copy of the Business Entity Certification, the Determination of Value and Business Registration Certificate (BRC) for Waste Management of New Jersey, Inc. has been submitted and shall be placed on file in the City's Purchasing Division Office.
3. 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 Purchasing Manager is authorized to execute purchase orders with Waste Management of New Jersey, Inc., 1490 Southwest Boulevard, Vineland, NJ 08360 in accordance with this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate account as the Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management
Files: RAW 12 Non-Advertised Contract Waste Management of New Jersey, Inc.doc

Michael J. Allegretto
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the 20 day of

NAME.....	AYE.....	NAY.....	ABSENT.....	NOT VOTED.....
Allegretto				
DeVlieger				
Guinosso				
Hartzell				
McClellan				
Ping				
Wilson				

City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF PUBLIC WORKS

Memo

To: Joseph Clark, Purchasing Agent

From: Michael Rossbach, Director of Public Works

Subject: Waste Management

Date: February 13, 2013

I am looking for your support and approval to accept the bill from Waste Management for their work right after Super Storm Sandy in collecting storm debris. Waste Management was able to supplement our contracted waste collection efforts soon after the storm struck the island. As you may remember, the debris from flooding was overwhelming. Our contracted waste haulers were stretched to the limit of their resources and were not able to meet our needs in collecting the debris and getting the city back to normal. With that in mind, we called upon Waste Management for their help. They were able to supply the city with staffed trucks to help in the clean up. Their fee structure was in line with our contractors at that time which was another reason to use them during this emergent condition.

If you have any questions or need further support, don't hesitate to contact me.

cc Michael Dattilo, Administrator
File

115 12TH STREET, OCEAN CITY, NJ 08226-3642
609-525-9261 Fax: 609-399-8407
www.ocnj.us

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#7

AUTHORIZING THE AWARD OF A CONTRACT TO MOBILE DREDGING AND PUMPING COMPANY
FOR THE DRAINAGE SYSTEM CLEAN OUT AFTER HURRICANE SANDY

WHEREAS, the City of Ocean City's drainage system was in need of clean out after Hurricane Sandy; and

WHEREAS, it is determined in the best interest of the City of Ocean City to have the City's drainage system cleaned and inspected after Hurricane Sandy; and

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

WHEREAS, Mobile Dredging and Pumping Company has previously provided similar services for the City of Ocean City, NJ; and

WHEREAS, Michael Rossbach, Director of Public Works; Steven Longo, Manager of Public Buildings and Grounds; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the proposal and recommend that Mobile Dredging and Pumping Company be awarded an alternative non-advertised method contract for clean out of the City's drainage systems during and after Hurricane Sandy; and

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

WHEREAS, the City of Ocean City may enter into an alternative non-advertised method contract pursuant to the provisions of N.J.S.A.19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that an alternative non-advertised method contract with **Mobile Dredging and Pumping Company, 3100 Bethal Road, Chester, PA 19013** be awarded as follows:

- Clean Out of the City of Ocean City's Drainage System as needed during the Hurricane Sandy recovery operation and as determined by the Department of Public Works.
Requisitions awaiting approval (Hurricane Sandy Clean-up)..... \$ 26,008.67
Total to Date..... \$ 26,008.67
- A copy of the Business Entity Certification, the Determination of Value and Business Registration Certificate (BRC) for Mobile Dredging and Pumping Company has been submitted and shall be placed on file in the City's Purchasing Division Office.
- 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 Purchasing Manager is authorized to execute purchase orders with Mobile Dredging and Pumping Company, 3100 Bethal Road, Chester, PA 19013 in accordance with this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2013 Local Municipal Budget and shall be charged to the appropriate account as the Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management
Files: RAW 12 Non-Advertised Contract Mobile Dredging and Pumping Company.doc

Michael J. Allegretto
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of

said Council duly held on the day of 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 PUBLIC WORKS

Memo

To: Joseph Clark, Purchasing Agent

From: Michael Rossbach, Director of Public Works

Subject: Mobile Dredging

Date: February 13, 2013

I am looking for your support and approval to accept the bill from Mobile Dredging for their work right after Super Storm sandy in cleaning out the Ocean City storm drain system. Mobile Dredging was able to respond immediately after the storm struck the island. Their two trucks along with the Public Works "Jetter" truck were able to clean out the drainage system in both the north and south ends of the island, that were filled with sand. Their help in completing this emergent task helped prevent further storm flooding damage that may have occurred following Super Storm Sandy.

If you have any questions or need further support, don't hesitate to contact me.

cc Michael Dattilo, Administrator
File

115 12TH STREET, OCEAN CITY, NJ 08226-3642
609-525-9261 Fax:609-399-8407
www.ocnj.us

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 February 9, 2013 to February 22, 2013.

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 – 02.9.13 TO 02.22.13.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

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
12-00068	01/18/12	BECHTENG	BECHT ENGINEERING BT, INC.	Q11-020; RES. 12-48-170	Open	1,611.25	0.00
12-00442	02/16/12	SENTI	SENTINEL LEDGER	2012 SENTINEL LEDGER ADS	Open	2,092.92	0.00
12-00452	02/22/12	NATIONAL	NATIONAL VISION ADMIN, LLC	2012 Employee Vision Plan	Open	416.01	0.00 B
12-00454	02/22/12	HORIZOND	HORIZON BS/BC DENTAL PROGRAM	2012 Employee Dental Plan	Open	1,819.90	0.00 B
12-00921	04/13/12	STONE	A.E. STONE, INC.		Open	214.92	0.00 B
12-01191	05/03/12	CROSS	CROSS COUNTRY COWBOY INC.	CC 12-51; RES. 12-48-273	Open	4,370.78	0.00
12-01863	07/23/12	CRAIG T	CRAIG TESTING LABORTORIES, INC	CRAIG PROJ.#215021 34TH ST.	Open	195.00	0.00 B
12-02125	08/21/12	ACTIO	ACTION SUPPLY, INC.		Open	306.14	0.00 B
12-02754	10/04/12	DYNAMICS	DYNAMIC SECURITY, LLC		Open	843.00	0.00
12-02792	10/05/12	DYNAMICS	DYNAMIC SECURITY, LLC		Open	1,100.00	0.00 B
12-02803	10/12/12	OCCHA	O.C. REGIONAL CHAMBER OF		Open	6,000.00	0.00
12-02860	10/17/12	SHERW	SHERWIN WILLIAMS #3760	QUOTE #1023954	Open	1,156.34	0.00
12-02915	10/24/12	PERRY	PERRY-EGAN CHEVROLET, INC.		Open	1,984.99	0.00
12-02965	11/13/12	LUMBERMA	LUMBERMAN ASSOCIATES		Open	29,696.00	0.00
12-03044	12/06/12	CRAIG T	CRAIG TESTING LABORTORIES, INC	Asphalt Coring & Testing	Open	1,500.00	0.00
12-03195	12/27/12	DUBELL2	DUBELL KITCHENS	EMERG-PECKS BEACH REHAB-KITCHE	Open	15,833.30	0.00
12-03196	12/27/12	PETER	PETER LUMBER COMPANY	EMERGENT- PECKS BEACH REHAB	Open	34,622.26	0.00
12-03299	12/31/12	LOWES	LOWE'S HOME CENTER INC.	WSCA CONTRACT-PECK'S BEACH	Open	572.20	0.00
12-03300	12/31/12	LOWES	LOWE'S HOME CENTER INC.	WSCA CONTRACT-PECK'S BEACH	Open	22,850.40	0.00
12-03301	12/31/12	LOWES	LOWE'S HOME CENTER INC.	WSCA CONTRACT-PECK'S BEACH	Open	22,850.40	0.00
13-00033	01/18/13	HESSCORP	HESS CORPORATION	SJPC Contract A-28	Open	11,712.06	0.00 B
13-00034	01/18/13	SJGAS	SOUTH JERSEY GAS COMPANY		Open	1,914.54	0.00 B
13-00035	01/18/13	AC ELECT	ATLANTIC CITY ELECTRIC	2013 CITYWIDE ELECTRIC	Open	52,503.46	0.00 B
13-00036	01/18/13	NJAM3	NEW JERSEY-AMERICAN WATER CO.	2013 WATER/SEWER CHARGES	Open	1,865.30	0.00 B
13-00037	01/18/13	VERIZONL	VERIZON ONLINE		Open	170.12	0.00 B
13-00039	01/18/13	ATT3	AT & T		Open	55.18	0.00 B
13-00040	01/18/13	VERIW	VERIZON WIRELESS	2013 WIRELESS	Open	1,602.01	0.00 B
13-00041	01/18/13	VERIZ	VERIZON	2013 CITYWIDE TELEPHONE	Open	5,212.00	0.00 B
13-00081	01/18/13	GARTL	JOSEPH GARTLAND, INC.		Open	200.00	0.00
13-00083	01/18/13	CATAMA	CATAMARAN MEDIA COMPANY		Open	960.00	0.00
13-00089	01/18/13	MCAA	MCAA OF NEW JERSEY		Open	90.00	0.00
13-00090	01/18/13	CMCAA	CAPE MAY COUNTY COURT ADM ASSN		Open	400.00	0.00
13-00092	01/18/13	NJSFL	NEW JERSEY STATE FLOORING INC.		Open	300.00	0.00 B
13-00096	01/18/13	LEHMAN M	JOSEPH LEHMAN		Open	75.00	0.00
13-00123	01/25/13	PERFECT	PERFECT TOUCH LANDSCAPING, INC		Open	4,200.00	0.00
13-00125	01/25/13	SSHRMANJ	SOUTHERN SHORE HUMAN RESOURCE		Open	45.00	0.00
13-00134	01/28/13	GLASS	GARY M. GLASS, M.D.		Open	1,700.00	0.00 B
13-00135	01/28/13	GLASS	GARY M. GLASS, M.D.		Open	350.00	0.00
13-00136	01/28/13	MORRISO	JUDGE VINCENT J. MORRISON		Open	400.00	0.00
13-00141	01/28/13	KARABASH	KARABASHIAN EDDINGTON PLANNING	PROFESSIONAL SERVICES 2013	Open	2,062.50	0.00
13-00142	01/28/13	GRITH	GRIFFITH & CARLUCCI, ESQUIRES	PROFESSIONAL SERVICES FOR 2013	Open	1,644.00	0.00
13-00143	01/28/13	KARABASH	KARABASHIAN EDDINGTON PLANNING	RESOLUTION #12-48-352	Open	3,966.25	0.00
13-00144	01/28/13	MASER	MASER CONSULTING PA	PROFESSIONAL SERVICES FOR 2013	Open	566.25	0.00
13-00150	01/28/13	PAGNONIS	STEPHEN PAGNONI		Open	81.32	0.00
13-00162	01/28/13	CMCCH	CAPE MAY COUNTY CHAMBER OF		Open	750.00	0.00
13-00169	01/28/13	GFOA NJ	G.F.O.A. OF NEW JERSEY	MEMBERSHIP RENEWAL M CHEW	Open	90.00	0.00
13-00173	01/28/13	CENT	CENTENNIAL BLUEPRINT COMPANIES	PRINTHEADS FOR OCE TCS500	Open	888.28	0.00
13-00182	01/28/13	OCTHEATR	OCEAN CITY THEATRE COMPANY		Open	4,121.25	0.00 B
13-00186	01/28/13	ECP	E.C.P. BUSINESS MACHINES		Open	273.00	0.00
13-00191	01/28/13	STETS	B. W. STETSON & CO.		Open	152.00	0.00 B

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
13-00194	01/28/13	FRALING	FRALINGER ENGINEERING PA	Q10-010, RES. 12-48-368	Open	4,067.00	0.00	
13-00212	02/05/13	A-1 PLUM	A-1 PLUMBING, HEATING & AC	REFUND PERMIT FEES	Open	409.00	0.00	
13-00214	02/07/13	HARRH	HARVEY HARR		Open	236.00	0.00	
13-00216	02/07/13	AQUAC	AQUATIC DISTRIBUTORS INC.		Open	373.94	0.00	
13-00218	02/07/13	NJSSC	NEW JERSEY STATE SAFETY		Open	484.45	0.00	
13-00219	02/07/13	NJPSAC	NEW JERSEY PUBLIC SAFETY		Open	300.00	0.00	
13-00223	02/07/13	RALPH	V.E. RALPH, INC.		Open	1,250.61	0.00	
13-00224	02/07/13	PETERSON	PETERSON SERVICE CO., INC		Open	1,997.28	0.00	
13-00230	02/07/13	JPBAINBR	J. P. BAINBRIDGE & ASSOC., INC		Open	725.00	0.00	
13-00231	02/07/13	ACUA	ATLANTIC COUNTY UTILITY AUTHOR		Open	679.38	0.00	
13-00233	02/07/13	CMCMU	C.M.C.M.U.A.		Open	73,049.09	0.00 B	
13-00238	02/07/13	FEDEX	FEDERAL EXPRESS CORPORATION	2013 FEDEX CHARGES	Open	55.88	0.00	
13-00241	02/07/13	GRANT W	GRANT WRITING USA	Grant Writing Seminar 2/7 & 8	Open	425.00	0.00	
13-00242	02/07/13	LEXISNEX	LEXIS NEXIS		Open	65.34	0.00	
13-00245	02/09/13	CATAMA	CATAMARAN MEDIA COMPANY		Open	202.50	0.00	
13-00254	02/09/13	ANJEC	ASSOCIATION OF NEW JERSEY		Open	570.00	0.00	
13-00257	02/09/13	CATAMA	CATAMARAN MEDIA COMPANY		Open	586.00	0.00	
13-00258	02/09/13	SENTI	SENTINEL LEDGER		Open	617.40	0.00	
13-00259	02/09/13	ACUA	ATLANTIC COUNTY UTILITY AUTHOR		Open	47,270.92	0.00	
13-00260	02/09/13	SCHID	SCHINDLER ELEVATOR CORPORATION		Open	1,906.00	0.00 B	
13-00261	02/09/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT #19747563378700	Open	41.47	0.00	
13-00265	02/09/13	STETS	B. W. STETSON & CO.		Open	85.00	0.00 B	
13-00266	02/09/13	WEIGH	WEIGHTS & MEASURE FUND		Open	15.00	0.00	
13-00267	02/09/13	SONJ9	TREAS-STATE OF NEW JERSEY		Open	600.00	0.00	
13-00270	02/09/13	GARDE	GARDEN STATE HIGHWAY PROD. INC		Open	1,262.75	0.00	
13-00271	02/09/13	SENTI	SENTINEL LEDGER		Open	588.00	0.00	
13-00272	02/09/13	DEMAI	DEMAIO'S INC.	HS- DDPW	Open	2,236.48	0.00	
13-00281	02/11/13	HAYDINGR	RICHARD HAYDINGER	SHADE TREE TRUST REFUND	Open	1,050.00	0.00	
13-00282	02/12/13	RICHARDJ	JOEL RICHARD	ESCROW REFUND	Open	149.03	0.00	
13-00286	02/20/13	VERIZ	VERIZON	609 399-0505 374 64Y	Open	203.82	0.00 B	
13-00289	02/20/13	POGUE	POGUE INC.		Open	2,030.00	0.00 B	
13-00291	02/20/13	AETNA	AETNA GROUP INSURANCE		Open	2,714.25	0.00 B	
13-00295	02/20/13	INNOL	INNOVATIVE LEADERSHIP, LLC		Open	1,200.00	0.00	
13-00298	02/20/13	CATAMA	CATAMARAN MEDIA COMPANY		Open	135.00	0.00	
13-00300	02/20/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT #19747753378440	Open	12.74	0.00	
13-00306	02/20/13	SENTI	SENTINEL LEDGER		Open	588.00	0.00	
13-00307	02/20/13	CATAMA	CATAMARAN MEDIA COMPANY		Open	202.50	0.00	
13-00308	02/20/13	LORCO	LORCO PETROLEUM SERVICES		Open	890.00	0.00	
13-00309	02/20/13	SCHID	SCHINDLER ELEVATOR CORPORATION	HS - CITYWIDE	Open	3,508.79	0.00	
13-00312	02/20/13	WESTG	WEST GROUP PAYMENT CENTER		Open	240.04	0.00 B	
13-00313	02/20/13	DOWNTOWN	DOWNTOWN DECORATONS, INC.	CC 12-63; INVOICE 23018	Open	16,846.47	0.00	
13-00314	02/20/13	KEEN	KEEN COMPRESSED GAS COMPANY		Open	165.00	0.00	
13-00315	02/20/13	BILLSWEN	BILL SWENSON, LLC		Open	600.00	0.00	
13-00316	02/20/13	BLAST	APM BLAST PEST CONTROL		Open	1,000.00	0.00	
13-00318	02/20/13	JESCO	JESCO, INC.		Open	2,439.19	0.00	
13-00319	02/20/13	GLOBAL	GLOBAL CONNECT	2013 EMERGENCY MANAGEMENT	Open	2,000.00	0.00	
13-00321	02/22/13	RIGGI	RIGGINS, INC.	Gasoline T-0083 SC	Open	14,160.83	0.00 B	
13-00322	02/22/13	TRICO	TRICO EQUIPMENT, INC.		Open	6,300.00	0.00	
13-00338	02/22/13	MAB	M.A.B. PAINTS #173		Open	85.72	0.00	
13-00339	02/22/13	SHOEM	SHOEMAKER LUMBER COMPANY, INC		Open	248.27	0.00	
13-00340	02/22/13	WALLA	WALLACE HARDWARE INC.		Open	90.47	0.00	
Total Purchase Orders:		102	Total P.O. Line Items:	200	Total List Amount:	445,344.94	Total Void Amount:	0.00

February 19, 2013
12:48 PM

CITY OF OCEAN CITY
Check Register By Check Date

Page No: 1

Outside Bill List

Range of Checking Accts: GENERAL to GENERAL Range of Check Dates: 02/19/13 to 02/19/13
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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GENERAL	GENERAL RECEIPTS				
77052	02/19/13	SNJDE TREASURER, STATE OF N.J.	500,000.00		2868

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	500,000.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	500,000.00	0.00

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	500,000.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	500,000.00	0.00

February 21, 2013
01:02 PM

CITY OF OCEAN CITY
Check Register By Check Id

Page No: 1

Issued Outside Bill list

Range of Checking Accts: GENERAL to GENERAL Range of Check Ids: 77058 to 77058
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
77058	02/21/13	SNJDE TREASURER, STATE OF N.J.	144,270.00	2870

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount</u> <u>Void</u>
Checks:	1	0	144,270.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	144,270.00	0.00

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#9

FINDING THAT BLOCK 911, LOTS 1, 1.01, 1.02, 2, 2.01, 3, 3.01, 4 & 4.01, LOCATED AT PALEN AVENUE AND TENTH STREET, MAY BE AN AREA IN NEED OF REHABILITATION AND SHOULD, THEREFORE, BE REVIEWED BY THE OCEAN CITY PLANNING BOARD

WHEREAS, Block 911, Lots 1, 1.01, 1.02, 2, 2.01, 3, 3.01, 4 & 4.01 (hereinafter, “the Property”), which is located in the Marine Village Harbor (MVH) zone, has been operated as a marina and restaurant since at least 1979; and,

WHEREAS, in recent years, the Property has been unoccupied, abandoned by its owner, in receivership and foreclosure, and not operational; and,

WHEREAS, the existing structures at the Property have recently fallen into a deteriorated condition; and,

WHEREAS, the condition of the underground storage tanks at the Property is unknown and is of great concern to the City; and,

WHEREAS, the dilapidated condition of the bulkhead, docks and piers at the Property is of great concern to the City; and,

WHEREAS, the condition of the Property has a detrimental impact upon the surrounding residences, businesses and waterways, which impact includes environmental risks, flooding risks and risks to navigation; and,

WHEREAS, since approximately 2004, there has been a persistent pattern of late payment of the property taxes for the Property; and,

WHEREAS, the foregoing facts, it appears that a program of rehabilitation would prevent further deterioration of the Property, prevent contamination of neighboring properties from the underground storage tanks on the Property, prevent the failed bulkhead at the Property from exacerbating flood conditions at the Property and negatively affecting bulkheads on adjacent properties, and prevent the dilapidated docks and piers from interfering with navigation of the adjacent and nearby waters; and,

WHEREAS, N.J.S.A. 40A:12A-14 provides that prior to declaring an area to be in need of rehabilitation, the governing body shall request that its municipal planning board review and submit recommendations regarding such a declaration;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, County of Cape May, New Jersey as follows:

The Ocean City Planning Board be and is hereby requested to review the Property, its condition and its impact on neighboring properties and the City in general and make a recommendation to City Council in accordance with N.J.S.A. 40A:12A-14 with respect to whether it is in the best interests of the citizens of the City of Ocean City to declare the Property an area in need of rehabilitation.

Michael J. Allegretto
Council President

Files/Palen & 10th Street
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 City Clerk
Allegretto	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Guinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Ping	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#10

**AMENDING AND RE-ADOPTING A FLOODPLAIN MANAGEMENT PLAN
FOR OCEAN CITY**

WHEREAS, the City of Ocean City participates in the Community Rating System (CRS) program of the National Flood Insurance Program (NFIP); and

WHEREAS, the CRS program requires that a Floodplain Management Plan be formulated and adopted as a planning document to reduce flooding and repetitive flood losses, and that Plan be reviewed annually and amended as needed; and

WHEREAS, this planning effort began in February 1997 with the establishment of a planning Committee; and

WHEREAS, a document has been developed by the Committee titled a Floodplain Management Plan for Ocean City that contains an Action Plan for reducing flooding and flood losses; and this document and action plan were adopted by Resolution 97-36-21 on September 11, 1997 and amended and re-adopted on September 24, 1998, September 12, 1999, September 19, 2000, August 30, 2001, September 12, 2002, September 11, 2003, September 20, 2004 September 16, 2005, September 20, 2006 September 27, 2007, September 11, 2008, September 10, 2009; September 20, 2010, August 2, 2011, September 5, 2012 and February 6, 2013; and

WHEREAS, the planning Committee has reviewed the implementation of the Action Plan from August 2012 to February 2013 and has made recommendations for further amendments to the Plan; and

WHEREAS, the planning Committee further reviewed Ocean City's Portion of the Cape May County Hazard Mitigation Plan and has made recommendations for further amendments to the Plan; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, that the Floodplain Management Plan and Action Plan be re-adopted as amended in February 2013 as a planning document for the City of Ocean City; and

BE IT FURTHER RESOLVED that the implementation of the action plan shall continue to be reviewed on a yearly basis by the Planning Committee.

Michael J. Allegretto
Council President

Files: RES 13-1Flood Plain Management 2013.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

OCEAN CITY FLOODPLAIN MANAGEMENT PLAN COMMITTEE
MEETING February 6, 2013
Location Engineering Conference Room
550 Asbury Avenue Ocean City, NJ 08226

Review of Action Plan as Adopted September 1997 And Amended September 1998, September 1999, September 2000, September 2001, September 2002, September 2003, September 2004, September 2005, September 2006 , September 2007, September 2008 , September 2009, September 2010, August 2, 2011, September 5, 2012

2013 REPORT AND RECOMMENDATIONS

The Floodplain Management Plan Committee for Ocean City convened on Wednesday, February 6, 2013 to review flooding issues since September 2012 and implementation of the Action Plan items since then. The meeting was held in accordance with Sec. 514(d) of the CRS manual, requiring an annual evaluation be made and a report be submitted to the governing body, the media, and be made available to the public. The plan is to be monitored for implementation and progress, and recommendations are to be made for revisions to the plan, if needed. The original plan may be reviewed at the City Clerk's Office, in City Hall, 861 Asbury Avenue in Ocean City.

Present at the meeting were the following committee members, Paul Ansomb (Ocean City Resident), Joe Somerville (Ocean City Resident), Thomas H. Heist IV, (Ocean City Business Community Representative and Resident, President Thomas H. Heist Insurance Agency), Ocean City Staff, Arthur Chew (City Engineer/CRS Coordinator, PE/CFM), Roger Rinck (Engineering), Patrick Newton (Construction Code Official/Floodplain Manager, CFM), Frank Donato III, (CFO and Emergency Management Coordinator), Scott Morgan (OCPD/OCOEM), Michael Rossbach (Director Public Works), Benny Tafoya (Engineering)

At the present time we have 17,250 policies in force, with a combined collection of \$10,969,203.00 a year in total premiums. This includes the 15% discount level that represents a savings of \$1,644,180.45 on collected annual premiums. The total insurance in force equals \$ 3,856,585,300.00.

The importance of the Community Rating System (CRS) to the citizens of Ocean City lies in several areas, flood safety, hazard mitigation and the fact that every CRS Point the city attains is worth **over one thousand dollars in savings on insurance premiums to the citizens of Ocean City**. The committee has made it a goal to elevate the city to next higher level (CRS Level 6) from our current level of CRS Level 7. To do so we need to acquire an additional 314 CRS Points. On February 7, 2013 Ocean City submitted Recertification Documents which show the additional points that should be credited to Ocean City, the recertification and additional points should elevate the status of Ocean City to a level 6 and possibly beyond. Level (6) would amount to an annual savings of \$1,958,180.00 on insurance premiums for a discount of 20% on flood insurance. In addition our recertification documents address many areas in which the committee feels the city is due even more CRS points. A local meeting with the CFM/ISO/CRS Specialist has been requested at her earliest convenience.

The City has worked with local community groups, citizens and the local office of Emergency Management by providing more public outreach programs for the year 2013. The City has updated its new website to www.ocnj.us which also has become more users friendly. The new enhanced web site averages over one million hits during the peak summer season. The site also focuses on Flood Hazard information and links directly to FEMA's Flood Smart website. In 2009/2010/2011, and 2012 the City provided more information on its website to help inform residents of the dangers associated with flooding. This

information included registration forms for electronic mail warnings and reverse 911 and the protocol for the new seven siren system, this information is also provided in Spanish. The site also includes the current Ocean City Zoning Map. With these new programs the City feels that they will be able to reach many more residents and vacationers. In addition, the city has added a great deal of information for residents under the banner **Flood Smart Program** once a citizen accesses the flood smart program by clicking on the banner the citizen will have access to a great deal of information relative to flooding in the city. There are links to current FIRM maps, ABFE maps, Community Rating System (CRS), Elevation Certificates, Capital Projects, Benchmark Elevation Disc Locations, Flood Damage Questions, Ocean City Floodplain Map, Tide Reference Chart for Ocean City, Predicted Tide Elevations for Ocean City, List of Outreach projects at OEM webpage and the National Flood Insurance Program (NFIP).

The following report is based on the consensus of the Committee. It contains recommendations for action and amendment to the Action Plan and is for consideration and adoption by resolution of City Council, as required. The amended Action Plan, report and resolution will be submitted to the CRS program as required.

GENERAL DISCUSSION

The Committee noted that we have had 2 evacuations in 2 years; the city has had evacuations due to hurricanes. In August 2011, Ocean City evacuated for Hurricane Irene and on October 29, 2012, Hurricane Sandy caused another island wide evacuation. The usual astronomical tides and northeasters continue to cause flooding in some areas. In particular, the City has seen an increase in tide heights since Hurricane Sandy. Our most recent City wide test of our outdoor “Federal” siren system was conducted on April 19, 2012. This test was advertised by local media to the Ocean City public prior to the test. The system also conducts its own diagnostics daily by poling each siren. Maintenance is also conducted year around.

2013 ACTION PLAN

City of Ocean City NFIP Number: 345310

Ocean City is a Verified Class 7 Community with a total of 1686 CRS points and our goal is to attain Class 6 Status, in order to do so we need an additional **314 CRS** points and to meet the BCEGS prerequisite of 5/5. Ocean City has met the BCEGS prerequisite as we currently are a 4/4 rated community. Therefore we need to retain our current status while we pursue an additional **314 CRS points** under the 2013 CRS Community Rating System.

The following is a description of 2013 CRS Activities. The total number of Points Ocean City has in each activity and the activities in which we will pursue the required points to reach class 6.

Activity 300 Public Information Activities

310 - Elevation Certificates Maximum Possible Points **116**: The construction office maintains elevation certificates for new and substantially improved buildings. Copies of elevation certificates are made available on request. Current Ocean City point total for this activity is **(56 Points)**. The breakdown of points awarded for this activity:

	<u>Points</u>
Maintaining Elevation Certificates for (EC):	26
Maintaining Elevation Certificates for <u>post</u> -FIRM buildings (ECPO):	30

Maintaining Elevation Certificates for pre-FIRM buildings: (ECPR):

0
56/116

Committee recommended in September 2012 that Ocean City make Elevation Certificates available to the public on the city web site. **As of September 1, 2012 all submitted elevation certificates have been digitized. Some of these elevation certificates are currently available on the city website in an online mapping application accessible from the Flood Smart portion of the city website. More elevation certificates will be available soon.**

Potential Points: 15

320 – Mapping Information Services: Maximum Possible Points 150: Credit is provided for furnishing inquirers with information from the community's latest Flood Insurance Rate Maps (FIRM), publicizing the service annually and maintaining records. Ocean City point total for this activity is **(140 points)**. The breakdown for points awarded and actions by the City for this activity are detailed below:

- Engineering has installed a total of 81 elevation 10 NGVD bench marks on utility poles at the southwest corner of intersections throughout the City. Engineering will continue to expand this network as additional survey work is performed for capital projects.
- City Council will support funds to collect and put elevation data into a GIS format for use with flooding studies as well as extending GIS technology to the Public Works and Fire and Police Departments.
- The CRS Office will continue activities promoting flood safety and loss reduction. The list includes:
 - Hold a Flood Awareness event (OEM Symposium 8/16/12 and the City's Fall Block Party (10/8/11)
 - Promote Flood Insurance, Continue map information availability
 - Continue CRS outreach with yearly tax bills.
 - Promote environmental education efforts
 - Public Works provides informational sheets at request at City events
 - Institute education efforts regarding the benefits of using permeable surfaces, Use Local Access Channel 2
 - Provide information on the city website and EM website
 - Encourage more use of electronic media.
- The City will continue to seek opportunities to assist homeowners to elevate their properties. No grants were given in the previous year. Ongoing

Basic FIRM Information (MI 1): for providing basic information found on a Flood Insurance Rate Map (FIRM) that is needed to accurately rate a flood insurance policy.

30

Additional FIRM Information (MI 2): for providing information that shown on most Firms', such as protected costal barriers, floodways, or lines demarcating wave action.

20

Problems not shown on the FIRM (MI 3): for providing information about flood problems other than those shown on the FIRM.

15

<u>Flood depth data (MI 4):</u> for providing information about flood depths.	15
<u>Special Flood Related Hazards (MI 5):</u> for providing information about special flood-related hazards, such as erosion, ice dams, or tsunamis.	20
<u>Historical Flood Information (MI 6):</u> for providing information about past flooding at or near the site in question.	20
<u>Natural floodplain functions (MI 7):</u> for providing Information about area that should be protected because of their natural floodplain functions.	
<u>Action:</u> Since September 2012 mapping functions have been added to the city web site on the Flood Smart web page. These maps include current FIRM maps, ABFE maps, Floodplain maps, and Zoning maps.	
	<u>20</u>
	140/150

330 – Outreach Projects: Maximum possible points for this activity are **350 points.** An Outreach brochure is mailed annually to all properties in the community’s Special Flood Hazard Area (SFHA). The community also provides flood information through displays and handouts at public buildings, at the annual city’s block party and through stuffers included in the local subscription newspaper. The Ocean City point total for this activity is **101 points.**

Outreach brochure mailed with 3rd quarter tax bill – 7/25/13
Indian Summer Block Party participation – 10/6/12
Farmers Market and Crafters- 6/26/13
Spring Block Party participation – 5/4/13
Public Meeting on flooding #1, City Council Workshop island wide capital improvement plan – 10/18/12, broadcast on Channel 2 10/20/12
Public Meeting on flooding #2 – 7/25/12
Public Meeting on flooding #3 – 7/25/12
Action: The outreach projects listed above were accomplished as scheduled and several new projects have been added for 2013, the 2012 projects will also be part of 2013 outreach.

101
101/350

The Committee feels that recent scoring of this category is incorrect and that the City should receive additional points for the work the City does in this activity.

Potential Points: **25**

340 – Hazard Disclosure: Maximum Possible Points **290**: Disclosure language included in all real estate transaction documents that alert potential buyers of flood hazards. The Ocean City point total for this activity is **0 points**

0
0/290

Committee recommends that real estate agents include the required language in the offer sheets for real estate sales as home buyers are alerted to the required flood insurance at closing anyway.

Potential Points: **290**

350 – Flood Protection Information: Maximum Possible Points **125**: Documents relating to floodplain management are currently available in the Ocean City Public Library. CRS Office will continue library materials selection improvements. The Ocean City point total for this activity is **28 points**

28
28/125

Committee recommends documents that be provided in other locations such as, 550 Asbury, City Hall and 115 12th Street as well as the City web site. Documents will be made available in Spanish as well as English. This activity by expanding the distribution of flood protection information and including Spanish language handouts will provide additional points. In addition, Engineering will develop a materials list of permeable surfaces to be considered in future ordinances and construction

Since September of 2012, the Library has been supplied with addition documents from FEMA/NFIP and included documents in Spanish as well. The library will send out annually an email to all Library Card holders advising them of the availability of documents and of computer access to documents posted on the city website. Committee members have attended 10 meetings with FEMA teams since the Hurricane Sandy event.

Potential Points: **10**

410 – Additional Flood Data: Maximum Possible Points **1,346**: Credit is provided for providing additional flood data in addition to the information provided by FEMA. Points are provided in six categories. Ocean City has a total of **0** CRS points for this activity which is above average.

New Study (NS): New flood studies that produce base flood elevations with additional credit for studying repetitive loss areas.

410

Leverage (LEV): Points awarded based on the percentage funded by the municipality.

385

Higher Study Standards (HSS): Additional points if the study was done to higher standards than FEMA mapping criteria.

160

More Restrictive Floodway Standard (FWS): Points provided based on the allowable floodway surcharge used in the study.

200

Additional Flood Data for Special Hazards (AFDSH): Points provided if the community maps and regulates areas of SFH.

50

Cooperating Technical Partner (CTP): Points provided if community, regional agency, or state has signed qualifying CTP agreement.

141

0
0/1346

The Committee feels that points should be provided for New Jersey Department of Environmental Protection and New Jersey Office of Information Technology being a CTP. Also, if the recent contract awarded related to the investigation of the new BFE maps is executed properly additional points can be obtained in this area.

Potential Points: 200

420 – Open Space Preservation: Maximum Possible Points 2,020: Credit is provided for open space land. Additional credit is provided for deed restricted open space as well as preserved in a natural state. Credit is provided to Ocean City for preserving approximately 43% of the SFHA as open space. Ocean City has a total of 347 CRS points for this activity which is above average.

347
347/2020

The Committee feels that after the open space inventory is completed that the City will receive additional points for the open space that the City preserves.

Potential Points: 25

430 – Higher Regulatory Standards: Maximum Possible Points 2,042. Credit is provided for enforcing regulations that require freeboard for new and substantial improvement construction, protection of natural and beneficial functions and state mandated regulatory standards. Credit is also provided for a BCEGS Classification of 4/4 the adoption and implementation of the international Series of Building Codes and for staff education and certification as a floodplain manages. Ocean City has a total of 284 CRS points for this activity.

284
284/2042

The Committee feels increasing the freeboard requirement on new construction from one (1') to two (2'). This will gain the city an additional 150 CRS points. Arthur Chew has attended the Floodplain Management class and we are due an additional 50 CRS points for his attendance. Staff Education, sending B. Tafoya to Floodplain Management Class will gain an additional 50 CRS points.

City Council passed Ordinance #12-19, BFE+2 on January 10, 2013. Bob Penrose is another City employee who is a CFM.

Potential Points: 250

440 – Flood Data Maintenance: Maximum Possible Points 222. The objective of this activity is to make community floodplain data more accessible, current useful, and/or accurate so that it contributes to the improvement of local regulations, insurance rating, planning, disclosure, and property appraisals. Ocean City has a total of 10 CRS points for this activity. The average number of CRS points for this activity is 54 CRS points.

Benchmark Maintenance: Credit is provided for establishing and maintaining a system of benchmarks <u>27</u> CRS points for this element.	10
Additional Map Data (AMD) The maximum credit for this element is <u>160</u> CRS points.	0
FIRM Maintenance The maximum credit for this element is <u>15</u> CRS points.	0
Erosion Data Maintenance The maximum credit for this element is <u>20</u> CRS points.	0
	<u>10</u>
	10/222

The Committee recommends that the City FIRM maps are posted to the City website as well as creating and maintaining a GIS system on the website that shows elevations as well as flood certificates.

The city has posted current FIRM Maps, ABFE maps on the Flood Smart portion of the City website. The City now maintain a GIS system that provides maps and mapping data online on the Flood Smart portion of the city website.

Potential Points: 50

450 – Stormwater Management: Maximum Possible Points 755. The city enforces regulations requiring positive drainage away from a building site, soil and erosion control, and water quality. Ocean City currently has 80 CRS points for this activity

Watershed Master Plan (WMP) The maximum credit for this element is 315 CRS points. Continue Regulating development in accordance with the

WMP. The Zoning Officer and Concrete Inspector will continue to review and inspect concrete permits and completed work, to require adherence to code and impermeable coverage standards. City Council will provide sufficient resources to enforce flood rules and permeable surface rules and to reinforce erosion and sediment control measures for pile driving, as well as trash and litter rules to avoid blocked street drains. This requires constant enforcement and education for assigned Police Officers. Storm Water Management will be addressed by an update of the 1984 Master Drainage Plan and pursuit of replacement of pipes that are inadequate. Beachfront outfalls were updated in conjunction with 2011 beachfill. Other drainage improvements performed with roadway reconstruction. Updates of the 1984 master plan are constantly being preformed as part of capital projects review.

40

Erosion and Sedimentation Control Regulations (ESC) The maximum credit for this element is **40** CRS points. These regulations are set and enforced by the Cape Atlantic Soil Conservation District.

20

Water Quality Regulations (WQ) The maximum credit for this element is **20** CRS points. Ocean City Regulations mandate the quality of stormwater runoff.

20

Stormwater Management Regulations (SMR), maximum credit for this activity is **380** CRS points The SMR credit is attainable if the SMR meets the requirement of the three sub-elements. $SMR = SZ + DS + PUB + LID$

- i. SZ = Size of Development maximum credit is 110 points
- ii. DS = Design Storms maximum credit is 225 points
- iii. PUB = Public Maintenance maximum credit is 20 points.
- iv. LID = Low Impact Development is 25 points

City has requested for additional credit in this activity. It is our opinion that there are significant CRS credits due to the city for this activity.

0
80
80/755

510 – Floodplain Management Planning: Maximum Possible Points **359**. Based on the updates made to the NFIP Report of Repetitive Losses as of August 31, 2009, the City of Ocean City has 384 repetitive loss properties and is a category C community for CRS purposes. All requirements for the 2011 cycle have been met. Credit is provided for the adoption and implementation of the Floodplain Management Plan. Ocean City has attained **146** CRS points for this activity. The breakdown for the actions by the City for this activity is detailed below:

- City Council established a Local Emergency Planning Committee (LEPC) in 2004. The LEPC will continue to keep up to date on technology and procedures for flooding emergencies along with other duties.
- Floodplain Management Plan Committee will support efforts to identify uses of dredge materials. The City along with the NJDEP is researching this too. City and State draft report was issued in August 2009. Reuse of dredge materials should be studied as a flood mitigation technique.
- Engineering will continue to analyze all municipal projects for compliance with the Floodplain Management plan. Engineering has been and will continue to make every effort to reduce the amount of impervious surface coverage in existing or future Municipal projects.
- City Council will continue funding and support for beach replenishment and dune programs to prevent wave wash over and for laws preserving beach, dunes, and wetlands. The City has entered into an agreement with the State of New Jersey's department of Environmental Protection. Beach replenishment is planned to occur from Northern inlet to 18th Street in the 2012-13 offseason. Dune replenishment program will continue in needed areas. The City is in the process of getting easements for the south end beaches; for potential south end project from 40th Street to Southern inlet.
- City Council will support action to urge Army Corps of Engineers and DEP to participate in studies on beach erosion.
- The City will work with State and Federal elected officials to locate funding for future of beach replenishment project to help protect our local properties from flooding.
- City Administration worked with the NJDOT in the planning for Route 52 rebuilding to assure a dry access from 9th Street and intersecting avenues.
- Floodplain Management Plan Committee will support studies to identify areas that could be isolated by elevating rights of way to be used as emergency access/egress and then pumped if necessary.

The city has continued with dune and beach replenishment projects and on Floodplain Management Projects. We have submitted for additional CRS credit points for our work in this activity.

146
146/359

530 Flood Protection: Maximum Possible Points **1600:** Credit is provided for sewer backup protection and flood control techniques. Ocean City has **0** points in the activity.

0
0/1600

The Committee recommends that the City pursue points in this area as the city has some projects that may qualify for points.

Although the city has no CRS points for our work in this activity it is clear that we should be receiving credit for items such as protection from sewer backup (Tide Flex valves), storm sewer improvements and elevations. We have submitted for an additional CRS points for work in this activity.

Potential Points: 25

540 – Drainage System Maintenance: Maximum Possible Points **330**: Credit is provided for maintaining drainage systems within the City. Ocean City point total for this activity is **(280 points)**. A summary of actions by the City for this activity are detailed below:

- All of Ocean City’s drainage system is inspected regularly throughout the year and maintenance is performed as needed by the Ocean City Public Works Department. Records are being maintained for both inspections and required maintenance.
- Ocean City also enforces a regulation prohibiting dumping in the drainage system.
- Council will support studies of projects, which may lead to reduction of flooding from wetlands south of 24th Street, including use of the railroad right-of-way and pumping. Engineering study will continue in this area and review Hazard Mitigation Grants.
- Engineering will continue the program to replace 40 Type B inlets per year with Type A inlets. All new drainage structures will be designed to eliminate trash from the storm drainage system. The number of Inlet replacements this year will be over 64 due to roadway and drainage work.
- Public works will continue to provide proper street and drainage system cleanliness with sufficient number of machines (street sweepers and catch basin cleaners) with trained personnel to operate, upgraded and replaced as needed. A replacement drain cleaner has been purchased. The drain cleaner has been operating without incident. Public Works has provided an up-to-date progress report for 2012 for the CRS file.
- A study of road elevations will be made to determine where increased elevation will assist evacuation. In addition a Road Ratings Map and an explanation of the Road Ratings had been posted to the city web site. This is being done as part of the roads and drainage work.
- Drainage improvements for Haven Avenue from 24th to 29th Streets will be studied.

Ocean City continues to work on drainage system maintenance projects and upgrades on drainage systems (increased capacity from 42nd Street to 45th Street, recharge systems for the beach blocks from 26th Streets to 29th Streets, increased capacities for North Street as well as elevation, recharge system for 1st Street and 4th Street, increased capacity for 7th Street, 8th Street, 11th Street, 12th Street, 16th Street, and Seaspray Road, recharge systems for Pennlyn Place, 7th Street, 8th Street, and 11th Street), we have submitted for additional CRS points for our work in this activity.

280
280/330

610 – Flood Warning Program: Maximum Possible Points **255** : Credit is provided for a program that provides timely identification of impending flood threats, disseminates warnings to appropriate floodplain residents, and coordinates flood response activities. Ocean City currently has **140** CRS points for this activity. The breakdown for points awarded and actions by the City for this activity are detailed below:

- Credit is provided for the designation as a storm ready community by the National Weather Service. Ocean City has been designated as a Storm Ready Community by the National Weather Service. Ocean City Emergency Management will continue publicize evacuation

routes on www.OCemergency.com and other publications. The evacuation route is available on local cable and by link on the city website.

- Emergency Management has developed "key communicator" chain to pass accurate flooding and storm information. Emergency Management has installed a Link to the City website, emergency management website and Reverse 911 also radio and TV. Upgrade of 1620 AM emergency Alert System (digitalized and remote access capabilities)
 - Global Connect ENS Broadcasts to our community: (2011/2012)
 - 8/23/2011 – Earthquake / Tsunami all clear
 - 8/25/2011 – Hurricane Irene (3 separate broadcasts)
 - 10/28/2011 – Nor Easter
 - 6/4/2012 -- Costal Flooding
 - 6/5/2012 -- Costal Flooding
 - 10/29/2012 – Hurricane Sandy warnings and Evacuation, shelters provided for hurricane victims.
- City Council supported purchase of equipment for a direct link to telemetry information from the buoys on the bay recording bay water heights. Station was installed at 540 Bay Avenue (Bayside Center). Information is available on the City web site. Weather station was installed at 59th Street and Central Avenue parking lot.
- Identify evacuation routes with signs. Inspection of signs was performed in September 2012.

The OEM (Office of Emergency Management) has notified the residents of impending storms such as Hurricane Sandy using email and public broadcasts. The OEM coordinated the evacuation of the city during Hurricane Sandy and provided residents who did not leave the island with transportation to shelters. We have requested for additional CRS points for enhanced Flood Warning Activities.

140
140/255

630 – Dam Safety: Maximum Possible Points **175**: All New Jersey communities currently receive CRS credit for the states Dam safety program. Ocean City has **74 CRS points** in this activity.

74
74/17

Total Potential Points: 400

NOTES:

1. The total of **potential points** the plan has targeted is a combined **400** CRS points. This exceeds the 316 points needed to achieve a level 6 rating.
2. All numbers shown as potential points are CRS points the committee intends to pursue in 2013.
3. Our recertification submittal had identified a total of 3348 points that we feel are due the city and if not we feel certain that a great portion of that total should be awarded the city. We plan to address all areas during our upcoming meeting with the CFM/CRS/ISO Specialist.

Ocean City, NJ Hazard Mitigation Update for 2013

	Mitigation Initiative	2012 Update
OC-1a	Where appropriate, support retrofitting of structures located in hazard-prone areas to protect structures from future damage, with repetitive loss and severe repetitive loss properties as priority. Identify facilities that are viable candidates for retrofitting based on cost-effectiveness versus relocation. Where retrofitting is determined to be a viable option, consider implementation of that action based on available funding.	Efforts are ongoing. 1 repetitive loss property was demolished and reconstructed to current standards. 200 homes on a list (and growing daily) requesting to be
OC-1b	Where appropriate, support purchase, or relocation of structures located in hazard-prone areas to protect structures from future damage, with repetitive loss and severe repetitive loss properties as priority. Identify facilities that are viable candidates for relocation based on cost-effectiveness versus retrofitting. Where relocation is determined to be a viable option, consider implementation of that action based on available funding.	Entire City is within a floodplain so relocation is not a viable alternative. City promotes efforts outlined in OC-1a.
OC-2	Continue active participation in the incentive-based program CRS.	City is a level 7 community in CRS and works to improve.
OC-3	Continue to support the implementation, monitoring, maintenance, and updating of this Plan, as defined in Section 7.0	Ongoing
OC-4	Strive to maintain compliance with, and good standing in the National Flood Insurance program.	Ongoing
OC-5	Continue to develop, enhance, and implement existing emergency plans.	Ongoing
OC-6	Create/enhance/ maintain mutual aid agreements with neighboring communities.	Ongoing
OC-7	Support County-wide initiatives identified in Section 9.1 of the County Annex.	Ongoing
OC-8	Establish an ordinance to require bringing property grades (including driveways and garages) above the BFE for new construction.	BFE+2 ordinance was passed on January 10 th , 2013. Ordinance # 12-19. Recommend that the minimum elevation of garages is set at 7.00 NAVD and minimum elevations of yards is set at 6.00 NAVD.

OC-9	Develop and implement a COOP/COG for municipal government facilities (e.g. city hall records which are now kept on first floor). COOP/COG plan to be an annex to the OC EOP.	Documents less than 10 years old are all electronic. Plans have been developed to put older documents on microfilm. Meeting was held on 2/12/2013 with Tetrattech to implement COOP/COG.
OC-10	CRS – continue to work to improve CRS rating. This includes advising ISO of current activities that may not be properly credited (e.g. real estate disclosure)	City has made significant progress in CRS activities and hopes to achieve level 6 by year end.
OC-11	Consider putting expanded information on the website about more flood vulnerable sections of the City (e.g. low elevation areas) – affects CRS credits.	Completed and working to improve.
OC-12	Promote public awareness of local flood risk (e.g. put BFE's on telephone poles using yellow spikes or painted bands; identify flood levels at all critical facilities)	96 completed, list on website (www.ocnj.us/elev), continue to add as additional survey work is completed
OC-13	Upgrade existing revetment wall (needs to be extended to the south and existing sections upgraded) and provide additional road protection to CR-619 in Strathmere to Ocean City, and elevate sections of road as needed.	Portions destroyed during Sandy. County currently installing bulkhead and additional road protection for CR 619
OC-14	Upgrade storm drainage in Ocean City, which are currently designed to handle only a 2-year storm event.	City continues works to increase drainage capacity to 10 year storm. Improvements made in the last year from 43 rd Street to 45 th Street, Wesley Avenue from 26 th Street to 29 th Street, Bayland Drive, and Simpson Avenue from Battersea to 1 st Street.
OC-15	Elevate Bay Avenue (CR-659) in floodprone areas (33 rd to 28 th , 20 th to 18 th , 9 th to 2 nd). This is an evacuation route, and was generally impassable during the recent (Sept. 2009) Nor' Easter.	County plans to reconstruct Bay Avenue from 6 th Street to 20 th Street. City is involved in the planning process and will review construction plans.
OC-16	Replace firehouses at 29 th and West and 34 th and West with one in a less floodprone area. 29 th and West is located in a particularly floodprone area.	Error in initiative, no firehouse located at 34 th and West. Firehouse severely damaged during Sandy. Currently evaluating options and funding to reconstruct with living quarters above ABFE.

OC-17	Retrofit police department (location of EOC) with wind resistant glazing and/or storm shutters.	City currently evaluating construction of a new police station and demolition of existing facility.
OC-18	Elevate Haven Avenue and 11th Street to allow access to public building. This building can serve as an EOC, and is properly elevated but access is not.	Partially complete. 11 th and Haven has been elevated and drainage pipe upgraded to handle 10 year storm. Remainder of 11 th Street planned to be reconstructed in 5 year capital plan.
OC-19	Replace GeoTube at Waverly Beach that was damaged/destroyed during the September 11, 2009 Nor'Easter	Completed in March 2011
OC-20	Beach Replenishment of Waverly Beach	Completed in May 2010, Area eroded again, beach replenishment started February 2013
OC-21	Continue program to upgrade bulkheads to 9.45'. They are currently working on permitting for Revere Place, Bayberry Street, Tennessee Avenue (3), and 520 Bay (Bayside Center, boat ramp).	Error in elevation in goal, elevation should be 8.20' NGVD. Work at Revere Place, Bayberry Street and (1) Tennessee Avenue bulkhead as well as boat ramp completed. Other (2) bulkheads on Tennessee Avenue along with 5 other sites out to bid in February 2013.
OC-22	Elevate the 35th Street Ballfield	Completed June 2011
OC-23	Elevate Haven from 9 th to 10 th Street. State to raise 9 th Street 18" as part of bridge project.	Completed June 2012
OC-24	Drainage improvements at OC airport	Completed June 2010
OC-25	Install new emergency broadcast/communications equipment on new ATT/Verizon lighthouse tower at OC Airport.	Lighthouse cell tower was never constructed by ATT/Verizon
OC-26	Consolidation of the Drainage Systems and Construction of a Pump Station to service drainage areas from 1st St. and 8 th St. between West Ave, and the bayfront.	City applied for FEMA hazard mitigation grant. In final stages of approval process. Construction anticipated for 2013-14 offseason.
OC-27	Construction of a protective floodwall with stone reinforcement around the historic Music Pier. Location is on the beachfront at Moorlyn Terrace.	No funding available at this time.

OC-28	Construction of a Pump Station to service drainage areas from 26 th St. and 34 th St. between West Ave. and the bayfront.	City applied for FEMA hazard mitigation grant for project. Benefit cost analysis was unfavorable so project cancelled.
OC-29	Road elevation of Haven Ave. between 26th St. and 34th St.; and Simpson Ave. between 31 st Street and 34 th Street (this is an alternative to OC-28 above).	OC-28 not viable. Sidewalks on west side of 2900 block elevated. Additional road elevation will be pursued when road conditions warrant reconstruction.
OC-30	Stone Revetment Protection at Waverly Beach and Surf Road Beach.	City elected to install geotubes instead as outlined in OC-19.
OC-31	Install shore protection along Ocean Drive (CR619) at Corson's Inlet in Upper Township and Ocean City.	Same as OC-13 see above for progress.
OC-32	Work directly with residents of the community located in a classic wildland-urban interface next to Corson's Inlet State Park to become a National Fire Protection Association (NFPA) "Firewise" community. Participation in the NFPA "Firewise" program shall be supported by countywide and regional resources including the Cape May County Fire Chiefs Association and the New Jersey State Forest Fire Service (Firewise Community Liaison) by providing information on the "Firewise" program, facilitating public outreach and awareness programs, and supporting community fire risk reduction activities as appropriate.	City was without a permanent fire chief for most of the last year so no progress was made on this item. New fire chief is in place and is working to complete this item.
OC-33	South End Ocean Front Bulkhead Replacement – Bulkhead was installed after the 1962 storm from 58 th Street to 29 th Street. Bulkhead is nearing the end of its usable life.	Proposed new item to hazard mitigation plan.
OC-34	Develop Ocean Front Bulkhead Standards – Standards exist for the alignment of the bulkhead but no standard exists for the height and depth of the bulkhead. Recommended height should equal the elevation of the seaward V-zone elevation and depth should be -10 NAVD.	Proposed new item to hazard mitigation plan.
OC-35	Standards for Construction Adjacent to Bulkheads – FEMA recommends that all construction within 30 feet of a bulkhead should be built to V-zone standards.	Proposed new item to hazard mitigation plan.

OC-36	Route 157 Shore Protection and Elevation – Hurricane Sandy destroyed the dunes seaward of Route 157 leaving this evacuation route exposed to ocean waves. Support Atlantic and Cape May Counties in efforts to elevate Route 157 to the base flood elevation and install shore protection for this area.	Proposed new item to hazard mitigation plan.
OC-37	Elevation of Roosevelt Boulevard from Bay Avenue to the Garden State Parkway– Support Cape May County in efforts to elevate Roosevelt Boulevard to the base flood elevation.	Proposed new item to hazard mitigation plan.
OC-38	Bulkhead Merian Park and Install Pump Station – Install a bulkhead around Merian Park at the base flood elevation. Then install a pump station to discharge storm water when sea level elevations do not permit gravity flow.	Proposed new item to hazard mitigation plan.
OC-39	Elevate Merian Park – elevate the roads, yards, and homes in this section of town to reduce flooding.	Proposed new item to hazard mitigation plan.
OC-40	Bulkhead Ocean City Homes and Install Pump Station – Install a bulkhead around the Ocean City Homes section of town at the base flood elevation. Then install a pump station to discharge storm water when sea level elevations do not permit gravity flow.	Proposed new item to hazard mitigation plan.
OC-41	Elevate Ocean City Homes – elevate the roads, yards, and homes in this section of town to reduce flooding.	Proposed new item to hazard mitigation plan.
OC-42	Beach nourishment and dune reconstruction for beaches south of 36 th Street.	Proposed new item to hazard mitigation plan.
OC-43	Adopt Coastal A construction standards	Proposed new item to hazard mitigation plan.
OC-44	Review and revise zoning standards to promote construction standards that embrace new higher base flood elevations.	Proposed new item to hazard mitigation plan.
OC-42	Require installation of placards in commercial buildings alerting shop owners of flood insurance coverage and not covered items.	Proposed new item to hazard mitigation plan.



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

Memo

To: Michael Dattilo
From: Arthur J. Chew, PE, PP, CFM, CPWM
CC: Joseph Clark, Georgia Arnold
Date: February 19, 2013
Re: Floodplain Management Plan

The Floodplain Management Plan Committee for Ocean City convened on Wednesday, February 6, 2013 to review flooding issues since September 2012 and implementation of the Action Plan items since then in accordance with the Community Rating System regulations. At the present time Ocean City has 17,250 policies in force, with a combined collection of \$10,969,203.00 a year in total premiums. This includes the 15% discount level that represents a savings of \$1,644,180.45 on collected annual premiums to the residents of the City.

Ocean City is a Verified Class 7 Community with a total of 1686 CRS points. We recently completed significant upgrades to Ocean City's CRS program and have requested a review from CRS to provide additional points to the City's rating that should increase the City's points by over 1,500 points. This large increase in points will be directly attributed to the City passing BFE+2 and the Governor adopting the Advisory Base Flood Elevations. This will double the discount level in the City and save the residents an additional \$1,644,180.45 annually.

Attached are the meeting minutes from the Committee Report. Amanda Gowens from CRS requested that we include an annual update on the City's Hazard Mitigation Plan in our meeting minutes and that these minutes are approved by City Council. In light of Hurricane Sandy and the upcoming Hazard Mitigation Grant Program, we took this opportunity to not only update the status of the Hazard Mitigation Plan but to supplement items to the plan.

AJC

N:\Planning and Engineering\Engineering\3-Roads and Drainage\3-XX-009 Flood Plain Management\Letters\2013 memo for CRS resolution 13-02-19.doc

ENGINEERING DIVISION 115 12th Street, OCEAN CITY, NJ 08226
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CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION



**CONSENTING TO CITY COUNCIL’S APPOINTMENT OF
LINDA DELANZO AND DENISE FREHE AS MEMBERS TO THE
UTILITY ADVISORY COMMISSION**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that the following individuals are hereby appointed to the Ocean City Utility Advisory Commission for the following term:

NAME	TERM	TERM EXPIRES
Linda DeLanzo	4 Years*	12/31/2016
Denise Frehe	4 Years*	12/31/2016

*1st Full Term

Michael J. Allegretto
Council President

Files/UAC DeLanzo Frehe

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	_____	_____	_____	_____	City Clerk
DeVlieger	_____	_____	_____	_____	
Guinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Ping	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	