

## ORDINANCE #13-13

### AN ORDINANCE REVISING CHAPTER XVII, “STREETS, SIDEWALKS AND SANITATION” OF THE REVISED GENERAL ORDINANCES OF CITY OF OCEAN CITY (RECYCLING)

**WHEREAS**, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of 50% reduction of Municipal Solid Waste and a 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments in all New Jersey municipalities; and

**WHEREAS**, the Cape May County Solid Waste Management Plan designates the lists of mandatory and recommended recyclables to be source separated for recycling in all sectors of the community; and

**WHEREAS**, recycling will reduce the municipality's expense of solid waste disposal, conserve energy and valuable resources, extend the life of Cape May County's only landfill and has the potential to produce revenues from the sale of such recyclable materials;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OCEAN CITY IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

#### **SECTION 1.**

Section 17-8.1, “Declaration of Purpose” is hereby amended as follows:

Remove the second sentence and insert “In an effort to reach the goal of 50% reduction of municipal solid waste and a 60% reduction of all solid waste through source separation and recycling by residential and institutional establishments in Ocean City, we include herein these guidelines. These guidelines are set forth from the State of New Jersey Solid Waste Management Plan and the Cape May County Solid Waste Management Plan. “

#### **SECTION 2.**

Section 17-8.2, “Word Usage and Definitions” is hereby amended as follows:

Section 17-8.2 b – replace the first sentence with “Designated Recyclable Materials” - means those materials designated within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The recycling of these materials is **mandatory**; they cannot be disposed of as solid waste. The Source Separated Recyclable Materials that are mandated for recycling are organized into the following categories, which include but are not limited to:

Change section 17-8.2 b 2 to read “Mixed Paper Products – Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper bags, non-foil wrapping paper, and chipboard packaging including but not limited to dry food boxes (cereal, rice, pasta, cookie and cracker), gift, shoe and tissue boxes, powdered detergent boxes, paper towel rolls, clean pizza boxes (no food debris) and cardboard beverage carriers. Remove and throw away all liner bags, food contaminated paper and waxed-coated cardboard boxes. Shredded paper may be placed in a clear plastic bag.”

Change section 17-8.2 b 4. to read – “Mixed Plastic Containers – Plastic containers imprinted with a ♻️ (PETE), ♻️ (HDPE), ♻️ (PVC), ♻️ (LDPE), ♻️ (PP), ♻️ (PS) or ♻️ (Other) on the bottom, 5 gallons or less in size, including bottles, jugs, jars and other rigid plastic containers. Plastic containers from food, beverage, health, beauty and cleaning products are included. Examples include, but are not limited to; margarine tubs, microwave trays, yogurt containers, plastic buckets and landscape pots. No Styrofoam packaging. No polystyrene egg cartons. No beverage cups. No PVC pipe. No plastic film. No plastics which contained chemicals or hazardous products, such as motor oil or pesticide containers. All food and liquid residue shall be removed from containers.”

Change section 17-8.2 b 6. to read – “Computers and Consumer Electronics – shall mean electronic device that include but are not limited to; computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, cathode ray tube devices, flat panel displays or similar video display devices with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards including, but not limited to, televisions and cell phones. Also includes VCR’s, radios and landline telephones;”

Add the following definition: “Source Separated” – shall mean the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

Add the following definition: “Single Stream Recycling” shall mean the following source separated recyclable materials shall be mixed together and set out at curbside for collection: glass, mixed paper, metals, and mixed plastic containers as defined in section 17-8.2 b

Add the following definition: “Municipal Recycling Coordinator” - means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder. This appointee shall also be responsible to assure that all materials recycled in the municipality are properly reported and recorded. The New Jersey Mandatory Source Separation and Recycling Act requires that each municipality appoint at least one individual as Municipal Recycling Coordinator who has successfully completed all requirements mandated by the State of New Jersey to be designated as a New Jersey Certified Recycling Professional;

Add the following definition: “Generator” shall mean any person or commercial entity generating material to be disposed as recyclable or non-recyclable material. By state law the “individual generator is responsible for separation of recyclable material from non-recyclable material.

### **SECTION 3.**

Section 17-8.4 “Size and Type of Private Waste and Recycling and Nonrecycling Containers” is hereby amended as follows:

Changes section 17-8.4 b to read “All recycling containers shall be made of durable, weather resistant, galvanized steel or plastic, with watertight lid, and have a capacity of not more than thirty two (32) gallons. They must have attached in a clearly visible fashion to the side of the container, an official “City of Ocean City’ recycling sticker. Yard waste is also acceptable in biodegradable Kraft (brown) paper bags. They must be “yard waste” specific, Kraft bags designed and sold for the purpose of containing this particular material.

### **SECTION 4.**

Section 17-8.5 “Preparation for Collection” is hereby amended as follows:

Change section 17-8.5 a 5 to read”All recyclable materials must be source separated from non-recyclable materials and placed for collection in the following manner: all mixed paper, mixed plastic containers and metal as defined in the definitions section of this ordinance can be placed for collection in the same container(s).”

Change section 17-8.5 i, to read “All carpeting and related padding shall be placed out for collection in a safe and secure manner. All carpeting and related padding must be rolled and securely tied in bundles no longer than forty eight (48) inches in length, and weighing no more than fifty (50) pounds. The maximum amount of carpeting and related padding that can be placed out for collection is six (6) forty eight (48) inch long rolls.

Change section 17-8.5 j to read “All white goods collected by the City of Ocean City, must be registered with the Department of Public Works in accordance with the terms and conditions of the white goods recycling collection program” thus eliminating the second sentence.

## **SECTION 5.**

Section 17-8.6 "Collection of Solid Waste Nonrecyclable and Recyclable Materials" is hereby amended as follows:

Change section 17-8.6 c to read "The following materials, collected curbside, must be source separated and recycled through the municipal recycling program. All items except white goods are also accepted at the Ocean City Recycling Center at Shelter Road.

1. Mixed Paper including cardboard, mixed plastic, glass and metal containers
2. Yard waste and byproducts
3. Concrete

Change section 17-8.6 d by adding "#4 Wood pallets and crates and #5 Consumer electronics."

Change section 17-8.6 e by eliminating "#1 Wood pallets and crates and #3 Consumer electronic waste" then renumeralize the nine items left.

## **SECTION 6.**

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

## **SECTION 7.**

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 8.**

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

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Jay A. Gillian, Mayor

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Michael J. Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on day of April, 2013, and was taken up for a second reading and final passage at a meeting of said Council held on 16th day of May, 2013 in Council Chambers, City Hall, Ocean City, New Jersey at **7:00 o'clock** in the evening.

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Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

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## Memo

**DATE:** April 17, 2013  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** 2013 Recycling Ordinance

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This ordinance incorporates the changes necessitated by the change to single stream recycling, as described by Public Works Director Rossbach at Council's meeting of March 28, 2013.



**ORDINANCE NO. 13-14**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XII, "BUILDING AND HOUSING," OF THE REVISED  
GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
SUMMER 2013 DEMOLITION**

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 12-7** is hereby amended to provide that notwithstanding the general prohibition against demolition of buildings, structures or improvements to real property from the Friday before Memorial Day to the Monday following Labor Day, and the prohibition against the issuance of demolition permits during that time period, demolition of buildings, structures or improvements to real property damaged by Super Storm Sandy shall be permitted during the entire summer of 2013. However, from the Friday before Memorial Day to the Monday following Labor Day, no demolition shall be permitted from Friday at 5 pm through Monday at 8 am; additionally, no demolition shall be permitted from July 3<sup>rd</sup> at 5 pm through July 5 at 8 am.

**Section 2**

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

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Jay A. Gillian, Mayor

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Michael J. Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the     day of **April, 2013** and will be taken up for a second reading and final passage at a meeting of said Council held on the **16<sup>th</sup>** day of **May, 2013** in Council Chambers, Ocean City, New Jersey, at 7:00 o'clock in the evening.

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Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

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## Memo

**DATE:** April 17, 2013  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** Ordinance Permitting Demolition of Storm-Damaged Properties - Summer 2013

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Currently, the demolition, removal or razing of buildings, structures or improvements to real property is prohibited from the Friday before Memorial Day to the Monday following Labor Day, except in the event of an emergency or in the event of danger to person or property, as determined by the Code Enforcement Officer.

This ordinance would permit the demolition of buildings, structures or improvements to real property damaged by Super Storm Sandy, for 2013 only, between the Friday before Memorial Day to the Monday following Labor Day on week days from 8 am on Monday through 5 pm on Friday, but not on weekends, and not between July 3<sup>rd</sup> at 5 pm to July 5<sup>th</sup> at 8 am.

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For informational purposes, I have attached hereto a copy of section 12-86, the ordinance restricting pile driving activity from July 1<sup>st</sup> to August 31<sup>st</sup>, from 10 am to 3 pm, Monday through Friday.

I have also attached hereto a copy of section 18-7.6, "Barge Restrictions," which requires barges and construction-related vessels to be removed from all lagoons and back bay areas during the months of July and August, except when making emergency repairs, and when engaged in "search and rescue" activities.





## **18-7.6 Barge Restrictions.**

### *a. Restrictions on Public Property.*

1. It shall be unlawful for any person to moor, anchor, ground or otherwise attach or fasten any barge or other construction-related vessel, to any City owned dock, bulkhead, or pier without the prior written consent of the Mayor or his designee.
2. It shall be unlawful for any person to have any barge or other construction-related vessel remain moored, anchored, ground or otherwise fastened to any City owned dock, bulkhead, or pier for more than fifteen (15) consecutive business days.
3. Upon completion of the job, if occurring in less than fifteen (15) consecutive business days, the barge shall be removed in a timely and reasonable manner.

### *b. Private Property.*

1. It shall be unlawful for any person to moor, anchor, ground or otherwise attach or fasten any barge or other construction-related vessel, to any privately-owned dock, bulkhead, or pier without the consent of the property owner.
2. It shall be unlawful for any person to have any barge or other construction-related vessel remain moored, anchored, grounded or otherwise fastened to a private dock, bulkhead or pier unless the owner of the barge or other construction-related vessel is performing construction work at the property at which the barge is moored or anchored. In any event, the barge or other vessel used in construction activity shall not remain anchored, grounded or moored to said property for more than fifteen (15) consecutive business days.
3. Upon completion of the job, if occurring in less than fifteen (15) consecutive business days, the barge shall be removed in a timely and reasonable manner.

*c. Additional Time.* In the event that weather, tides, or other factors prevent the contractor from performing the work in the time specified herein, the contractor may apply to the Mayor, or his designee, for additional time to complete the work. Additional time may be granted for good cause and the contractor demonstrating that he has diligently performed the work.

*d. Barge Size.* All barges and construction-related vessels shall be of adequate and appropriate size to perform the work. Excessive sized vessels will not be permitted to be moored, anchored, grounded or attached to any public or private property. In no event shall a barge or construction-related vessel exceed seventy-five (75') feet in length when performing work in a lagoon.

*e. Summer Restrictions.* All barges and construction-related vessels shall be removed from all lagoons and back bay areas during the months of July and August, except for times of making emergency repairs.

*f. Exceptions.* This subsection shall not apply to any commercial vessels which engage in "search and rescue" for distressed boaters.

(Ord. #93-15, § 1; Ord. #01-05, § 1; Ord. #01-25, § 1)

## **12-8.6 Restrictions on Pile Driving Activity.**

Pile driving activity shall only be permitted within the City of Ocean City as follows:

- a. From July 1st to August 31st of each year from 10:00 a.m. to 3:00 p.m., Monday through Friday.
- b. During the remainder of the year from 8:00 a.m. to 4:00 p.m., Monday through Friday. During this time period set up shall not be permitted before 8:00 a.m.
- c. Pile driving activities shall be prohibited on Saturdays and Sundays throughout the year as well as the following holidays: Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, and New Year's Day.

For purposes of this section, pile driving shall be defined as all forms of construction using piles.

(Ord. #07-22, § 1)



ORDINANCE NO. 13-15

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #87-17,  
CHAPTER II, ARTICLE 4, OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY (2013 Re-organization)

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

**Section 1.**

Chapter II, Article, Section 2-1.20 of the Revised General Ordinances of the City of Ocean City, "Administrative Branch Generally," shall be amended to read as follows:

**2-1.20 Administrative Branch Generally.**

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

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

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

**Section 2.**

Chapter II, Article, Section 2-1.23 of the Revised General Ordinances of the City of Ocean City, "Departments," shall be amended to read as follows:

**2-1.23 Departments.**

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

a. *Department of Administration.*

1. **Head, Qualifications.** The Department of Administration shall be headed by the Business Administrator. He shall be a college graduate with previous municipal experience in a responsible administrative or executive capacity. At the time of appointment he need not be a resident of the City of Ocean City but during his tenure may not reside outside the City. City Council may waive residency for good cause.

2. Powers and Duties. The Administrator:
  - (a) Shall have, exercise and discharge the functions, powers and duties of the Department.
  - (b) Under the direction and supervision of the Mayor, the Business Administrator shall:
    - (1) Oversee the preparation of the Budget and Capital Plan;
    - (2) Administer a centralized purchasing system;
    - (3) Administer a sound human resource system;
    - (4) Administer a centralized information technology system;
    - (5) Supervise the administration of each of the departments established by this section. For this purpose he shall have the power to investigate the organization and operation of any and all departments, to prescribe standards and rules of administrative practice and procedure, and to consult with the heads of departments under his jurisdiction; provided that with respect to the Department of Finance related to audit, accounts or control, the authority of the Business Administrator under this subsection shall extend only to matters of budgeting, personnel and purchasing.
  - (c) Oversee Economic Development and Environment, Emergency Management, Purchasing, Human Resources and Information Technology.
  - (d) Oversee the preparation of the long term capital plan.
  - ~~(e) Supervise and coordinate general engineering services.~~  
MOVED TO COMMUNITY OPERATIONS
  - (e) **Develop and maintain a public information and public relations program for the City.**  
FORMERLY COMMUNITY SERVICES
  - ~~(f) Oversee road opening permits and project construction.~~  
MOVED TO COMMUNITY OPERATIONS
  - (f) Oversee Neighborhood and Social Services.  
FORMERLY COMMUNITY SERVICES

b. ~~Department of Community Services.~~

1. ~~Director. The Department of Community Services shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residency for good cause.~~

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

- ~~(a) Providing a balanced public recreation and leisure time activity program for the City;~~
- ~~(b) Developing and maintaining a public information and public relations program for the City;~~ MOVED TO ADMINISTRATION
- ~~(c) Operating and maintaining the music pier, golf course, aquatic and fitness center and such other facilities as may be assigned;~~
- ~~(d) Overseeing neighborhood and social services;~~ MOVED TO ADMINISTRATION
- ~~(e) Assisting in the preparation of the long term capital plan;~~
- ~~(f) Community planning and zoning administration, including staff assistance to the Planning Board, Zoning Board and Historic Preservation Commission;~~
- ~~(g) Administration of the New Jersey State Uniform Construction Code and enforcement of other miscellaneous State and municipal codes and ordinances; and~~
- ~~(h) Administration of the Office of Licensing;~~  
MOVED TO COMMUNITY OPERATIONS, EXCEPT AS NOTED



b. *Department of Community Operations.*

1. **Director.** The Department of Community Services shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department.
2. **Functions.** The Department shall perform all appropriate functions associated with:
  - (a) **Supervising and coordinating general engineering services;**  
FORMERLY ADMINISTRATION
  - (b) **Overseeing road opening permits and project construction;**  
FORMERLY ADMINISTRATION
  - (c) **Maintaining and repairing streets, roads, alleys, boardwalk, beaches, drainage facilities, fleet, public buildings and all public infrastructure;**  
FORMERLY PUBLIC WORKS
  - (d) **Supervising recycling and trash collection operations;**  
FORMERLY PUBLIC WORKS
  - (e) **Assisting in the preparation of the long term capital plan;**  
FORMERLY COMMUNITY SERVICES
  - (f) **Administering the traffic maintenance programs (signs and lines);**  
FORMERLY PUBLIC WORKS
  - (g) **Managing various public sector contracts to provide services;**  
FORMERLY PUBLIC WORKS
  - (h) **Obtaining and administering grants for various projects and programs;**  
FORMERLY PUBLIC WORKS
  - (i) **Managing recycling, clean communities and stormwater management programs;**  
FORMERLY PUBLIC WORKS
  - (j) **Maintaining public property;**  
FORMERLY PUBLIC WORKS
  - (k) **Providing a balanced public recreation and leisure time activity program for the City;**  
FORMERLY COMMUNITY SERVICES
  - (l) **Operating and maintaining the Music Pier, golf course, Aquatic and Fitness Center and such other facilities that may be assigned.**  
FORMERLY COMMUNITY SERVICES
  - (m) **Community planning and zoning administration, including staff assistance to the Planning Board, Zoning Board and Historic Preservation Commission;**  
FORMERLY COMMUNITY SERVICES
  - (n) **Administration of the New Jersey State Uniform Construction Code and enforcement of other miscellaneous State and municipal codes and ordinances; and**  
FORMERLY COMMUNITY SERVICES
  - (o) **Administration of the Office of Licensing.**  
FORMERLY COMMUNITY SERVICES

c. *Department of Financial Management.*

1. Director. The Department of Financial management shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residence for good cause.
2. Functions. The Department shall perform all appropriate functions associated with:
  - (a) Custody, investment and disbursement of City monies;
  - (b) General budgetary accounting and fiscal control and reporting;
  - (c) Billing and collecting of general revenues;
  - (d) Tax billing and collection;
  - (e) Property assessment;
  - (f) Operation of City parking lots, parking meters, Transportation Center and Municipal Airport;
  - (g) Administration of the beach fee program;
  - (h) Assisting in the preparation of the long term capital plan;
  - (i) Payment of bills, claims and demands. Bills, claims and demands against the City shall be paid in accordance with N.J.S.A. 40A:5-17 which shall include a bill list to be presented to City Council at each regularly scheduled Council meeting. In addition, the City Council authorizes the Chief Financial Officer to process payments between Council meetings whereby the Chief Financial Officer has determined the need for said payment. These payments shall be reported to City Council and incorporated within the next scheduled bill list as presented. Documentation of all claims and payments shall be maintained in the Department of Financial Management.
3. Fiscal Procedure; claims Approval for Payments. Bills, claims and demands against the City shall be deemed approved or disapproved by Council in accordance with the action of the Director of Financial Management. If requested by Council, the Director of Financial Management shall furnish Council with a list of claims paid as requested.

d. *Department of Law.*

1. Director; Qualification. The Department of Law shall be headed by a Director who may be the City Attorney, and who shall be qualified by training and experience to plan, supervise and perform the work of his Department. He shall also be a licensed attorney in good standing of the State of New Jersey. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residency for good cause.
2. Functions. The Department of Law shall perform all appropriate functions Associated with:
  - (a) Being legal advisor to the Mayor, Council, and Department Heads.
  - (b) Advising as to form and sufficiency of ordinances prior to passage. Reviewing and approving contracts, deeds, documents and instruments prior to execution by or on behalf of the City.
  - (c) Conducting litigation by or on behalf of the City affecting any interest of the City as directed by the Mayor and Council.
  - (d) Entering into an agreement, compromise or settlement of any litigation in which the City is involved subject to approval of the Mayor and Council.
  - (e) Rendering opinions upon any questions of law submitted to him by the Mayor, Council or Department Heads.



- (f) Maintaining a record of all actions, suits, proceedings and matters which relate to the City's interest and report thereon as may be required.
- (g) Conducting or supervising the Municipal Prosecutor and Public Defender in the conduct of City prosecutions.
- (h) Coordinating the activities of Counsel retained by various boards and agencies of the City, and report to the Mayor and Council on their activities from time to time as may be appropriate.

e. *Department of Police Services.*

- 1. Director. The Department of Police Services shall be headed by a Director who shall also be the Police Chief. The Director shall be qualified by education, training, and extensive experience to plan, supervise and perform the work of the Department. The residency requirements for the Director shall be in accordance with the State law.
- 2. Functions. The Department shall be responsible for maintaining a modern police services program including crime prevention, criminal investigation, personnel and property protection, traffic control, animal control and parking enforcement. In addition, the Department shall be responsible for the city-wide public safety communication system operation.

f. ~~Department of Public Works.~~

~~1. Director. The Department of Public Works shall be headed by a Director who shall be qualified by training and education or extensive experience to plan, supervise and perform the work of the Department. The Director need not be a resident of Ocean City at the time of his appointment, but shall become a resident of the City within a reasonable time not later than one (1) year following his appointment and shall thereafter remain a resident of the City during his term(s) of office. The Mayor, on a yearly basis, may waive residency for good cause.~~

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

- ~~(a) Maintaining and repairing streets, roads, alleys, boardwalk, beaches, drainage facilities, fleet, public buildings and all public infrastructure;~~
- ~~(b) Supervising recycling and trash collection operations;~~
- ~~(c) Assisting in the preparation of the long term capital plan;~~
- ~~(d) Administering the traffic maintenance programs (signs and lines);~~
- ~~(e) Managing various private sector contracts to provide services;~~
- ~~(f) Obtaining grants for various capital and public works projects;~~
- ~~(g) Managing recycling, clean communities, and stormwater management programs;~~
- ~~(h) Maintaining public property.~~

**ALL MOVED TO DEPARTMENT OF COMMUNITY OPERATIONS**

g. *Department of Fire & Rescue Services.*

- 1. Director. The Department of Fire and Rescue Services shall be headed by a Director who shall also be the Fire Chief. The Director shall be qualified by education, training and extensive experience to plan, supervise and perform the work of the Department. Residency requirements for the Director shall be in accordance with State law.
- 2. Functions. The Department shall be responsible for maintaining a modern fire and rescue services program including fire protection, fire prevention, confined space entry, environmental spills and hazards, arson investigation, emergency medical services, water rescue and beach safety.
- 3. An Arson Investigation Unit shall be established, and be responsible for conducting investigations of arson, suspicious fires or explosions within the City of Ocean City. The Arson Investigation Unit shall be comprised of one (1) person appointed by the Fire Chief. He shall successfully complete an appropriate course of training approved by the Police Training Commission and an arson investigation training course approved by the Department of Law and Public Safety of the State of New Jersey.

**Section 3.**

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

**Section 4.**

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

**Section 5.**

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

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Jay Gillian, Mayor

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Michael J. Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the \_\_\_\_\_ day of April, 2013, and will be taken up for a second reading and final passage at a meeting of said Council held on the 16th day of May, 2013 in City Council Chambers, Ocean City, New Jersey, at 7:00 o'clock in the evening.

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Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY


AMERICA'S GREATEST FAMILY RESORT

OFFICE OF THE ADMINISTRATOR

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## MEMORANDUM

**TO:** CITY COUNCIL

**FROM:** MICHAEL DATTILO, BUSINESS ADMINISTRATOR 

**DATE:** APRIL 20, 2013

**RE:** REORGANIZATION

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This ordinance will establish a new Department of Community Operations. This department will consolidate all of the functions of the former Department of Community Services and Department of Public Works with the exception of the Offices of Public Relations, Public Information and Neighborhood and Social Services, which will fall under the Department of Administration. The Engineering Team will fall under the new department.

The objectives of this reorganization include the following:

1. Greater efficiency in operations.
2. Improved internal communication.
3. Improved external communication centralized within the Department of Administration.
4. Opportunities for more cross training of team members.
5. A more centralized approach to our stepped up capital improvement plan.
6. The formation of a small group of skilled and experienced managers who will direct the day to day operations of the department.
7. The opportunity to form small working teams on certain projects and tasks without the barriers of departmental lines.
8. Improved opportunities for succession planning in key areas of the organization.

861 ASBURY AVENUE, OCEAN CITY, NJ 08226

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

[www.ocean-city.nj.us](http://www.ocean-city.nj.us)



Printed on Recycled Paper



April 20, 2013

Page #2

9. Cost savings over time through attrition.

10. Improved customer service as the Henry S. Knight Building becomes even more of a one stop shop for the majority of City services.

We will provide more detail on the organizational structure of the Department of Community Operations prior to second reading.

The Administration appreciates City Council's consideration of this matter.

If there are any questions please contact me.

MD

C J. Gillian, Mayor  
L. MacIntyre, City Clerk  
Senior Staff

ORDINANCE NO. 13-09

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK PER (N.J.S.A. 40A: 4-45.14)  
FOR CALENDAR YEAR 2013**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.0%** unless authorized by ordinance to increase it to **3.5%** over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **3.5%** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the City Council of the City of Ocean City in the County of Cape May finds it advisable and necessary to increase its CY 2013 budget by up to **3.5%** over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the City Council hereby determines that a **3.5%** increase in the budget for said year, amounting to **\$1,757,343.16** excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the City Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Ocean City, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the City of Ocean City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by **3.5%**, amounting to **\$1,757,343.16**, and that the CY 2013 municipal budget for the City of Ocean City be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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Jay A. Gillian, Mayor

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Michael Allegretto, Council President

The above Ordinance was passed by the Council of Ocean City, State of New Jersey, at a meeting of said Council held on the **11<sup>th</sup>** day of **April, 2013** and **was taken** up for second reading and final passage at a meeting of said Council held on the **25<sup>th</sup>** day of **April, 2013** at the Free Ocean City Library, Room N101, Ocean City, New Jersey at 7:00 o'clock in the evening.

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Linda P. MacIntyre, City Clerk

## **ORDINANCE #13-10**

### **AN ORDINANCE REPLACING AND SUPERSEDING CHAPTER XXI, FLOOD DAMAGE PREVENTION, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY, NEW JERSEY**

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

#### **SECTION 21-1**

#### **STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

##### **21-1.1 STATUTORY AUTHORIZATION**

The Legislature of the State of New Jersey has, in N.J.S.A. 40:48-1~~et seq.~~, delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Ocean City of Cape May County, New Jersey does ordain as follows:

##### **21-1.2 FINDINGS OF FACT**

- [1] The flood hazard areas of the City of Ocean City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- [2] These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

##### **21-1.3 STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- [1] Protect human life and health;
- [2] Minimize expenditure of public money for costly flood control projects;
- [3] Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- [4] Minimize prolonged business interruptions;
- [5] Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- [6] Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- [7] Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- [8] Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

##### **21-1.4 METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- [1] Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- [2] Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- [3] Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- [4] Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- [5] Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

#### **SECTION 21-2**

#### **DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**“A Zone” “V Zone”** – Area of special flood hazards.

**Advisory Base Flood Elevation (ABFE)** — The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory minimum elevation plus wave effect (ABFE + SWEL = wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**Advisory Flood Hazard Area (AFHA)** — The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

**Advisory Flood Hazard Map** — The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

**Anchorage** — The mechanism by which the structural systems of all buildings or structures are designed, connected and anchored to prevent flotation, collapse or permanent lateral movement due to structural loads and stresses from flooding.

**Appeal** - A request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

**Area of Shallow Flooding** - A designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard** - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**Base Flood** - The flood having a one percent chance of being equaled or exceeded in any given year.

**Basement** - Any area of the building having its floor subgrade (below ground level) on all sides.

**Beaches** — Gently sloping unvegetated areas of sand that extend landward from the mean high waterline to either:

- a. The vegetation line;
- b. A manmade feature generally parallel to the ocean, inlet or bay waters, such as a retaining structure, sea wall, bulkhead, road or boardwalk, except that sand areas that extend fully under or landward of an elevated boardwalk are considered to be beach; or
- c. The seaward or byward foot of dunes, whichever is closer to the bay, inlet or ocean waters.

**Breakaway Wall** - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

**Coastal High Hazard Area** - An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

**Development** - Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

**Digital Flood Insurance Rate Map (DFIRM)** - The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Dune Vegetation** - Vegetative species which normally grow or may be placed on the slopes of dunes or behind them, with no distinction being made as to how such plants are introduced into their location. These species include, but are not limited to, beachgrass (*Ammophila breviligulata*), dusty miller (*Artemisia stelleriana*), sea rocket (*Cakile edentula*), seaside goldenrod (*Solidago sempervirens*), bayberry (*Myrica pensylvanica*), beach pea (*Lathyrus japonicus*), salt spray rose (*Rosa rugosa*) or seaside spurge (*Euphorbia polygonifolia*).

**Elevated Building** - A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor or, in the case of a building in a Coastal High-Hazard Area, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building



elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

**Erosion** - The process of the gradual wearing away of land masses.

**Erosion Hazard Areas** - Are shoreline areas that are eroding and/or have a history of erosion, causing them to be highly susceptible to further erosion and damage from storms.

1. Erosion hazard areas may be identified by any one of the following characteristics:
  - (a) Lack of beaches;
  - (b) Lack of beaches at high tide;
  - (c) Narrow beaches;
  - (d) High beach mobility;
  - (e) Foreshore extended under a boardwalk;
  - (f) Low dunes or no dunes;
  - (g) Escaped foredune;
  - (h) Gaps in dune fields;
  - (i) Steep beach slopes;
  - (j) Cluffed bluffs adjacent to beach;
  - (k) Insufficient dune or bluff vegetation;
  - (l) Exposed, damaged or breached jetties, groins or seawalls;
  - (m) High long-term erosion rates; or
  - (n) Pronounced downdrift effects of groins (jetties).
2. Erosion hazard areas extend inland to the limit of the area likely to be eroded in less than fifty (50) years, including developed and undeveloped areas. The distance is measured from the most seaward, established dune crest for unvegetated dune areas, the first vegetation line from the water for established vegetated dune areas, or the landward edge of a beach of the eight (8') foot (NGVD) contour line, whichever is farther inland, for non-dune areas. An established unvegetated dune is a dune that has been in place for at least two (2) winter seasons, or has been constructed with the approval of the Department. An established vegetated dune is a dune with an existing vegetative cover which has been growing on site for at least two (2) growing seasons.

**Flood or Flooding** — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- [1] The overflow of inland or tidal waters and/or
- [2] The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood Insurance Rate Map (FIRM)** — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS)** — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

**Floodplain Management Regulations** — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**Floodway** - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

**Highest Adjacent Grade** - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic Structure** - Any structure that is:

- [a] Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- [b] Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

[c] Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

[d] Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved State program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in States without approved programs.

**Lowest Floor** - The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

**Manufactured Home** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**Manufactured Home Park or Manufactured Home Subdivision** - A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**Mean Sea Level** – The average height of the sea for all stages of the tide.

**New Construction** - Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision** - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

**Primary Frontal Dune** - A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

**Recreational Vehicle** - A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Sand Dunes** - Systems or formations of drifting windblown materials, usually sand, which are upland of the beach and oriented roughly parallel to the shoreline. These formations may be natural or of human origin and are usually stabilized with natural vegetation. The term "Dune" includes all areas between the inland limits of the dry sandy beach and the foot of the most inland slope. Dunes including the following subcategories:

- a. Primary frontal dune — a contiguous or nearly contiguous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively minor slope.
- b. Primary backdunes and secondary and tertiary dunes — the backslope of the foredune and extend from the dune ridges immediately landward of the foredune to the inland toe of the most inland slope.
- c. Migrating dunes — dunes which have changed location through the course of time.
- d. Artificial dunes – accumulation of sediment in dune from which have been built by any non-natural process such as bulldozing, or sand fencing.
- e. Stabilized dunes — dunes maintained in a fixed location by artificial means.
- f. Dune fields — include but are not limited to any combination of dune types previously defined.

**Sand Fence** - A picket type (snow fence) or other barricade type established in a line or a pattern to accumulate sand and aid in the formation of a dune.

**Start of Construction** - For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles,

the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure** - A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**Substantial Damage** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50%) percent of the market value of the structure before the damage occurred.

**Substantial Improvement** - Any reconstruction, rehabilitation, addition, or other improvement of a structure within a 5-year period, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- [1] Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- [2] Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**Variance** - A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

## **SECTION 21-3**

### **GENERAL PROVISIONS**

#### **21-3.1 LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Ocean City, Cape May County, New Jersey.

#### **21-3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard for the City of Ocean City, Community No. 345310 are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study for the City of Ocean City" dated March 5, 1984.
- b) Flood Insurance Rate Maps and Flood Boundary Maps dated September 5, 1984 and any revision thereto.
- c) Advisory Base Flood Elevations and Advisory Flood Hazard Maps dated December 14, 2012. These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) maps conflict or overlap, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at 115 12<sup>th</sup> Street, Ocean City, New Jersey.

#### **21-3.3 PENALTIES FOR NONCOMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Additionally, any person convicted of violating this ordinance by the alteration, damage or destruction of any sand dune shall be required to reimburse the City of Ocean City for the full cost of restoration of the affected beach and/or sand dune to its original condition prior to violation of this ordinance. If



the violation of this ordinance is of a continuing nature, each day in which said violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Ocean City from taking such other lawful action as is necessary to prevent or remedy any violation.

**21-3.4 ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**21-3.5 INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be:

- [1] Considered as minimum requirements;
- [2] Liberally construed in favor of the public health, safety and welfare and the governing body; and,
- [3] Deemed neither to limit nor repeal any other powers granted under State statutes.

**21-3.6 WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the City of Ocean City, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

**21-3.7 CREATION AND MAINTENANCE OF A DUNE SYSTEM.**

In order to create and maintain a unified dune system, the City hereby adopts as its policy the report of Coastal and Marina Engineering Consultants, Inc. entitled “A Dune Establishment and Maintenance Program for the City of Ocean City, New Jersey” dated June 1, 1988. The creation and maintenance of sand dunes consistent with said report is hereby authorized, notwithstanding the provisions of any Ordinance, including provisions of this Chapter to the contrary. The alteration of any existing sand dunes in order specifically to create and maintain other existing or new dunes is hereby authorized, provided the said alteration will not increase the flood potential of the property behind the sand dune so altered, and further provided that said action is undertaken by appropriate representatives of the City of Ocean City.

**SECTION 21-4**  
**ADMINISTRATION**

**21-4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in SECTION 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- [1] Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- [2] Elevation in relation to mean sea level to which any structure has been floodproofed.
- [3] Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in SECTION 5.2-2; and,
- [4] Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- [5] Plans for any walls to be used to enclose space below the base flood level.
- [6] Certifications from licensed professional engineer or architect as required in subsection 4-3.3(3).
- [7] Any other plans certifications, or drawings as may be required by the Construction Code Official.
- [8] Topographic maps of the site to be developed where dunes are or may be found on said site.

**21-4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR**

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

**21-4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Construction Code Official shall include, but not be limited to:

#### **21-4.3-1 PERMIT REVIEW**

- [1] Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- [2] Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- [3] Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 5.3 [1] are met.
- [4] Review all development permits in the coastal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.
- [5] Review plans for walls to be used to enclose space below the base flood level in accordance with SECTION 5.4-2 [4].
  - (a) Development is prohibited on beaches, except for development that has no prudent or feasible alternative in an area other than a beach, and that will not cause significant adverse long term impacts on the natural functioning of the beach and dune system, either individually or in combination with other existing or proposed structures, land disturbances or activities.  
Examples of acceptable activities are:
    - (1) Demolition and removing of paving and structures;
    - (2) Dune creation and related sand fencing and planting of vegetation for dune stabilization;
    - (3) The reconstruction of existing amusement and fishing piers and boardwalks;
    - (4) Temporary recreation structures for public safety as first aid and lifeguard stations;
    - (5) Shore protection structures which meet the use conditions of N.J.A.C. 7:7E7.11(E); and
    - (6) Linear development which meets the policy on location of linear development pursuant to N.J.A.C. 7:7E-6.1.
  - (b) Development is prohibited on dunes, except for development that has no prudent or reasonable alternative in an area other than a dune, and that will not cause significant adverse long term impacts on the natural functioning of the beach and dune system, either individually or in combination with other existing or proposed structures, land disturbances or activities.  
Examples of acceptable activities are:
    - (1) Demolition and removal of paving structures;
    - (2) Limited, the designated access ways for pedestrian and authorized motor vehicles between public streets and the beach provided for the minimum feasible interference with the beach and dune system and are oriented so as to provide minimum feasible threat of breaching or overtopping as a result of storm surge or wave run up;
    - (3) Limited stairs, walkways, pathways and boardwalks to permit access across dunes or beaches, provided they cause minimum feasible interference with the beach and dune system;
    - (4) The planting of native vegetation to stabilize dunes;
    - (5) Sand fencing, either a brush type barricade or a picket, to accumulate sand and aid in dune formation;
    - (6) Shore protection structures which meet the conditions of N.J.A.C. 7E-7.11(E);
    - (7) Linear development which meets the policy on location of linear development of N.J.A.C. 7:7E-6.1.
  - (c) Development is prohibited in the erosion hazard areas, except for:
    - (1) Linear development which meets the policy on location of linear development of N.J.A.C. 7:70-6.1;
    - (2) Shore protection activities which meet the appropriate coastal engineering use policies of N.J.A.C. 7:7E-7.11.

#### **21-4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA**

When base flood elevation and floodway data has not been provided in accordance with SECTION 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer SECTIONS 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

#### **21-4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED**

- [1] Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- [2] For all new or substantially improved floodproofed structures:
  - [i] verify and record the actual elevation (in relation to mean sea level); and
  - [ii] maintain the floodproofing certifications required in SECTION 4.1 [3].
- [3] In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the provisions of 5.4-2[1] and 5.4-2[2](i) and (ii) are met.
- [4] Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### **21-4.3-4 ALTERATION OF WATERCOURSES**

- [1] Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- [2] Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

#### **21-4.3-5 INTERPRETATION OF FIRM BOUNDARIES**

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

#### **21-4.4 VARIANCE PROCEDURE**

##### **21-4.4-1 APPEAL BOARD**

- [1] The Flood Damage Prevention Appeal Board is hereby established to hear and decide appeals and requests for variances from the requirements of this ordinance. The Flood Damage Prevention Appeal Board shall consist of seven (7) members appointed by the Mayor with the advice and consent of the governing body. The members shall be citizens of the City of Ocean City. The initial members shall serve for staggered terms as follows:

One (1) member for a term of one (1) year.  
Two (2) members for terms of two (2) years.  
Two (2) members for terms of three (3) years.  
Two (2) members for terms of four (4) years.

Thereafter, each member shall be appointed for a term of four (4) years.

##### **(a) Notice of Applications.**

- (1) Applications for appeal of decisions of the Construction Code Official, and applications for variances shall be filed with the secretary to the Appeal Board. The application for appeal shall be filed on forms provided by the Appeal Board. When presenting the application, the applicant shall provide ten (10) copies of any plans, drawings, surveys, reports or other written documents upon which the applicant relied when seeking a development permit.
- (2) Notice of hearing for a variance pursuant to paragraph 4.4-1(2) of this subsection shall be given to the owners of all real property as shown on the current tax duplicates, located within two hundred (200') feet in all directions of the property which is the subject of such hearing; provided that this requirement shall be deemed satisfied by notice to the (1) condominium association, in the case of any unit owner whose unit has a unit above or below it, or (2) horizontal property regime, in the case of any co-owner whose apartment has an apartment above or below it. Notice shall be given by: (1) serving a copy thereof on the property owner as shown on the said current tax duplicate, or his agent in charge of the property, or (2) mailing a copy thereof by certified mail to the property owner at his address as shown on the said current tax duplicate.

Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within two hundred (200') of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

- (3) Upon the written request of an applicant the Tax Assessor of Ocean City shall, within seven (7) days, make and certify a list from said current tax duplicates of names and addresses of owners to whom the applicant is required to give notice pursuant to paragraph 4.4-1[1](a)(2) of this subsection. The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. A sum not to exceed twenty-five (\$.25) cents per name, or ten (\$10.00) dollars, whichever is greater, may be charged for such list.

- (4) The applicant shall file an affidavit of proof of service with the Appeal Board holding the hearing on a variance.
- (5) Following the receipt of a completed appeal application, the Appeal Board shall meet and consider the applicable within forty-five (45) days.
- (6) Any application for variances from the requirements of this Chapter must first be submitted to and reviewed by the State of New Jersey Department of Environmental Protection, Division of Coastal Resources.

(b) Hearing.

- (1) The Appeal Board shall make the rules governing hearings. Any applications, maps, surveys or other documents filed in connection with an application shall be available for public inspection at least ten (10) days before the date of the hearing, during normal business hours in the office of the Construction Code Official. The applicant may produce other documents, records, or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.
- (2) The officer presiding at the hearing or such person as he may designate shall have power to administer oaths.
- (3) The testimony of all witnesses relating to an application for development shall be taken under oath or affirmation by the presiding officer, and the right of cross-examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented, subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.
- (4) Technical rules of evidence shall not be applicable to the hearing, but the Appeal Board may exclude irrelevant, immaterial or unduly repetitious evidence.
- (5) The Appeal Board shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means. The Appeal Board shall furnish a transcript, or duplicate recording in lieu thereof, on request to any interested party at his expense.
- (6) The Appeal Board shall include findings of fact and conclusions based thereon, in each decision on any appeal or variance request. Said findings and conclusions shall be reduced to writing.
  - a. A memorializing resolution shall be adopted at a meeting held not later than forty-five (45) days after the date of the meeting at which the Appeal Board voted to grant or deny approval. Only members of the Appeal Board who voted for the action taken may vote on the memorializing resolution, and the vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. If the Appeal Board fails to adopt a resolution or memorializing resolution as hereinabove specified, any interested party may apply to the Superior Court in a summary manner for an order compelling the Appeal Board to reduce its findings and conclusions to writing within a stated time.
- (7) A copy of the decision shall be mailed by the Appeal Board within ten (10) days of the date of decision to the applicant or, if represented, then to his attorney, without separate charge, and to all who request a copy of the decision, for a reasonable fee. A copy of the decision shall also be filed by the Appeal Board in the office of the Construction Code Official. The Construction Code Official shall make a copy of such filed decision available to any interested party for a reasonable fee and available for public inspection at his office during reasonable hours.

(c) Scope of Review.

- (1) The scope of review of any appeal taken to the Appeal Board by an applicant shall be those set forth in the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-70. In hearing and deciding such appeals, the Appeal Board shall consider those factors set forth in subsection 4.3-1 of this Chapter.

- [2] The Flood Damage Prevention Appeal Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance; and applications for variances from the requirements of this ordinance.
- [3] Those aggrieved by the decision of the Flood Damage Prevention Appeal Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey by action in lieu of prerogative writ.
- [4] In passing upon such applications, the Flood Damage Prevention Appeal Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
- (i) the danger that materials may be swept onto other lands to the injury of others;
  - (ii) the danger to life and property due to flooding or erosion damage;
  - (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (iv) the importance of the services provided by the proposed facility to the community;
  - (v) the necessity to the facility of a waterfront location, where applicable;
  - (vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (vii) the compatibility of the proposed use with existing and anticipated development;
  - (viii) the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
  - (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- [5] Upon consideration of the factors of SECTION 4.4-1 [4] and the purposes of this ordinance, the Flood Damage Prevention Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- [6] The Construction Code Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

#### **21-4.4-2 CONDITIONS FOR VARIANCES**

- [1] Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in SECTION 4.4-1[4] have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- [2] Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- [3] Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- [4] Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- [5] Variances shall only be issued upon:
- (i) A showing of good and sufficient cause;
  - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
  - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in SECTION 4.4- 1[4], or conflict with existing local laws or ordinances.
- [6] Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## **SECTION 21-5**

### **PROVISIONS FOR FLOOD HAZARD REDUCTION**

#### **21-5.1 GENERAL STANDARDS**

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

##### **21-5.1-1 ANCHORING**

- [1] All new construction to be placed or substantially improved and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- [2] All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

##### **21-5.1-2 CONSTRUCTION MATERIALS AND METHODS**

- [1] All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- [2] All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

##### **21-5.1-3 UTILITIES**

- [1] All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- [2] New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- [3] On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- [4] For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

##### **21-5.1-4 SUBDIVISION PROPOSALS**

- [1] All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- [2] All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- [3] All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- [4] Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

##### **21-5.1-5 ENCLOSURE OPENINGS**

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

#### **21-5.2 SPECIFIC STANDARDS**

In all areas of special flood hazards where base flood elevation data have been provided as set forth in SECTION 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

##### **21-5.2-1 RESIDENTIAL CONSTRUCTION**

- [1] In "A Zones" new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus two feet;

- [2] Require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade two feet above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

#### **21-5.2-2 NONRESIDENTIAL CONSTRUCTION**

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:

Either

- [1] Elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one; and
- [2] Require within any AO zone on the municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- [3] Be floodproofed so that below the base flood level plus one, or advisory base flood elevation plus one foot, (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;
- [4] Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- [5] Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 [2] [ii].

#### **21-5.2-3 MANUFACTURED HOMES**

- [1] Manufactured homes shall be anchored in accordance with SECTION 5.1-1 [2].
- [2] All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or advisory base flood elevation, plus one foot (whichever is more restrictive).

#### **21-5.3 FLOODWAYS**

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- [1] Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- [2] If section 5.3[1] is satisfied, all new construction and substantial improvements must comply with section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- [3] In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

#### **21-5.4 COASTAL HIGH HAZARD AREA**

Coastal high hazard areas (V or VE Zones) are located within the areas of special flood hazard established in SECTION 3.2. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

##### **21-5.4-1 LOCATION OF STRUCTURES**

- [1] All buildings or structures shall be located landward of the reach of the mean high tide.
- [2] The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or manufactured home subdivision.



## **21-5.4-2 CONSTRUCTION METHODS**

### **[1] ELEVATION**

All new construction and substantial improvements shall be elevated on piling or columns so that:

- (i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (NJAC 5:23), whichever is more restrictive, and,
- (ii) with all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in SECTION 5.4-2 [4].

### **[2] STRUCTURAL SUPPORT**

- (i) All new construction and substantial improvements shall be securely anchored on piling or columns.
- (ii) The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- (iii) There shall be no fill used for structural support.

### **[3] CERTIFICATION**

A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of SECTION 5.4-2 [1] and 5.4-2 [2] (i) and (ii).

### **[4] SPACE BELOW THE LOWEST FLOOR**

- (i) Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.
- (ii) Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions.
  - (a) breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,
  - (b) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
- (iii) If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.
- (iv) Prior to construction, plans for any breakaway wall must be submitted to the Building Sub-Code Official for approval.

## **21-5.4-3 SAND DUNES**

It shall be unlawful for any person to alter, damage, destroy, disfigure, or walk upon any sand dune as well as for any person to operate, or permit to be operated upon any sand dune any vehicle or construction equipment, without first obtaining the approval of the Construction Code Official. Where a development permit is approved under this Chapter, the Construction Official shall establish standards under which the applicable, or any of his agents or employees may take any action to alter, damage, destroy, disfigure, or walk upon, or permit any vehicles or construction equipment to be operated upon any sand dune on the subject property or adjoining property. In granting such permission, and establishing such standards the Construction Official shall seek to achieve the purpose and intent of this Chapter, which is not to increase the potential flood damage.

Alternation, removal, cutting or burning of any dune vegetation, sand fence or such other types of dune stabilization devices is prohibited without the prior written approval of the Construction Code Official.

**SECTION 21-6**  
**REPEALER, SEVERABILITY CLAUSE AND EFFECTIVE DATE.**

**21-6.1 REPEALER**

Any and all Ordinances inconsistent herewith are hereby repealed to the extent of their inconsistency.

**21-6.2 SEVERABILITY CLAUSE**

Should any section or portion of this Chapter be declared illegal or unconstitutional by a Court of competent jurisdiction, said section or portion of this Chapter shall be deleted and the remainder of the Chapter shall to the extent possible remain in full force and effect.

**21-6.3 EFFECTIVE DATE**

This Chapter 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 **11th** day of **April, 2013**, and was taken up for a second reading and final passage at a meeting of said Council held on the **25th** day of **April, 2013** at the Free Ocean City Library, Room N101, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre

**ORDINANCE #13-11**

**AN ORDINANCE AMENDING ORDINANCE #87-17, CHAPTER II,  
“ADMINISTRATION” OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY, NEW JERSEY**  
*(Proposed by Councilman Allegretto)*

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

**SECTION 1.**

Section 2-1.20, “Administrative Branch Generally”, of the revised General Ordinances of the City of Ocean City, New Jersey is hereby revised to eliminate the “Ethics Committee” from the list of agencies, advisory boards and commissions included in the Administrative Branch.

**SECTION 2.**

Sections 2-15 is hereby eliminated.

**SECTION 3.**

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

**SECTION 4.**

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

**SECTION 5.**

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

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

\_\_\_\_\_  
Michael 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 **11<sup>th</sup>** day of **April, 2013**, and was taken up for a second reading and final passage at a meeting of said Council held on the **25<sup>th</sup>** day of **April, 2013** at the Free Ocean City Library, Room N101, Ocean City, New Jersey, at 7:00 o'clock in the evening.

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

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

#1

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY  
CONTRACT #13-27, HELICOPTER AIR TOURS BASED FROM  
THE OCEAN CITY MUNICIPAL AIRPORT**

**BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #13-27, Helicopter Air Tours Based from the Ocean City Municipal Airport.

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

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, May 1, 2013 with the bid opening scheduled on Thursday, May 16, 2013 and an anticipated date of award on Thursday, May 25, 2013.

Files: RAU 13-27 Helicopter Air Tours.doc

Offered by ..... Seconded by .....

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

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

.....  
City Clerk



DIVISION OF PUBLIC TRANSPORTATION,  
REVENUE COLLECTION & PARKING REGULATIONS

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

**To:** Joseph S. Clark, QPA, Manager of Purchasing

**From:** William R. Colangelo, Manager of Public Transportation & Revenue Collection

**Re:** City Contracts 13-27 & 13-36 Air Rides/Tours at Ocean City Municipal Airport

**Date:** April 16, 2013

I would appreciate your division's help in preparing specifications and placing them on the earliest possible City Council Meeting Agenda. For the last several years we, at the airport, have had requests or have been asked by the public if we or anyone else offers airplane and/or helicopter rides out of our airport. I have spoken with several pilots that have indicated they would be interested in bidding on this type of service.

The specifications I have given you allow for these services to operate out of our airport, during specified times as indicated in the spec's, thus giving the City a new source of revenue and meeting the public's requests. If you should require any additional information, please do not hesitate to contact me. Your help and consideration in this matter is appreciated.

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#2

TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY  
CONTRACT #13-36, AIRPLANE RIDES BASED FROM THE OCEAN CITY MUNICIPAL AIRPORT

**BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #13-36, Airplane Rides Based from the Ocean City Municipal Airport.

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

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, May 1, 2013 with the bid opening scheduled on Thursday, May 16, 2013 and an anticipated date of award on Thursday, May 25, 2013.

Files: RAU 13-36 Airplane Rides.doc

Offered by ..... Seconded by .....

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

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartnell	_____	_____	_____	_____
McCiellan	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

\_\_\_\_\_  
City Clerk





DIVISION OF PUBLIC TRANSPORTATION,  
REVENUE COLLECTION & PARKING REGULATIONS

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

**To:** Joseph S. Clark, QPA, Manager of Purchasing

**From:** William R. Colangelo, Manager of Public Transportation & Revenue Collection

**Re:** City Contracts 13-27 & 13-36 Air Rides/Tours at Ocean City Municipal Airport

**Date:** April 16, 2013

I would appreciate your division's help in preparing specifications and placing them on the earliest possible City Council Meeting Agenda. For the last several years we, at the airport, have had requests or have been asked by the public if we or anyone else offers airplane and/or helicopter rides out of our airport. I have spoken with several pilots that have indicated they would be interested in bidding on this type of service.

The specifications I have given you allow for these services to operate out of our airport, during specified times as indicated in the spec's, thus giving the City a new source of revenue and meeting the public's requests. If you should require any additional information, please do not hesitate to contact me. Your help and consideration in this matter is appreciated.



CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#3

TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY  
CONTRACT #13-49, BOARDWALK RECONSTRUCTION - 5<sup>th</sup> STREET to 6<sup>th</sup> STREET

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #13-49, Boardwalk Reconstruction - 5<sup>th</sup> Street to 6<sup>th</sup> Street.

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

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, May 1, 2013 with the bid opening scheduled on Thursday, May 30, 2013 and an anticipated date of award on Thursday, June 13, 2013.

Files: RAU 13-49 Boardwalk Reconstruction 5<sup>th</sup> Street to 6<sup>th</sup> Street.doc

Offered by ..... Seconded by .....

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

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

.....  
City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

## Memo

**To:** Michael Dattilo  
**From:** Arthur J. Chew, PE, PP   
**CC:** Joseph Clark, Georgia Arnold  
**Date:** April 19, 2013  
**Re:** Authorization to Bid 13-49 – Boardwalk Reconstruction – 5<sup>th</sup> Street to 6<sup>th</sup> Street

This project consists of the removal of the existing boardwalk (southern yellow pine deck with concrete substructure) from 5<sup>th</sup> Street to 6<sup>th</sup> Street as well as the existing boardwalk ramp (wood deck and pilings) at 5<sup>th</sup> Street and 2 sets of stairs. This project also consists of reconstructing the boardwalk with wood pilings and utilizing previously purchased southern yellow pine for the decking. In addition, the 5<sup>th</sup> Street boardwalk ramp will be reconstructed to allow for vehicle access as well as an ADA ramp to the beach at 5<sup>th</sup> Street and 2 sets of stairs. The removal and reinstallation of boardwalk appurtenances (benches, trash cans, aluminum railings, lights and wiring) will be completed by the City or under a separate contract.

The base bid for the contract will consist of the first 360 linear feet of boardwalk from 5<sup>th</sup> Street moving south to 6<sup>th</sup> Street. Alternate bids for up to 4 additional 60 foot sections of boardwalk shall be included so to guarantee that the project stays within budget and at least a portion of the boardwalk is replaced.

AJC

N:\Planning and Engineering\Engineering\1-Boardwalk\1-13-049 Boardwalk Reconstruction 5th Street to 6th Street\Letters\13-49 memo to authorize 13-04-19.doc

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

#4

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY CONTRACT #13-50,  
BOARDWALK RECONSTRUCTION - 5<sup>th</sup> STREET to 6<sup>th</sup> STREET,  
ELECTRICAL REMOVAL AND REINSTALL**

**BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #13-50, Boardwalk Reconstruction - 5<sup>th</sup> Street to 6<sup>th</sup> Street, Electrical Removal and Reinstall.

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

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, May 1, 2013 with the bid opening scheduled on Thursday, May 30, 2013 and an anticipated date of award on Thursday, June 13, 2013.

Files: RAU 13-50 Boardwalk Reconstruction 5<sup>th</sup> Street to 6<sup>th</sup> Street – Electrical.doc

Offered by ..... Seconded by .....

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

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

\_\_\_\_\_  
City Clerk




# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

## Memo

**To:** Michael Dattilo  
**From:** Arthur J. Chew, PE, PP   
**CC:** Joseph Clark, Georgia Arnold  
**Date:** April 19, 2013  
**Re:** Authorization to Bid 13-50 -- Boardwalk Reconstruction -- 5<sup>th</sup> Street to 6<sup>th</sup> Street --  
Electrical Removal and Reinstall

This project consists of the removal and reinstallation of the existing decorative lighting on the boardwalk from 5<sup>th</sup> Street to 6<sup>th</sup> Street. The existing boardwalk (southern yellow pine deck with concrete substructure) from 5<sup>th</sup> Street to 6<sup>th</sup> Street is planned to be demolished and reconstructed during the 2013-14 offseason. The contractor shall remove the lighting starting on the Tuesday after Labor Day with all work complete by Friday October 11, 2013. The contractor will start reinstalling the lighting on April 14, 2014 and this work will be completed by May 16, 2014.

Project limits will follow boardwalk reconstruction limits.

AJC

N:\Planning and Engineering\Engineering\1-Boardwalk\1-13-049 Boardwalk Reconstruction 5th Street to 6th Street\Letters\13-50 memo to authorize 13-04-19.doc



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

**RESOLUTION**

#5

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT  
FOR CITY RFP #Q-13-02, COMMERCIAL APPRAISER SERVICES  
FOR THE CITY OF OCEAN CITY**

**WHEREAS**, the City of Ocean City requires certain professional services to implement current appraisals of residential, commercial & condemnation properties that are pending New Jersey Tax Court appeals; and

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

**WHEREAS**, the Request for Proposal, (RFP'S) were posted on the City's website, [www.ocnj.us](http://www.ocnj.us) and the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, February 27, 2013 and distributed to four (4) prospective bidders; and

**WHEREAS**, the Request for Proposals (RFP's) was received & opened for City RFP #Q-13-002, Commercial Appraisal Services for the City of Ocean City on Tuesday, March 19, 2013 and three (3) proposals were received per the attached Summary of Quotes and the Evaluation Summary; and

**WHEREAS**, based on the review and evaluations conducted in accordance with New Jersey State Local Public Contract Law by Frank Donato III, Director of Financial Management; Joseph Elliot, CTA, Manager of the Division of Tax Assessment, Michael Brady, CTA, Deputy Tax Assessor; Dorothy F. McCrosson, Esq., City Solicitor and Joseph S. Clark, QPA, City Purchasing Manager of the received proposals for City RFP #Q-13-002, Commercial Appraisal Services for the City of Ocean City it was determined that a contract be awarded to **J.P. Bainbridge & Associates, Inc., 6 Woodland Road, Cape May Court House, NJ 08211**; and

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

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey, that a Professional Service Contract for Commercial Appraisal Services for the City of Ocean City be and is hereby awarded to the following lowest responsible bidder:

<b>J.P. Bainbridge &amp; Associates, Inc.</b> <b>6 Woodland Road</b> <b>Cape May Court House, NJ 08210</b>
--

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Unit Cost</u>
-------------	--------------------	-------------	------------------

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

- |    |   |            |             |
|----|---|------------|-------------|
| 1. | Hourly Charge for Appraisal Consulting Services Rendered  | Per Hour   | \$ 145.00   |
| 2. | Hourly Charge for Appraisal Services Rendered   | Per Hour   | \$ 145.00   |
| 3. | Hourly Charge for each Court Appearance   | Per Hour   | \$ 145.00   |
| 4. | Charge for a Commercial Self-Contained Appraisal Report   | Per Report | \$ 4,500.00 |
| 5. | Charge of a Residential Self-Contained Appraisal Report   | Per Report | \$ 1,500.00 |
| 6. | 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 |            |             |
| 7. | A copy of the Business Entity Certification, the Determination of Value and Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.  |            |             |

**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 professional service contract with J.P. Bainbridge & Associates, Inc., 6 Woodland Road, Cape May Court House, NJ 08210 for City RFP # Q-13-002, Commercial Appraisal Services for the City of Ocean City as listed and in accordance with the bid specifications and the proposal form; and

The Director of Financial Management certifies that funds are contingent upon the adoption of the 2013 & 2014 Local Municipal Budgets and shall be charged to the appropriate accounts upon issuance of the 2013 & 2014 purchase orders.

**CERTIFICATION OF FUNDS**

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

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

FILES: RPS Q13-002 Commercial Appraisal Services.doc

Offered by ..... Seconded by .....

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

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

\_\_\_\_\_  
City Clerk



THE CITY OF OCEAN CITY  
TAX ASSESSMENT OFFICE  
861 Asbury Avenue  
City Hall, Room 107  
Ocean City, NJ 08226  
609-525-9374(Phone)  
609-391-0650(Fax)

To: Joseph Clark, QPA, Purchasing Agent

From: Joseph Elliott, Tax Assessor

Date: April 16, 2013

Subject: J. Paul Bainbridge and Associates, Inc. General Real Estate Appraiser

---

I am recommending that J. Paul Bainbridge and Associates, Inc. continue as the appraiser for the Ocean City Assessor's office for year 2013 forward. As you know, J. Paul Bainbridge and Associates, Inc. was the successful bidder on RFP Q-13-002 for Commercial Appraiser Services for the City of Ocean City, NJ received March 19, 2013.

Mr. Bainbridge did an admirable job in attending settlement conferences and producing an appraisal report for the Tax Court appeals (multiple years) on the Port-O-Call hotel property. The efforts of Mr. Bainbridge assisted the Ocean City assessor's office in successfully settling these appeals for all years. Ocean City still has several tax court appeals pending before the NJ tax court on high value commercial properties (several are boardwalk commercials.) We will need the services of Mr. Bainbridge on many, if not all, of these appeals.

If you have any questions, or if you need further information, do not hesitate to contact me.

C. Frank Donato, Director of Financial Management  
Darlene Korup, Purchasing Division



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

PURCHASING DIVISION  
SUMMARY OF RFP

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

DATE RECEIVED: Tuesday, March 19, 2013 @ 2:00 PM, EDT  
CITY QUOTE #: Q-13-002  
PROPOSAL NAME: Commercial Appraiser Services for the  
City of Ocean City

NAME, ADDRESS &  
BIO OF EACH BIDDER

Integra Realty Resources-Coastal NJ  
1415 Hooper Avenue, Suite 202  
Toms River, NJ 08753

Anthony S. Graziano, MAI, CRE, FRICS,  
Executive Director

Ph: (732) 244-7000  
Fx: (732) 505-9498  
email: agraziano@irr.com

J. P. Bainbridge & Associates, Inc.  
6 Woodland Road  
Cape May Court House, NJ 08210

J. Paul Bainbridge, President

Ph: (609) 465-9978  
Fx: (609) 465-9969  
email: jpbain@comcast.net

Sockler Realty Services Group, Inc.  
299 Ward Street, Suite C  
Hightstown, NJ 08520

Peter Sockler, Principal

Ph: (609) 918-1000  
Fx: (609) 918-1006  
email: pete@sragl.com

ITEM	DESCRIPTION	QTY	BASE PROPOSED RATES	BASE PROPOSED RATES	BASE PROPOSED RATES	BASE PROPOSED RATES
1	Hourly Charge for Appraisal Consulting Services Rendered	per hr.	\$ 195.00	\$ 145.00	\$ 125.00	\$
2	Hourly Charge for Appraisal Services Rendered	per hr.	\$ 195.00	\$ 145.00	\$ 125.00	\$
3	Hourly Charge for each Court Appearance	per hr.	\$ 195.00	\$ 145.00	\$ 125.00	\$
4	Charge for a Commercial Self-Contained Appraisal Report	per report	not quoted	\$ 4,500.00	\$1,500.00 to \$10,000.00	\$
5	Charge of a Residential Self-Contained Appraisal Report	per report	not quoted	\$ 1,500.00	\$500.00 to \$3,500.00	\$
			hourly rate based on the highest paid professional quoted			

## Required Information

RIGHT TO EXTEND:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NON-COLLUSION AFFIDAVIT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
AFFIRMATIVE ACTION REGULATIONS NOTICE TO BIDDERS:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDER:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NEW JERSEY BUSINESS REGISTRATION CERTIFICATE (BRC):	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NUMBER OF COPIES (4)		Y		Y		Y	



PURCHASING DIVISION

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Tuesday, March 19, 2013 @ 2:00 PM, EDT

CITY RFP# Q-13-002

PROPOSAL NAME: Commercial Appraiser Services for the City of Ocean City

## EVALUATION WORKSHEET SUMMARY

KEY	Overall Maximum Points		Integra Realty Resources-Coastal NJ 1415 Hooper Avenue, Suite 202 Toms River, NJ 08753				J. P. Bainbridge & Associates, Inc. 6 Woodland Road Cape May Court House, NJ 08210				Sackler Realty Services Group, Inc. 299 Ward Street, Suite C Hightstown, NJ 08520																				
			Anthony S. Graziano, MAI, CRE, FRICS, Executive Director				J. Paul Bainbridge, President				Peter Sockler, Principal																				
			Ph: (732) 244-7000 Fx: (732) 505-9498 email: agraziano@irr.com				Ph: (609) 465-9978 Fx: (609) 465-9969 email: jpbain@comcast.net				Ph: (609) 918-1000 Fx: (609) 918-1006 email: pete@srsqi.com																				
			EVALUATION CRITERIA				Max Points				1				2				3				4								
			1				2				3				4				1				2				3				4
1	Understanding the Requested Work		15	8	12	12	12	12	12	14	12	13	10	12	12	12															
2	Knowledge & Technical Competence		15	12	13	13	13	13	12	13	13	12	12	11	11	11															
3	Ability to Complete the Project in a Timely Manner		12	10	10	8	10	10	9	10	8	9	6	6	8	6															
4	Management, Experience & Personnel Qualifications		42	33	30	25	29	29	35	37	31	34	23	24	20	23															
5	Costs/Fees		16	6	9	13	8	8	14	14	16	15	8	11	10	11															
TOTAL POINTS PER EVALUATOR			100	69	74	71	72	72	82	88	80	83	59	64	61	63															
TOTAL OVERALL POINTS			400	286				333				247																			



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

**RESOLUTION**

#6

**AUTHORIZING A 2013 SUMMER SEASON LEASE AGREEMENT BETWEEN  
THE CITY OF OCEAN CITY & THE FLAGSHIP CONDOMINIUM ASSOCIATION  
FOR THE USE OF A PARKING OFFICE FACILITY & A RIGHT OF WAY TO CONNECT THE  
ADJACENT MUNICIPAL PARKING LOTS**

**WHEREAS**, the City of Ocean City currently operates six (6) surface parking lots throughout the City of Ocean City; and

**WHEREAS**, two (2) of the parking lots are situated between the Flagship Condominium located at 831 Atlantic Avenue, Ocean City, NJ 08226; and

**WHEREAS**, the Division of Revenue Collection and Parking Regulations has determined the need to have an office/bathroom facility as well as a walk through right-of-way between the two (2) municipal owned lots bordering Atlantic Avenue; and

**WHEREAS**, the Flagship Condominium Association and the Division of Revenue Collection and Parking Regulations through the direction of Frank Donato, III, Director of Financial Management have agreed that for the utilization of the 15' x 15' office area with a 5' x 6' bathroom facility and the right-a-way over the existing parking lot located on the East side of the building, which shall allow for the connection the two adjacent (2) municipally owned parking lots. The Flagship Condominium Association is hereby permitted to utilize six (6) "reserved" parking spaces in the Atlantic Avenue Lot (Commonly known as Charlie Lot) for the summer season of 2013; and

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and the City Purchasing Manager are authorized to execute a lease agreement for the 2013 summer season (April 1, 2013 – October 12, 2013) with the Flagship Condominium Association as outlined above and indicated in the attached contractual agreement.

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

File: RLA 2013 Flagship Condo Assoc Lease Agreement.doc

Offered by ..... Seconded by .....

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

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

.....  
City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DIVISIONS OF  
REVENUE COLLECTION & PARKING REGULATIONS

---

To: Joseph S. Clark, QPA – Manager of Purchasing

From: William R. Colangelo, Manager of Public Transportation &  
Revenue Collection

Re: Flagship Condominium Lease Agreement

Date: April 8, 2013

I would appreciate your division's assistance in preparing and getting a resolution on the earliest City Council agenda for the Lease Agreement of Office Space and Right-Of-Way located at the Flagship Condominium at 831 Atlantic Avenue in Ocean City.

This is an annual agreement we have had with the Flagship Condominium Association for the last ten years. The office space is used by the parking lot operations people for the day to day operation during the summer months.



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

**RESOLUTION**

#7

**AUTHORIZING THE CITY'S PARTICIPATION IN STATE CONTRACT #T-2100, VEHICLES, TRUCKS,  
CLASS 2, PICKUP/UTILITY, WITH SNOW PLOW OPTION FOR THE PURCHASE OF  
ONE (1) 2013 OR NEWER FORD SUPER DUTY F-250 SUPERCAB 4WD PICKUP TRUCK  
WITH SNOW PLOW TO BE USED BY THE DEPARTMENT OF PUBLIC WORKS**

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

**WHEREAS**, the New Jersey Cooperative Purchasing Program has acted as lead agency and awarded a contract for Vehicles, Trucks, Class 2, Pickup/Utility with Snow Plow Option (T-2100); and

**WHEREAS**, the one (1) 2013 or newer extended cab 4WD pickup truck is a replacement for one (1) 2010 extended cab pickup truck with a snow plow issued to the Grounds Division's that was damaged during Hurricane Sandy use ; and

**WHEREAS**, Michael Roszbach, Director of Public Works; James Toto, Public Works Repairer; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the contract for State Contract Index #T-2100, Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option with the State Contract Vendor, DFFLM, LLC, State Contract Vendor #83577; and

**WHEREAS**, it is recommended that the City Council approve the purchase of one (1), model year 2013 or newer, Ford Super Duty F-250 SRW, X2B, 4WD, SuperCab 158" XL Truck with Snow Plow for the Department of Public Works, Grounds Division for daily work operations from the State Contract Vendor, DFFLM, LLC; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that one (1), model year 2013 or newer, Ford Super Duty F-250 SRW, X2B, 4WD, SuperCab 158" XL Truck with Snow Plow for use by the Department of Public Works, Grounds Division for daily work operations be purchased from DFFLM, LLC, State Contract Vendor #83577 as follows:

**DFFLM, LLC  
215 Route 202 & 31  
Flemington, NJ 08822**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1.	Model Year 2013 or newer, Ford Super Duty SRW X2B 4WD SuperCab 158" XL Truck Manufacture's Code X2B Included Options: 425 50 State Admission 44P Torqshift 6-speed Automatic Transmission w/Tow/Haul Mode 600A XL Series Order Code 996 6.2L SOHC 16-Valve EFI NA V8 Flex Fuel Engine AS Interior Color: Steel HD Vinyl 40/20/40 Split Bench Front Seat TBK (5) LT245/75R17E All Seasons BSW Tires X37 3.73 Axle Ratio Z1 Exterior Color: Oxford White	1 Each	\$ 22,386.00	\$ 22,386.00

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

**DFFLM, LLC (Continued)**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
2.	Additional Options:			
	90L Power Equipment Group	1 Each	\$ 769.70	\$ 769.70
	X3E 3.73 Axle Ratio w/Electronic			
	Locking Rear Axle	1 Each	\$ 335.40	\$ 335.40
	213 Electronic Shift on the Fly			
	Transfer Case	1 Each	\$ 159.10	\$ 159.10
	52B Trailer Brake Controller	1 Each	\$ 197.80	\$ 197.80
	76C Exterior Backup Alarm	1 Each	\$ 107.50	\$ 107.50
	18B 6" Angular Molded Black Step Bars	1 Each	\$ 318.20	\$ 318.20
	Class III Towing Hitch	1 Each	\$ 0.00	\$ 0.00
	Towing Wiring Harness	1 Each	\$ 0.00	\$ 0.00
	Boss 8' Super Duty Snow			
	Plow Including Manufacture's			
	Snow Plow Preparation Package			
	(473) Installer Creston Hydraulics	1 Each	\$ 3,350.00	\$ 3,350.00

**Total Amount of State Contract #T-2100; Vehicles, Trucks, Class 2, Pickup/Utility**  
**with Snow Plow Option ..... \$ 27,623.70**

**BE IT FURTHER RESOLVED** by the City Council of Ocean City, New Jersey that the purchase of one (1), 2013 or newer Ford Super Duty F-250 SRW, X2B, 4WD, SuperCab 158" XL Truck with Snow Plow for use by the Department of Public Works, Grounds Division for daily work operations, be purchased from DFFLM, LLC, 215 Route 202 & 31, Flemington, NJ 08822, State Contract Vendor #83577 in the amount of \$27,623.70 and that the City Purchasing Manager is authorized to issue a purchase order for said vehicle as stated above and in accordance with the terms of the State Contract for Vehicles, Trucks, Class 2, Pickup/Utility with Snow Plow Option, State Contract Index #T-2100.

The Director of Financial Management certifies that funds are available will be charged to the appropriate Accounts once the Purchase Order is issued.

**CERTIFICATION OF FUNDS**

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

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

Files: RSC PW w-Snow Plow Ford Super Duty Extended Cab Pickup Truck.doc

Offered by ..... Seconded by .....

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

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

.....  
City Clerk





# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF PUBLIC WORKS

## Memo

**To:** Joseph Clark, Ocean City Purchasing Agent

**From:** Michael Rossbach, Director of Public Works

**Subject:** Class Two Four Wheel Drive Extended Cab Pickup with Snow Plow

**Date:** April 9, 2013

Public Works is requesting the support and approval of the purchase of a 2013 four wheel drive extended cab pickup truck with a snow plow to replace a vehicle that was lost during the Ocean City Public Works response to Super Storm Sandy. The vehicle to be replaced is a 2010 extended cab pickup with a snow plow used by the Public Works Grounds Division. If supported the replacement vehicle will be purchased through the State Contract Cooperative Purchasing process.

The truck was deemed to be a total loss after it drove through water deep enough to get into the cab. Although the truck ran, salt water got into the wiring harness. This generated a safety concern for the insurance adjuster as there was a good possibility of the air bag deploying unexpectedly. The truck was immediately taken off line and ultimately the insurance company claimed the vehicle a total loss.

The replacement of this truck is vital to the Public Works Grounds fleet as it is used almost daily to maintain city wide grounds and athletic infrastructure. During the warmer months this extended cab vehicle is used to transport the larger seasonal crews needs to maintain the Ocean City look our residents, homeowners and visitors have come to expect. This truck is also a vital part of our storm response especially when it snows to keep our public walkways and parking lots open for safe use. Furthermore, the city just accepted the maintenance of the expanded Route 52 Visitors Center along with the rest of the public fishing area and bridge walkway. The expanded maintenance needs will require keeping the fleet at previous levels.

The replacement of this vehicle can be accomplished within the adjusted claim amount as long as it is purchased through the State Contract Cooperative Purchasing process. The vehicle will be replaced "in kind" with the exception that it will be a Ford instead of a GM product, as that brand of vehicle is currently available for "Class Two" pickup purchases. After the replacement truck arrives it will be up fitted to receive one of the "Vee-Box" salt spreaders already part of the Public Works fleet. If you have any questions or need more information to support this purchase, don't hesitate to contact me.

cc File

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#8

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 April 6, 2013 to April 19, 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 - 04.06.13 TO 04.19.13.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	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
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
11-01021	04/28/11	ADAMSREH	ADAMS, REHMAN, & HEGGAN ASSOC, IN	RES 11-47-309-UNDERGROUND TANK	Open	8,557.50	0.00 B
12-00068	01/18/12	BECHTENG	BECHT ENGINEERING BT, INC.	Q11-020; RES. 12-48-170	Open	2,392.50	0.00
12-00312	02/02/12	SOUTHSTA	SOUTH STATE, INC.		Open	685.30	0.00 B
12-01043	04/18/12	CZAR	LAMONT H. CZAR, P.E.	RES. 12-48-244; PECKS BEACH	Open	1,250.00	0.00 B
12-01198	05/04/12	HYDROMAR	HYDRO-MARINE CONST. CO., INC.	CC 12-18 R-1; RES.12-48-282	Open	160,524.00	0.00
12-01788	07/11/12	ARS	AMBULANCE REIMBURSEMENT SYSTEM	RESOLUTION 11-48-001	Open	1,075.43	0.00 B
12-02125	08/21/12	ACTIO	ACTION SUPPLY, INC.		Open	774.90	0.00 B
12-02136	08/21/12	GAUDE	GAUDELLI BROTHERS, INC.	12-44;12-48-367; MP HVAC	Open	189,850.00	0.00 B
12-03004	11/26/12	AMERIC	AMERICAN CONTINENTAL INS CO	EMS REFUND REQUEST	Open	87.29	0.00
12-03005	11/26/12	OVESD	DANIEL OVES	EMS REFUND REQUEST	Open	8.18	0.00
12-03179	12/19/12	KELLYS	SOPHIE KELLY		Open	25.50	0.00
13-00007	01/09/13	SALES	SALES & USE TAX	2013 SALES TAX	Open	5.01	0.00
13-00008	01/09/13	SONJ8695	STATE OF NEW JERSEY	2013 AIRPORT FUEL TAX	Open	19.63	0.00
13-00013	01/11/13	SPD ELEC	SPD ELECTRIC	EMERGENT-STORM SANDY-PECKS BH	Open	6,000.00	0.00 B
13-00014	01/11/13	BROAL	BROADLEY'S MECHANICAL	EMERGENT-STORM SANDY-PECKS BH	Open	15,980.00	0.00 B
13-00033	01/18/13	HESSCORP	HESS CORPORATION	SJPC Contract A-28	Open	13,666.62	0.00 B
13-00035	01/18/13	AC ELECT	ATLANTIC CITY ELECTRIC	2013 CITYWIDE ELECTRIC	Open	48,690.72	0.00 B
13-00037	01/18/13	VERIZONL	VERIZON ONLINE		Open	404.98	0.00 B
13-00039	01/18/13	ATT3	AT & T		Open	31.85	0.00 B
13-00040	01/18/13	VERIW	VERIZON WIRELESS	2013 WIRELESS	Open	1,678.65	0.00 B
13-00041	01/18/13	VERIZ	VERIZON	2013 CITYWIDE TELEPHONE	Open	5,239.37	0.00 B
13-00045	01/18/13	LUZON	LUZON, INC.	CC 12-64; RES. 12-49-095	Open	105,122.64	0.00 B
13-00093	01/18/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT #1973186-3378709	Open	11.95	0.00
13-00101	01/18/13	HALOBRAN	HALO BRANDED SOLUTIONS, INC.		Open	1,216.34	0.00
13-00140	01/28/13	BATTISTI	BATTISTINI CONSULTING SERVICES	PROFESSIONAL SERVICES FOR 2013	Open	3,072.00	0.00
13-00141	01/28/13	KARABASH	KARABASHIAN EDDINGTON PLANNING	PROFESSIONAL SERVICES 2013	Open	2,001.25	0.00
13-00142	01/28/13	GRITH	GRIFFITH & CARLUCCI, ESQUIRES	PROFESSIONAL SERVICES FOR 2013	Open	2,880.00	0.00
13-00143	01/28/13	KARABASH	KARABASHIAN EDDINGTON PLANNING	RESOLUTION #12-48-352	Open	4,393.75	0.00
13-00144	01/28/13	MASER	MASER CONSULTING PA	PROFESSIONAL SERVICES FOR 2013	Open	2,642.50	0.00
13-00147	01/28/13	STETS	B. W. STETSON & CO.	2013 COFFEE SUPPLIES	Open	38.00	0.00 B
13-00157	01/28/13	TIX COM	TIX, INC.		Open	77.75	0.00 B
13-00175	01/28/13	TEIT	TEITLER & TEITLER, LLC	CONFLICT PUBLIC DEFENDER	Open	300.00	0.00 B
13-00179	01/28/13	SAM 1	SAM'S CLUB/GEMB	2013 CHARGES FOR SAMS CLUB	Open	88.72	0.00
13-00193	01/28/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT #1973300-333378729	Open	4.78	0.00
13-00201	01/31/13	INFRASTU	INFRASTRUCTURE, LLC	CC 12-47; RES. 13-49-113	Open	40,431.86	0.00
13-00203	01/31/13	JERSE	JERSEY CAPE DIAGNOSTIC CENTER	PER RESOLUTION #12-49-062	Open	2,269.80	0.00 B
13-00204	01/31/13	CAPRC	CAPRI CONSTRUCTION CO., INC.	CC12-68R-1, RES. 13-49-114	Open	56,730.00	0.00
13-00220	02/07/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT# 1974633-3378444	Open	34.39	0.00
13-00222	02/07/13	DAVEADAM	DAVE ADAMS ROOFING & SOLAR CORP		Open	2,875.00	0.00
13-00229	02/07/13	CMCTR	CAPE MAY COUNTY TREASURER	2013 COUNTY TAXES	Open	5,832,306.14	0.00
13-00231	02/07/13	ACUA	ATLANTIC COUNTY UTILITY AUTHORITY		Open	621.68	0.00 B
13-00243	02/07/13	OCFRE	OCEAN CITY FREE PUBLIC LIBRARY	2013 LEVY PAYMENT SCHEDULE	Open	969,725.25	0.00
13-00244	02/09/13	SCHID	SCHINDLER ELEVATOR CORPORATION		Open	658.17	0.00 B
13-00246	02/09/13	CAPITALF	CAPITAL FOREST PRODUCTS	RES. 12-49-001	Open	21,285.00	0.00
13-00261	02/09/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT #19747563378700	Open	43.65	0.00
13-00265	02/09/13	STETS	B. W. STETSON & CO.		Open	111.00	0.00 B
13-00269	02/09/13	GANN	GANN LAW BOOKS, INC.	SUBSCRIPTION RENEWAL 2013	Open	305.00	0.00
13-00285	02/20/13	THOMASMI	THOMAS G. SMITH, ESQ.	RES# 09-46-244 TAX APPEALS	Open	903.96	0.00 B
13-00286	02/20/13	VERIZ	VERIZON	609 399-0505 374 64Y	Open	103.04	0.00 B
13-00288	02/20/13	S S	S & S WORLDWIDE, INC. D/B/A		Open	255.35	0.00



PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
13-00291	02/20/13	AETNA	AETNA GROUP INSURANCE	Open	1,412.25	0.00	B	
13-00294	02/20/13	STARTRAC	STARTRAC BY UNISEN	Open	735.78	0.00		
13-00301	02/20/13	ACTIO	ACTION SUPPLY, INC.	Open	50.00	0.00	B	
13-00336	02/22/13	NAUTILUS	NAUTILUS SOLAR ENERGY	MONTHLY PPA CHARGES--SOLAR#2	Open	691.48	0.00	B
13-00337	02/22/13	OCONELLC	NAUTILUS SOLAR ENERGY -	MONTHLY PPA CHARGES -- SOLAR#1	Open	610.57	0.00	B
13-00351	02/28/13	VERIZ3	VERIZON SELECT SERVICES, INC.	Open	25.39	0.00	B	
13-00352	02/28/13	WISERLIN	WISER LINK ADVERTISING, INC	Open	1,732.50	0.00	B	
13-00382	02/28/13	BATTISTI	BATTISTINI CONSULTING SERVICES	PROFESSIONAL SERVICES	Open	1,425.00	0.00	
13-00466	03/01/13	STINE	STINEMAN RIBBON & TROPHY CO.	Open	1,223.85	0.00		
13-00477	03/01/13	ARM	ACCOUNTS RECEIVABLE MANAGE-	PROFESSIONAL SERVICES CONTRACT	Open	196.55	0.00	B
13-00479	03/01/13	OCFAM	OCEAN CITY FAMILY PRACTICE, PA	Open	1,100.00	0.00	B	
13-00506	03/08/13	WEBPAGE	WEBPAGEFX, INC	TC 13-09	Open	7,500.00	0.00	B
13-00513	03/08/13	MCCROSS	MCCROSSON AND STANTON P.C.	RES# 12-48-289	Open	209.23	0.00	B
13-00515	03/08/13	DUNNC	DR. E. CHARLES DUNN, JR, MD	Open	275.00	0.00	B	
13-00523	03/11/13	VERIZ	VERIZON	Open	257.86	0.00	B	
13-00526	03/11/13	CRYSTAL	CRYSTAL SPRINGS	ACCOUNT# 19736483378406	Open	86.59	0.00	
13-00532	03/11/13	FILE	FILE ANNEX, INC.	Records Storage	Open	214.97	0.00	B
13-00537	03/11/13	LINESYST	LINE SYSTEMS INC.	RESOLUTION 13-49-156	Open	10,022.52	0.00	B
13-00542	03/11/13	DAVEADAM	DAVE ADAMS ROOFING &SOLAR CORP	Open	8,670.00	0.00		
13-00548	03/14/13	CUMMA	CUMMINS-ALLISON CORPORATION	Open	6,974.00	0.00		
13-00580	03/18/13	WALTE	WALTERS MARINE CONSTRUCTION,IN	CC 13-37; RES. 13-49-173	Open	43,365.00	0.00	B
13-00583	03/18/13	WALTE	WALTERS MARINE CONSTRUCTION,IN	CC 12-48; RES. 13-49-169	Open	71,148.00	0.00	B
13-00584	03/18/13	WALTE	WALTERS MARINE CONSTRUCTION,IN	CC 12-48; RES. 13-49-169	Open	84,749.67	0.00	
13-00602	03/20/13	ALBRE	ALBRECHT AND HEUN INC.	SC# 80191	Open	7,550.76	0.00	
13-00603	03/20/13	SEA BOX	SEA BOX INC.	Open	9,920.00	0.00		
13-00620	03/21/13	GIBBE	ERIN GIBBS	Open	227.00	0.00		
13-00624	03/21/13	DELVAL	DEL VAL PRINT SOLUTIONS	STREET OPENING PERMIT APPS	Open	177.00	0.00	
13-00635	03/22/13	HORIZOND	HORIZON BS/BC DENTAL PROGRAM	Open	1,719.30	0.00	B	
13-00638	03/22/13	ROLLINS	GINA ROLLINS	Open	57.50	0.00		
13-00665	04/01/13	SERVICE	SERVICE TIRE TRUCK CENTER, INC	Open	2,800.00	0.00		
13-00670	04/01/13	SPITALNI	DAVID A SPITALNICK	CONFLICT PROSECUTOR	Open	350.00	0.00	
13-00680	04/01/13	OCCHA	O.C. REGIONAL CHAMBER OF	Open	30,000.00	0.00		
13-00685	04/01/13	ERCO	ERCO CEILINGS OF SOMERS POINT	Open	1,527.00	0.00		
13-00693	04/01/13	BSN	BSN SPORTS, INC	Open	3,223.76	0.00		
13-00803	04/03/13	NATIONAL	NATIONAL VISION ADMIN, LLC	Open	269.18	0.00	B	
13-00806	04/03/13	PERRY	PERRY-EGAN CHEVROLET, INC.	Open	1,279.17	0.00		
13-00813	04/03/13	FRALING	FRALINGER ENGINEERING PA	Open	2,786.25	0.00	B	
13-00816	04/03/13	CONCO	CONCORDE, INC.	Open	258.20	0.00	B	
13-00824	04/04/13	BRITTONA	ALBERT & DEBORAH BRITTON	ESCROW REFUND	Open	425.00	0.00	
13-00825	04/04/13	SIMONEK	KIMBERLY SIMONE	ESCROW REFUND	Open	425.00	0.00	
13-00835	04/08/13	BINISB	BARBARA BINIS	ESCROW REFUND	Open	425.00	0.00	
13-00839	04/09/13	SZAFERMA	SZAFERMAN, LAKIND, BLUMSTEIN &	SCHILLING ESTATE	Open	5,584.61	0.00	B
13-00842	04/09/13	COOC	CITY OF OCEAN CITY	Open	25,000.00	0.00		
13-00843	04/09/13	ADAMSOUT	ADAMS OUTDOOR ADVERTISING	Open	5,400.00	0.00		
13-00847	04/09/13	PRESS	THE PRESS	PLANNING BD MEETING NOTICE	Open	37.40	0.00	
13-00848	04/09/13	SJGLA	SOUTH JERSEY GLASS & DOOR CO	Open	338.31	0.00		
13-00849	04/09/13	SJGLA	SOUTH JERSEY GLASS & DOOR CO	Open	152.52	0.00		
13-00850	04/09/13	MATHIS	MATHIS CONSTRUCTION CO., INC.	CC 12-41; RES. 12-48-285	Open	696,681.32	0.00	
13-00851	04/09/13	MATHIS	MATHIS CONSTRUCTION CO., INC.	CC 12-41; RES. 12-48-285	Open	24,749.76	0.00	
13-00853	04/09/13	CZAR	LAMONT H. CZAR, P.E.	RES. 13-49-138; CH RENOVATIONS	Open	13,360.00	0.00	
13-00856	04/09/13	SOUTS	SOUTHERN SHORE REGION TOURISM	Open	50.00	0.00		
13-00857	04/09/13	KRAVI	DBK PHOTO	Open	258.00	0.00		
13-00862	04/09/13	ECP	E.C.P. BUSINESS MACHINES	Open	399.99	0.00		
13-00865	04/10/13	HQ INVES	HQ INVESTMENTS	ESCROW REFUND	Open	400.00	0.00	

April 22, 2013  
02:40 PM

CITY OF OCEAN CITY  
Bill List By P.O. Number

Page No: 3

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
13-00866	04/11/13	CODY	CODY COMPUTERS SERVICE, INC	Exempt: NJSA 40A 11-5(1)dd	Open	16,057.50	0.00	
13-00870	04/11/13	SCIARA	LOU SCIARA	Open	815.00	0.00		
13-00871	04/11/13	COLES	ED COLES	Open	650.00	0.00		
13-00872	04/11/13	HARTMAN	MICHAEL J. HARTMAN	Open	400.00	0.00		
13-00874	04/11/13	PRESS	THE PRESS	Open	11.40	0.00		
13-00876	04/11/13	CZAR	LAMONT H. CZAR, P.E.	RES. 13-49-187; VEHICLE MAINT.	Open	2,962.50	0.00	
13-00879	04/11/13	ADVAG	ADVANTAGE RENTAL & SALES	Open	11.03	0.00		
13-00881	04/16/13	SOUTHSTA	SOUTH STATE, INC.	CC 13-31; RES. 13-49-183	Open	133,986.20	0.00 B	
13-00887	04/16/13	MALIA	MALIA'S RUBBER STAMP COMPANY	Open	275.00	0.00		
13-00890	04/16/13	SHERW	SHERWIN WILLIAMS #3760	Paint for PBV	Open	12,538.27	0.00	
13-00892	04/18/13	VERIZ	VERIZON	Open	12,419.91	0.00		
13-00917	04/18/13	SCHMT	DONNA SCHMITT	Open	83.00	0.00		
13-00931	04/19/13	HINKB	BRIAN HINK	Open	300.00	0.00		
13-00932	04/19/13	OCTHEATR	OCEAN CITY THEATRE COMPANY	Open	7,750.00	0.00		
13-00944	04/22/13	HUB2	THE HUB	Open	134.95	0.00		
13-00945	04/22/13	WALLA	WALLACE HARDWARE INC.	Open	101.49	0.00		
13-00946	04/22/13	WALLA	WALLACE HARDWARE INC.	Open	120.32	0.00		
13-00947	04/22/13	SHORESH	SHORE SHINE CAR WASH LLC	Open	22,413.78	0.00		
Total Purchase Orders:		123	Total P.O. Line Items:	277	Total List Amount:	8,796,994.99	Total Void Amount:	0.00

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

#9

**AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION**

**WHEREAS**, an emergent condition has arisen with respect to adopting the local budget, and no adequate provision has been made in the 2013 temporary appropriations for the aforesaid purpose; and

**WHEREAS**, N.J.S. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20), including this resolution totals **\$39,888,856.14** for the Current Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, not less than two-thirds of all of the members thereof affirmatively concurring, that, in accordance with the provisions of N.J.S. 40A: 4-20:

An emergency temporary appropriation (as attached) be and the same is hereby made for individual items in the total amount of **\$70,000.00** for the Current Fund.

1. That said emergency temporary appropriation will be provided for in the 2013 budget.
2. That one certified copy of this resolution be filed with the Director of Local Government Services.

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

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

FILES/AUTHORIZING AN EMERGENCY #3 TEMPORARY APPROPRIATION. - 4.25.13

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	_____	_____	_____	_____
Guinnesso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Ping	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
City Clerk



CITY OF OCEAN CITY			2013 TEMP BUDGET - Temporary Appropriations + Emergency #1					2013 TEMP + EMERGENCY	
control	Description	Classification	BUDGET	TEMPORARY BUDGET	EMERGENCY #1	EMERGENCY #2	EMERGENCY #3	EMERGENCY	2013 TEMP + EMERGENCY BUDGET
1	MAYOR'S OFFICE	SAW							
2	MAYOR'S OFFICE	OE	3,000.00	800.00		700.00			1,500.00
3	CITY ADMINISTRATOR	SAW	242,000.00	75,500.00		47,000.00			122,500.00
4	CITY ADMINISTRATOR	OE	2,500.00	500.00		500.00			1,000.00
5	ECONOMIC DEVELOPMENT + ENVIRONMENTAL	SAW	20,000.00	8,200.00		4,300.00			10,500.00
6	ECONOMIC DEVELOPMENT + ENVIRONMENTAL	OE	3,000.00	800.00		700.00			1,500.00
7	HUMAN RESOURCES	SAW	495,600.00	152,500.00		118,500.00			271,600.00
8	HUMAN RESOURCES	OE	136,975.00	36,000.00		29,070.00			65,070.00
9	PURCHASING	SAW	283,000.00	81,000.00		50,500.00			131,500.00
10	PURCHASING	OE	7,150.00	1,900.00		1,800.00			3,500.00
11	INFORMATION TECHNOLOGY	SAW	290,000.00	82,000.00		63,000.00			155,000.00
12	INFORMATION TECHNOLOGY	OE	186,400.00	49,000.00		44,000.00			93,000.00
13	EMERGENCY MGT	SAW	10,000.00	5,000.00		4,000.00			9,000.00
14	EMERGENCY MGT	OE	14,500.00	3,800.00		3,450.00			7,250.00
15	ENGINEERING & PROJECT MANAGEMENT	SAW	146,000.00	45,000.00		64,000.00			109,000.00
16	ENGINEERING & PROJECT MANAGEMENT	OE	2,130.00	600.00		35,600.00			36,250.00
17	COMMUNITY SERVICE-DIRECTOR	SAW	383,000.00	118,000.00		55,000.00			173,000.00
18	COMMUNITY SERVICE-DIRECTOR	OE	1,500.00	400.00		300.00			700.00
19	PUBLIC RELATIONS	SAW	180,000.00	60,000.00		19,500.00			77,500.00
20	PUBLIC RELATIONS	OE	145,000.00	38,000.00		30,000.00			68,000.00
21	RECREATION PROGRAMS	SAW	608,000.00	292,500.00		122,500.00			325,000.00
22	RECREATION PROGRAMS	OE	22,900.00	8,000.00		5,400.00			11,400.00
23	RECREATION OPERATIONS	SAW	548,000.00	159,000.00		72,000.00			241,000.00
24	RECREATION OPERATIONS	OE	27,050.00	10,000.00		7,500.00			17,500.00
25	AQUATIC & FITNESS CENTER	SAW	862,000.00	271,500.00		214,500.00			486,000.00
26	AQUATIC & FITNESS CENTER	OE	114,400.00	30,000.00		20,500.00			50,500.00
27	PUBLIC ASSISTANCE	SAW	96,000.00	28,200.00		17,500.00			45,500.00
28	PUBLIC ASSISTANCE	OE	2,000.00	800.00		400.00			1,200.00
29	MUNICIPAL CODE & LICENSING	SAW	412,000.00	127,000.00		77,000.00			204,000.00
30	MUNICIPAL CODE & LICENSING	OE	19,300.00	5,000.00		4,200.00			9,200.00
31	PLANNING & ZONING DIVISIONS	SAW	249,000.00	77,000.00		114,000.00			191,000.00
32	PLANNING & ZONING DIVISIONS	OE	71,000.00	16,000.00		16,850.00			38,850.00
33	PLANNING BOARD	OE	21,850.00	5,700.00		4,100.00			9,800.00
34	ZONING BOARD	OE	10,800.00	2,900.00		2,000.00			4,900.00
35	HISTORICAL COMMISSION	OE	2,800.00	800.00		875.00			1,475.00
36	CODE CONSTRUCTION	SAW	531,000.00	183,500.00		107,000.00			270,500.00
37	CODE CONSTRUCTION	OE	15,400.00	4,000.00		3,950.00			7,950.00
38	LEGAL DIVISION	SAW	147,000.00	45,500.00		29,500.00			74,000.00
39	LEGAL DIVISION	OE	332,500.00	87,000.00		45,000.00			132,000.00
40	LEGAL DIVISION-Public Defender	OE	43,000.00	11,000.00		10,500.00			21,500.00
41	CITY CLERK	SAW	241,000.00	74,500.00		49,000.00			123,500.00
42	CITY CLERK	OE	76,625.00	20,000.00					20,000.00
43	CITY COUNCIL	SAW	73,600.00	18,000.00		17,800.00			36,000.00
44	CITY COUNCIL	OE	11,835.00	3,000.00		2,550.00			5,550.00
45	CITY COUNCIL AUDIT	OE	38,000.00	10,000.00		8,000.00			18,000.00
46	MUNICIPAL COURT	SAW	602,000.00	185,500.00		123,000.00			308,500.00
47	MUNICIPAL COURT	OE	26,000.00	10,500.00		8,000.00			18,000.00
48	ACCOUNTING DIVISION	SAW	480,000.00	118,500.00		94,500.00			212,500.00
49	ACCOUNTING DIVISION	OE	88,600.00	27,500.00		17,800.00			45,100.00
50	OFFICE OF PARKING REGULATIONS	SAW	198,000.00	105,000.00		105,000.00			205,000.00
51	OFFICE OF PARKING REGULATIONS	OE	41,750.00	11,000.00		89,800.00			140,000.00
52	TAX ASSESSMENT	SAW	313,000.00	96,500.00		49,500.00		40,000.00	146,000.00
53	TAX ASSESSMENT	OE	125,050.00	33,000.00		16,825.00			49,825.00
54	BEACH FEE	SAW	220,000.00			165,000.00			165,000.00
55	BEACH FEE	OE	57,500.00	18,000.00		11,000.00			29,000.00
56	TAX COLLECTION	SAW	283,000.00	87,000.00		59,000.00			146,000.00
57	TAX COLLECTION	OE	9,200.00	3,000.00		2,100.00			5,100.00
58	REVENUE COLLECTION	SAW	334,000.00	103,000.00		87,500.00			170,500.00
59	REVENUE COLLECTION	OE	185,000.00	43,000.00		38,500.00			62,500.00
60	POLICE PROTECTION	SAW	7,383,000.00	2,300,900.00		1,287,605.00			3,587,605.00
61	POLICE PROTECTION	OE	171,000.00	45,000.00		109,150.00			154,150.00
62	POLICE PROTECTION VEHICLES	OE	87,500.00						
63	RESCUE SERVICES	SAW	286,000.00	88,000.00		56,000.00			143,000.00
64	RESCUE SERVICES	OE	83,300.00	22,000.00		20,650.00			42,650.00
65	LIFEGUARDS	SAW	1,329,000.00	1,900,000.00		675,000.00			875,000.00
66	LIFEGUARDS	OE	81,000.00	18,000.00		14,500.00			30,500.00
67	FIRE PROTECTION	SAW	6,352,000.00	1,900,000.00		1,333,000.00			3,283,000.00
68	FIRE PROTECTION	OE	129,100.00	34,000.00		42,950.00			76,850.00
69	PW ADMINISTRATION & MANAGEMENT	SAW	480,000.00	148,000.00		121,000.00			269,000.00
70	PW ADMINISTRATION & MANAGEMENT	OE	25,500.00	7,000.00		5,800.00			12,800.00
71	PW SANITATION + RECEIVING OPERATIONS	SAW	806,000.00	248,000.00		131,500.00			379,500.00
72	PW SANITATION + RECEIVING OPERATIONS	OE	46,150.00	12,000.00		11,050.00			28,050.00
73	PW SANITATION + RECEIVING OPERATIONS-ALL TRASH	OE	2,708,000.00	710,000.00		602,418.00			1,312,418.00
74	PW FIELD OPERATIONS	SAW	1,245,000.00	383,500.00		266,000.00			651,500.00
75	PW FIELD OPERATIONS	OE	60,600.00	15,000.00		15,000.00			30,000.00
76	PW FLEET MAINTENANCE	SAW	264,000.00	81,500.00		73,500.00			155,000.00
77	PW FLEET MAINTENANCE	OE	174,400.00	50,000.00		30,375.00			80,375.00
78	PW FACILITY MAINTENANCE	SAW	858,000.00	264,000.00		183,500.00			447,500.00
79	PW FACILITY MAINTENANCE	OE	227,900.00	60,000.00		54,725.00			114,725.00
80	HUMAN RESOURCES	OE-HEALTH INS.	8,570,550.00	1,700,000.00		1,362,500.00			3,062,500.00
81	HUMAN RESOURCES	OE-INSURANCE	2,088,700.00	600,000.00		502,500.00			1,102,500.00
82	CITY WIDE OPERATIONS-825-FRANCE	OE	364,300.00	101,000.00		97,000.00			198,900.00
83	CITY WIDE OPERATIONS-826-PUBLIC WORKS	OE	307,300.00	85,000.00		47,880.00			132,680.00
84	CITY WIDE OPERATIONS-828-270-ELECTRIC	OE	606,000.00	185,000.00		153,000.00			338,000.00
85	CITY WIDE OPERATIONS-828-225-GAS	OE	408,000.00	110,000.00		86,000.00			196,000.00
86	CITY WIDE OPERATIONS-828-220-WATER	OE	884,000.00	230,000.00		214,000.00			444,000.00
87	CITY WIDE OPERATIONS-828-227-STREET LIGHTING	OE	312,000.00	85,000.00		77,000.00			162,000.00
88	CITY WIDE OPERATIONS-828-228-SJ-GAS	OE	240,000.00	65,000.00		31,000.00		30,000.00	126,000.00
89	CITY WIDE OPERATIONS-828-290-TELEPHONE	OE	262,000.00	69,000.00		62,000.00			131,000.00
90	SPECIAL IMPROVEMENT DISTRICT-LOAN PAYOFF	OE	22,000.00						
91	MANDATED: PENSIONS-PERS	OE-PENSIONS	1,337,245.00			1,270,288.00			1,270,288.00
92	MANDATED: PENSIONS-DCRF	OE-PENSIONS	10,000.00	2,600.00		4,900.00			7,400.00
93	MANDATED: FICA	OE	1,385,000.00	400,000.00		295,500.00			699,500.00
94	MANDATED: PENSIONS-CPPRS	OE-PENSIONS	9,646.07	8,977.19					8,977.19
95	MANDATED: PENSIONS-PFRS	OE-PENSIONS	2,896,200.00			2,921,058.00			2,921,058.00
96	LOCAL LIFEGUARD PENSION FUND	OE	100,000.00						
97	MANDATED: UNEMPLOYMENT	OE	109,000.00	40,000.00		20,000.00			60,000.00
98	LOCAL ETHICS BOARD	OE	20,000.00						
99	SUBTOTAL OF IN THE CAP ITEMS		58,796,870.07	13,008,677.16		14,560,437.59	70,000.00		27,639,314.88
100	MATCHING FUNDS FOR GRANTS	OE-GRANTS	5,343.00						
101	GRANTS IN BUDGET	OE-GRANTS	1,841,720.75						
102	BULLET PROOF VEST DOJ	OE-GRANTS		10,820.06					10,820.06
103	RECYCLING TONNAGE GRANT	OE-GRANTS		2,673.97					2,673.97
104	DWI	OE-GRANTS		6,458.13					6,458.13
105	NISP EMERGENCY MGT	OE-GRANTS		10,000.00					10,000.00
106	MUNICIPAL ALLIANCE	OE-GRANTS		3,839.80					3,839.80
107	MANDATED: OC LIBRARY	OE-LIBRARY	4,079,200.00	989,725.25		989,725.25			1,939,450.50
108	CF-DOWNPAYMENT	OE-CIF	730,000.00	250,000.00	100,000.00	300,000.00			650,000.00
109	DEBT SERVICE: PRINCIPAL	OE-DEBT	5,980,000.00	8,915,000.00					4,915,000.00
110	DEBT SERVICE: PAYMENT OF NOTES	OE-DEBT	1,450,000.00						
111	DEBT SERVICE: INTEREST BONDS	OE-DEBT	1,942,940.00	2,060,100.00					2,060,100.00
112	DEBT SERVICE: INTEREST NOTES	OE-DEBT	332,125.00	560,562.50					560,562.50
113	DEBT SERVICE: PAYMENT OCFT CAPITAL	OE-DEBT-OCFT							
114	DEBT SERVICE: GREEN ACRES	OE-DEBT	65,155.87	70,936.52					70,936.52
115	RESERVE FOR UNCOLLECTED TAXES	OE-RUT	1,488,000.00						
116	SPECIAL EMERG APPROPRIATION	OE-EMER.							
117	SUBTOTAL OF OUTSIDE THE CAP ITEMS		17,911,484.62	10,880,116.23	100,000.00	1,268,726.25			12,249,841.48
118	TOTAL FRIAL ADOPTED BUDGET		88,708,354.69	23,888,893.39	100,000.00	15,830,162.75	70,000.00		30,888,856.14
119	Temporary Budget for 2013: Allowable	28.25%	13,334,125.89						



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

#10

**REAPPOINTING RICHARD A. RUSSELL, ESQUIRE  
AS MUNICIPAL COURT JUDGE FOR THE CITY OF OCEAN CITY**

**WHEREAS**, Richard A. Russell, Esquire is presently the Municipal Court Judge for the City of Ocean City, and his term expires on May 31, 2013; and

**WHEREAS**, Richard A. Russell, Esquire has done an exemplary job in his capacity as Municipal Court Judge, and it is the desire of the City to reappoint him for an additional statutory period of three (3) years.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Ocean City that it consents to the reappointment by Mayor Jay A. Gillian of Richard A. Russell, Esquire to the position of Municipal Court Judge for the City of Ocean City for the period of three (3) years commencing on June 1, 2013 and continuing through May 31, 2016.

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

Files/CMAP/Judge Russell

Offered by ..... Seconded by .....

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

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

\_\_\_\_\_  
City Clerk





MAYOR JAY A. GILLIAN

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

April 15, 2013

Linda MacIntyre, City Clerk  
City of Ocean City  
861 Asbury Avenue  
Ocean City, New Jersey 08226

**RE: Municipal Court Judge**

Dear Linda:

I am requesting Council's consent to my appointment of Richard A. Russell as Municipal Court Judge. He will be appointed to a three year term beginning May 19<sup>th</sup>, 2013.

Thank you for your anticipated cooperation

Sincerely,

Jay A. Gillian  
Mayor

c: Michael Allegretto, Council President  
Michael Dattilo, Business Administrator  
Richard A. Russell, Municipal Court Judge

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#11

CONSENTING TO CITY COUNCIL'S APPOINTMENT OF  
DONNA MOORE AND JAMES TWEED AS ALTERNATE  
MEMBERS TO THE ENVIRONMENTAL COMMISSION

**BE IT RESOLVED**, by the City Council of the City of Ocean City, New Jersey that the following individuals are hereby appointed as members of the Ocean City Environmental Commission in accordance with Ordinance No. 07-01 for the following terms:

<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRES</u>
Donna Moore - Alt I	2 Years	12/31/2014
James Tweed - Alt II	2 Years To fill the unexpired term of Denise Ruch	12/31/2013

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

Files/CMAP/Moore & Tweed Env. Comm Alternates

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

#12

CONSENTING TO CITY COUNCIL'S APPOINTMENT OF  
MARTIN A. MOZZO, JR. AS A MEMBER 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 individual is hereby appointed to the Ocean City Utility Advisory Commission for the following term:

NAME	TERM	TERM EXPIRES
Martin A. Mozzo, Jr.	4 Years*	12/31/2016

\*1<sup>st</sup> Full Term

\_\_\_\_\_  
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  
CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

#13

**AUTHORIZING THE AWARD OF A CONTRACT TO SHORE SHINE CAR WASH, LLC  
FOR CLEANING, FLUID & FILTER CHANGES OF VARIOUS CITY OWNED VEHICLES**

**WHEREAS**, during and in the aftermath of Hurricane Sandy the City of Ocean City's vehicles were subject to the elements and required immediate service for cleaning, fluid and filter changes to prevent possible damage to the vehicles resulting to their exposure to sand, contaminated water, flood water, etc...; and

**WHEREAS**, the City of Ocean City thus had a need for immediate cleaning, detailing, fluid and filter changes for City owned vehicles; and

**WHEREAS**, it is determined that it was in the best interest for the City of Ocean City to have the vehicles serviced as quickly as possible in order to remediate possible flooding and storm damage to specified vehicles in the City's fleet; and

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

**WHEREAS**, Shore Shine Car Wash, LLC provides vehicles with cleaning and minor maintenance service for the Ocean City/Upper Township area and was open in the immediate aftermath of the storm; and

**WHEREAS**, Michael Rossbach, Director of Public Works; Chief Chad Callahan, Police; Chief Christopher Breunig, Director of Fire and Rescue Services, James Toto, Public Works Repairer; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the submitted invoices for the immediate oil change, transmission fluid service, cleaning and detailing for City owned vehicles and recommend that Shore Shine Car Wash, LLC, 452 South Shore Road, Marmora, NJ 08223 be awarded an alternative non-advertised method contract for cleaning, detailing, fluid and filter changes for City owned vehicles; and

**WHEREAS**, Shore Shine Car Wash, LLC has submitted a Business Entity Disclosure Certification which certifies that Shore Shine Car Wash, LLC has not made any contributions that are reportable by the recipient under N.J.S.A. 19:44A-1 et seq. to a political or candidate committee of any person serving in an elective public office of the City of Ocean City, County of Cape May, New Jersey in the previous one (1) year period, and that the contract will prohibit Shore Shine Car Wash, LLC from making any such contributions during 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 **Shore Shine Car Wash, LLC, 452 South Shore Road, Marmora, NJ 08223** be awarded as follows:

1. Cleaning, detailing, fluid and filter changes for City owned vehicles as determined by the Police Department & Department of Public Works.

Requisitions awaiting approval..... \$ 22,413.78

**Total to Date..... \$ 22,413.78**

2. A copy of the Business Entity Certification, the Determination of Value and Business Registration Certificate (BRC) for Shore Shine Car Wash, LLC 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 Purchasing Manager is authorized to execute a purchase order with Shore Shine Car Wash, LLC, 452 South Shore Road, Marmora, NJ 08223 in accordance with this resolution.

The Director of Financial Management certifies that funds are available and shall be charged to Account # 3-01-55-901-311.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO  
Director of Financial Management

Michael J. Allegretto  
Council President

Files: RAW 13 Purchase Non-Advertised Contract Shore Shine Car Wash 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	..... City Clerk
Allegretto	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Guinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Ping	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	