

Regular Monthly Meeting of the
Mayor and Common Council of Gloucester City
Tuesday, November 22, 2016 7:30 P.M.
313 Monmouth Street
Agenda

1. **Call Meeting to Order:**
2. **Pledge of Allegiance:**
3. **Roll Call:** Baus, Hutchinson, Johnson, Keating, Parry, Spencer and Mayor James
4. **Open Public Meetings Act Notice:** This meeting is being held in accordance with the New Jersey Open Public Meetings Act, otherwise known as the "Sunshine Law." It has been legally noticed in accordance with the law and copies have been given to those requesting the same.
5. **Oath of Office:**
 - a) **Thomas M. O'Connor – Firefighter**
 - b) **Thomas J. Quinn, III – Firefighter**
6. Southport Renewal Monthly Report
7. **Minutes:** November 7, 2016 Work Session and Executive (with redactions)
8. **Resolutions:**
 - R220** Authorizing Adjustments on Planning and Zoning Board Escrow Account
 - R221** Establishing a Policy for Monitor Management of City's Ratable Base
 - R222** Authorizing Refund of Fire Safety Registration Fee
 - R223** Awarding a Contract to Clean Air Company, Inc. for the Provision of a Vehicle Exhaust System
 - R224** Authorizing Refund of Certificate of Occupancy Inspection Fee (*inspection never took place*)
9. **Ordinances:** *for first reading this evening, with second reading and public hearing to be held on*

For second reading and public hearing this evening:

- O26** Bond Ordinance Authorizing the Demolition of Existing City Structures in and for the City of Gloucester City, County of Camden, New Jersey: Appropriating the Sum of \$856,329.53 Therefor; Authorizing the Issuance of General Anticipation Notes of the City of Gloucester City, County of Camden, New Jersey in the Aggregate Principal Amount of up to \$856,329.53; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing

Roll Call; Baus, Hutchinson, Johnson, Keating, Parry, Spencer and Mayor James

10. Old Business/New Business:

- | | |
|---|----------------|
| a) Bills paid from Oct. 28 to Nov. 14, 2016 | \$2,351,402.60 |
| Bills Approved Nov. 22, 2016 | \$ 436,608.06 |

Total amount being approved

\$2,788,010.66

Roll Call: Baus, Hutchinson, Johnson, Keating, Parry, Spencer and Mayor James

- b) Handicap Parking Request: Adding 803 Paul St., 18 S. Sussex St., 439 Bergen St. and 208 N. King St.
- c) Code of Conduct Ordinance Amendments

11. Open Forum: *The Governing Body has approved the following rules governing the procedures of the Open (General) Public Forum: Any citizen or taxpayer wishing to address the Governing Body may do so after approaching the rail, stating his or her name and address and being recognized by the chair. Said citizen or taxpayer will then be permitted to address the Governing Body for five minutes. After all persons wishing to address the Governing Body have had the opportunity, persons may approach the rail for a second and final five-minute interval during this session*

12. Adjournment

RESOLUTION of the CITY OF GLOUCESTER CITY

#R

-2016

**RESOLUTION AUTHORIZING ADJUSTMENTS ON THE
PLANNING AND ZONING BOARD ESCROW ACCOUNT**

WHEREAS, certain applicants for Planning Board approvals are required to deposit escrow funds for professional reviews and inspections; and

WHEREAS, a recent review of the Planning/Zoning Board escrow accounts identified negative balance in these accounts and it was determined that the prior applications were completed; and

WHEREAS, the negative balances on these accounts need to be canceled and the account considered to be closed are identified as follows:

X-69-100-324 William C. Wares – 600 Monmouth Street - \$700.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Gloucester City that the Chief Financial Officer is authorized to cancel the negative balances on the account and consider the account closed.

William P. James, Mayor

Adopted by the Mayor and Common Council of Gloucester City, this 22rd day of November, 2016.

Kathleen M. Jentsch, Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2016

RESOLUTION

WHEREAS, the City of Gloucester City recognizes the need to actively monitor management of the City's ratable base; and

WHEREAS, the City also recognizes that a policy needs to be established in order to help ensure fiscal stability; and

NOW, THEREFORE, BE IT RESOLVED that the following policy be followed:

The Tax Assessor will provide a complete list of tax appeals filed by April 1st
And a complete list of added appeals filed by December 1st to the Administrator,
Chief Financial Officer and Governing Body.

BE IT FURTHER RESOLVED that the Mayor and Common Council of the City of Gloucester City implement this policy for reporting of tax appeals.

William P. James, Mayor

Passed by the Mayor and Common Council of the City of Gloucester City this 22nd day of Nov., 2016.

Kathleen M. Jentsch, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R - 2016

RESOLUTION AUTHORIZING REFUND OF FIRE SAFETY REGISTRATION FEE

WHEREAS, two payments were received by PSE&G in the amount of \$195.00 each for Fire Safety Registration Fee; and

WHEREAS, it has been determined that one of the payments is a duplicate and should be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of Gloucester City that a refund be issued to PSE&G in the amount of \$195.00 for refund of duplicate Fire Safety Registration Fee.

William P. James, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 22nd day of November, 2016..

Kathleen Jentsch, City Clerk

RESOLUTION OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#R -2016

**AUTHORIZING THE AWARD OF A CONTRACT TO CLEAN AIR COMPANY, INC., FOR
THE PROVISION OF A VEHICLE EXHAUST SYSTEM**

WHEREAS, the City of Gloucester City (“City” and/or “Gloucester City”) has advertised for, and received three (3) bids for Contract GCFD-2016-01 to provide a Vehicle Exhaust System; and

WHEREAS, the City furnished detailed bid specifications to potential bidders; and

WHEREAS, bids were received and opened by the City on Thursday, October 20, 2016 as follows:

<u>VENDOR</u>	<u>TOTAL BID AMOUNT</u>
1. Aire-Deb (MagneGrip)	\$52,550.00
2. Clean Air Company	\$55,551.00
3. Aire-Deb (Hazvent)	\$59,268.00

WHEREAS, Captain Patrick R. Hagan of the Gloucester City Fire Department reviewed the bid submitted by the apparent low bidder, Aire-Deb(MagneGrip), and opined via a memorandum dated October 20, 2016 that the bid submitted by Aire-Deb(MagneGrip) contained material deviations from the Technical Specifications; and

WHEREAS, the City Solicitor, in a Legal Opinion dated October 26, 2016, opined that the Bid submitted by Aire-Deb (MagneGrip) did not meet the requirements of the Technical Specifications for the Vehicle Exhaust System, thereby rendering the Bid non-responsive; and

WHEREAS, Captain Patrick R. Hagan of the Gloucester City Fire Department reviewed the bid submitted by the next apparent low bidder, Clean Air Company, Inc., and opined via a memorandum dated October 20, 2016 that bid submitted by Clean Air Company, Inc. complied with all material provisions of the Bid Specifications and Advertisement; and

WHEREAS, the City Solicitor, in a Legal Opinion dated October 26, 2016, recommended the award of the contract for Vehicle Exhaust System to Clean Air Company, Inc., subject to staff

concurrence and the availability of funds as the bid submitted by Clean Air Company, Inc. complied with all material provisions of the Bid Specifications and Advertisement; and

WHEREAS, the City has reviewed Captain Hagan's and the Solicitor's recommendations and has determined that Clean Air Company, Inc., is the lowest qualified bidder for Contract GCFD-2016-01 to provide a Vehicle Exhaust System, having submitted the lowest bid complying with the statutory obligations, Bid Specifications and Advertisement; and

WHEREAS, funds are available for such purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Gloucester, County of Camden and State of New Jersey as follows

1. The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Bid received from Aire-Deb (MagneGrip) for Contract GCFD-2016-01 to provide a Vehicle Exhaust System is hereby rejected as non-responsive.
3. Should a Court of competent jurisdiction determine that the deviations set forth in the bid of Aire-Deb (MagneGrip) are waivable as a matter of law, then the City of Gloucester City hereby exercises its discretion not to waive the deviations.
4. Contract GCFD-2016-01 to provide a Vehicle Exhaust System, in the total bid price of \$55,551.00, is hereby awarded to Clean Air Company, Inc., in accordance with their Bid received on October 20, 2016.
5. The Mayor, City Administrator, or their designee are hereby authorized and directed to execute said Contract.

William P. James, Mayor

Passed by the Mayor and Common Council of the City of Gloucester this ____th day of November, 2016.

Kathleen M. Jentsch, City Clerk

RESOLUTION of the CITY OF GLOUCESTER CITY

#R -2016

RESOLUTION AUTHORIZING REFUND OF CERTIFICATE OF OCCUPANCY INSPECTION FEE

WHEREAS, Agustin V. DeAsis Jr. has applied for a certificate of occupancy inspection at 311 Jersey Avenue; and

WHEREAS, Agustin V. DeAsis Jr. cancelled the inspection, the inspection never occurred and therefore requests refund of fee; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of Gloucester City that a refund be issued to Agustin V. DeAsis Jr. in the amount of \$100.00 for refund of certificate of occupancy inspection fee.

William P. James, Mayor

Adopted by the Mayor and Common Council of Gloucester City this 22nd day of Nov., 2016.

Kathleen Jentsch, City Clerk

**CITY OF GLOUCESTER CITY, NEW JERSEY
ORDINANCE NO. 26-2016**

BOND ORDINANCE AUTHORIZING THE DEMOLITION OF EXISTING CITY STRUCTURES IN AND FOR THE CITY OF GLOUCESTER CITY, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$856,329.53 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF GLOUCESTER CITY, COUNTY OF CAMDEN, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$856,329.53; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Mayor and Common Council of the City of Gloucester City, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Gloucester City, County of Camden, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$856,329.53; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$856,329.53.

Section 3. The sum of \$856,329.53, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$856,329.53 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$856,329.53, is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the

bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$175,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Demolition and Removal of Various City Structures as part of the New Jersey Urban and Rural Centers Unsafe Building Demolition Bond Loan Program, as more fully described in the documentation on file in the City Clerk's office; together with the acquisition of all materials and equipment and the completion of all work necessary therefore or related thereto.	\$856,329.53	\$0.00	\$856,329.53	20 years

Section 8. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$856,329.53 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance and, to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The City hereby declares its intent to reimburse itself from the proceed of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code") for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 13. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposed, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such terms is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

William P. James, Mayor

Passed on First Reading: 10/27/16

Second Reading and Public Hearing: 11/22/16

Kathleen M. Jentsch, City Clerk