



CITY OF VENTNOR CITY  
PROPOSED AGENDA – COMMISSION MEETING  
COMMISSION CHAMBERS, CITY HALL  
JANUARY 21, 2016 @ 6:00 PM

CALL TO ORDER

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT: "PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH LAW"

FLAG SALUTE & ROLL CALL

ANNOUNCEMENT BY MAYOR BAGNELL:

"WE VALUE THE RIGHTS OF ALL CITIZENS TO HAVE THEIR VOICES HEARD. TO INSURE THAT ALL CITIZENS HAVE AN OPPORTUNITY TO DO SO, WE FEEL THAT IT IS NECESSARY TO LIMIT QUESTIONS & COMMENTS TO 5 MINUTES. THANK YOU FOR YOUR COOPERATION."

- 1) PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW
- 2) MOTION TO APPROVE MINUTES OF 12.17.15 REGULAR MEETING
- 3) INTRODUCTION OF ORDINANCE 2016-01 - COUNTY FORECLOSED HOME REGISTRY
- 4) INTRODUCTION OF ORDINANCE 2016 -02 – AMEND CHP 217, ARTICLE III OF VC CODE TO SET PARKING PERMIT FEES
- 5) MOTION TO ADOPT RESOLUTION NOS. 01 THROUGH 15 OF 2016 BY CONSENT
- 6) RESOLUTION NO. 01 OF 2016 – ADOPT 2016 TEMPORARY BUDGET
- 7) RESOLUTION NO. 02 OF 2016 – DESIGNATE BANK DEPOSITORIES
- 8) RESOLUTION NO. 03 OF 2016 - EMPLOYEE BONDS
- 9) RESOLUTION NO. 04 OF 2016 – ADOPT 2016 CASH MANAGEMENT PLAN
- 10) RESOLUTION NO. 05 OF 2016 – AUTHORIZE TAX EXEMPT AGREEMENT
- 11) RESOLUTION NO. 06 OF 2016 – REMOVAL OF DISABLED VET EXEMPTION & COLLECTION OF BACK TAXES
- 12) RESOLUTION NO. 07 OF 2016 – AUTHORIZE CO #2, CALVERT AVE DRAINAGE IMPROVEMENTS (\$31,649.00 INC)
- 13) RESOLUTION NO. 08 OF 2016 – LIQUOR LICENSE PERSON TO PERSON TRANSFER (ROGER WILCO)
- 14) RESOLUTION NO. 09 OF 2016 - TRANSFER OF FUNDS
- 15) RESOLUTION NO. 10 OF 2016 – GRANT EASEMENT 5105 WINCHESTER
- 16) RESOLUTION NO. 11 OF 2016 – CLOSE PLANNING/ZONING ESCROW ACCOUNT
- 17) RESOLUTION NO. 12 OF 2016 – AUTHORIZE 2016 DRUG ALLIANCE GRANT APPLICATION
- 18) RESOLUTION NO. 13 OF 2016 - AUTHORIZE CONCESSION CONTRACT FOR ELECTRONIC SALE OF BEACH BADGES
- 19) RESOLUTION NO. 14 OF 2016 – REAPPOINT JAMES RUTALA, PLANNING AND GRANT ASSISTANCE
- 20) RESOLUTION NO. 15 OF 2016 – OPPOSE COUNTY WIDE DISPATCH

21) CONFIRM PLANNING BD APPOINTMENTS: CLASS I: J. MICHAEL BAGNELL 5-15-12 TO 5-17-16; CLASS II: JOHN HAZLETT 10-28-15 TO 10-28-17; CLASS III: FRANK SARNO 5-15-12 TO 5-17-16; CLASS IV: JAY COOKE 1-1-15 TO 12-31-18; TOM MCADAM 1-1-15 TO 12-31-18; LORRAINE SALLATA 1-1-16 TO 12-31-18; GREG MAIURO 1-1-16 TO 12-31-17; DAVID HOLTZMAN 1-1-16 TO 1-17-17; ROMAN ZABIHACH 1-1-16 TO 7-17-18; ALTERNATES: #1 DAN SMITH 1-1-16 TO 12-31-17; #2 LEONARD MORDEL 1-1-16 TO 8-19-16; #3 MARIE MCQUEEN 1-1-16 TO 12-31-17; #4 DANIEL SMITH, IV 1-1-16 TO 12-31-17

22) APPROVAL OF BILLS AND PAYROLLS

23) ANNOUNCEMENTS: JIF SAFETY COMMITTEE REPORT FOR JANUARY 2016: THE SAFETY COMMITTEE MET ON JANUARY 13TH. THE ACCIDENT REVIEW PORTION DEALT WITH ALL AUTO INCIDENTS – NO INJURIES AND ONLY MINOR PROPERTY DAMAGE. THE OPEN CLAIMS YEAREND REPORT INCLUDED 3 DECEMBER WORKER COMP CLAIMS, ONE OF WHICH RESULTING IN TWO MONTHS LOST TIME. OVERALL, 2015 ENDED FAVORABLY. MULTIPLE SAFETY BULLETINS WERE DISCUSSED. 2016 WILL FOCUS ON TRAINING ISSUES AND DOCUMENTATION OF TOPICS AND ATTENDEES IN AREAS OF NEED. THE MONETARY REWARD FOR THE 2016 SAFETY INCENTIVE PROGRAM HAS INCREASED FROM \$1500 TO \$2400. OUR GOAL IS TO PERFORM ALL REQUIREMENTS TO GAIN THIS REIMBURSEMENT. WE GOT A JUMP START ON THE SAFETY CONTRACT PORTION OF THE SAFETY INCENTIVE PROGRAM AND SHOULD BE FINALIZED AND FORWARDED SHORTLY. SAFETY COMMITTEE MEETINGS ARE THE SECOND WEDNESDAY OF EACH MONTH AT 9:00 AM AT THE PUBLIC WORKS CONFERENCE ROOM IF ANYONE IS INTERESTED IN ATTENDING. LASTLY, INCLUDED IN THE AGENDA IS MOVE IT MONDAY FROM THE ACMJIF WELLNESS DIRECTOR, VALERIE SMITH AND FEATURES EXERCISES FOR OFFICE EMPLOYEES.

24) PUBLIC PORTION

EXECUTIVE SESSION: IF NECESSARY

JANICE K. CALLAGHAN, RMC  
CITY CLERK

2 <sup>ND</sup> WEDNESDAY	FEB 11	4:00 PM	COMMISSION WORKSHOP
3 <sup>RD</sup> THURSDAY	FEB 18	6:00 PM	COMMISSION MEETING

ORDINANCE 2016-01

AN ORDINANCE AMENDING CHAPTER 179, PROPERTY, VACANT AND FORECLOSING, REGARDING REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF ABANDONED REAL PROPERTY WITHIN THE MUNICIPALITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE, OF THE CODE OF THE CITY OF VENTNOR AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties; and

WHEREAS, the City of Ventnor City (hereinafter referred to as "Municipality") recognizes an increase in the number of vacancies and abandoned properties located throughout the Municipality; and

WHEREAS, the Municipality is challenged to identify and locate owners or foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Municipality finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetics; and

WHEREAS, the Municipality has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Municipality desires to amend the Municipality's Code in order to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures; and

WHEREAS, the Municipality has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the Municipality; and

WHEREAS, upon passage, duly noticed public hearings, as required by law will have been held by the Municipality, at which public hearings all residents and interested persons were given an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE MUNICIPALITY OF CITY OF VENTNOR CITY:

SECTION I. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof;

SECTION II. That the Ventnor City Commission hereby amends Ventnor City's Code, Chapter 179 by creating Article II entitled "Abandoned Real Property," to read as follows:

## CHAPTER 179, ARTICLE II. ABANDONED REAL PROPERTY

### SECTION 179-9. PURPOSE AND INTENT

It is the purpose and intent of the Municipality to establish a process to address the deterioration and blight of Municipality neighborhoods caused by an increasing amount of abandoned, foreclosed or distressed real property located within the Municipality, and to identify, regulate, limit and reduce the number of abandoned properties located within the Municipality. It is the Municipality's further intent to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

### SECTION 179-10. DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Real Property – means any real property located in the Municipality, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessors lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes - means to include, but not be limited to, the Municipality's Zoning Code, the Municipality's Code of Ordinances ("Municipality Code"), and the New Jersey Building Code.

Blighted Property - means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
- c) Properties cited for a public nuisance pursuant to the Municipality Code; or
- d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Municipality and Zoning Codes.

Enforcement Officer - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Municipality to enforce the applicable code(s).

Owner - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

Property Management Company - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

Vacant - means any building or structure that is not legally occupied.

#### SECTION 179-11. APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Municipality above and beyond any other state, county or local provisions for same.

#### SECTION 179-12. ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of Section 179-9, the Municipality or designee shall participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation cataloging each Abandoned Property within the Municipality, containing the information required by this Article.

#### SECTION 179-13. REGISTRATION OF ABANDONED REAL PROPERTY

- (a) Any mortgagee who holds a mortgage on real property located within the Municipality of Ventnor City shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within ten (10) days of the inspection, register the property with the Division of Code Enforcement, or designee, on forms or website access provided by the Municipality, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- (b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Municipality.
- (c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- (d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration.
- (e) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.
- (f) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- (g) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.
- (h) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- (i) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.
- (j) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the Municipality may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

#### SECTION 179-14. MAINTENANCE REQUIREMENTS

- (a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- (b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- (d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- (g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with Chapter 86 (which incorporates the provisions of Sections 89, 98, 110, 122, 132, 138, 158, 178 and 197) of the Municipality of Ventnor's City's Code of Ordinances. Pursuant to a finding and determination by the Municipality's Code Enforcement Officer/Board, Hearing Officer/Special Magistrate or a court of competent jurisdiction, the Municipality may take the necessary action to ensure compliance with this section.
- (h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s).

#### SECTION 179-15. SECURITY REQUIREMENTS

- (a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.
- (c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws.

#### SECTION 179-16. PUBLIC NUISANCE.

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Municipality.

#### SECTION 179-17. PENALTIES; SCHEDULE OF CIVIL PENALTIES.

Any person who shall violate the provisions of this article may be cited and fined as provided in Chapters 86 (which incorporates the provisions of Sections 89, 98, 110, 122, 132, 138, 158, 178

and 197) of the Municipality of Ventnor City Code of Ordinances and New Jersey Statutes, N.J.S.A. 55:19-78 et. seq. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the Municipality Code sections, except to the extent that different types of violations of the Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the "Description of Violation" column. To determine whether a particular activity is prescribed or required by this Code, the relevant Municipality Code section(s) shall be examined.

Description of Violation	Civil Penalty
Failure to register abandoned real property on annual basis and/or any violation of the sections stated within.	\$500.00

#### SECTION 179-18. INSPECTIONS FOR VIOLATIONS

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable code(s) and the owner shall be responsible for meeting with the Municipality's Code Enforcement Division within forty-five (45) days for a final courtesy inspection report.

#### SECTION 179-19. ADDITIONAL AUTHORITY

(a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the Municipality's code enforcement board or code enforcement special magistrate as soon as possible to address the conditions of the property.

(b) The Code Enforcement Board or Hearing Officer/special magistrate shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the code enforcement board or special magistrate may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.

(d) If the mortgagee does not reimburse the Municipality for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Municipality sending the mortgagee the invoice then the Municipality may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

#### SECTION 179-20. OPPOSING, OBSTRUCTING ENFORCMENT OFFICER; PENALTY.

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

SECTION 179-21. IMMUNITY OF ENFORCEMENT OFFICER

Any enforcement officer or any person authorized by the Municipality to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

SECTION III. AMENDMENTS. Registration and Penalty Fees outlined in this article may be modified by a Resolution, passed and adopted of the Municipality Commission of the Municipality of City of Ventnor.

SECTION IV. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION V. REPEALER. All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

SECTION VI. CODIFICATION. It is the intention of the Ventnor Commission of the Municipality of Ventnor City, New Jersey, that the provisions of this Ordinance shall become and be made a part of the Municipality of Ventnor City Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION VII. EFFECTIVE DATE. This ordinance shall become effect upon its final passage, publication and adoption in the manner prescribed by law.

Date of Introduction: January 21, 2016

Date of Publication: January 25, 2016

Date of Public Hearing &  
Adoption: February 18, 2016

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Mayor John Michael Bagnell

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Commissioner Frank Sarno

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Commissioner Theresa D. Kelly

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Janice K. Callaghan, RMC, City Clerk

ORDINANCE NO. 2016-02

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER §217  
REGULATION OF PARKING ON CERTAIN STREETS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor as follows:

Section I. Section 217.9 shall be amended to read as follows:

Applications for parking permits under this Article shall be made, in writing, to the Code Official of the City of Ventnor or his/her designee upon such forms to be prepared by the office of the Code official upon passage of this article. All individuals who apply for a parking permit shall also be entitled to purchase up to two (2) visitors placards as set forth in section 217.11.

Section II. Section 217.9.1, FEES shall be added as follows:

- (A) Parking Permit fees shall be \$2.00 for each permit, payable in January of all even numbered years for a period of two years and terminating by December 31 of each odd numbered year. Payment of fees shall not be prorated if purchased after January 1 in any given year.
- (B) All new residents, either homeowners or tenants, shall be entitled to apply for a parking permit pursuant to the conditions set forth in section 217-10. The fee regardless of when same is applied for shall remain as set forth in paragraph (A).
- (C) Visitor placards shall be at the rate of \$2.00 for each placard for a term set forth in section 217.9.1(A).

Section III. Section 217.10 (A) shall be amended to remove "Chief of Police" in the last full sentence to be replaced with "Code Official or his/her designee."

Section VI. Section 217.12 shall be deleted and replaced with the following:

(A) An applicant for a parking permit under this Article shall show to the Code Official or his/her designee satisfactory evidence that he/she fulfills all the conditions required for the issuance of such permit. Whenever such conditions no longer exist, any person holding such permit shall surrender same to the Code Official or his/her designee. It shall be unlawful for any person to represent that they are entitled to a permit hereunder when they are not so entitled, to fail to surrender a permit to which they are no longer entitled or to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it. No permit issued hereunder shall be valid for more than two years, but may be renewed upon expiration, provided that the conditions for issuance thereof still exist.

(B) The Code Official in conjunction with the Chief of Police shall have the authority to promulgate rules and regulations from time to time as he/she sees fit in order to implement and effectuate the purposes and intent of this article.

Section V. Section 217.14 shall be deleted and replaced with the following:

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine of not less than \$50.00 and not more than \$2000.00. A separate offense shall be deemed committed on each day during or on which a new violation occurs or continues. The Court, in its discretion, may order the imposition of up to a maximum of 90 days of community service in addition to or as a substitute for any fine.

Section VI. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section VII. Should any section, clause, sentence phrase, provision or application of the Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect, impair, or invalidate the remaining portions of this Ordinance.

Section VIII. This Ordinance shall take effect on final passage, approval and publication.

Date of Introduction: January 21, 2016

6Date of Publication: January 25, 2015

Date of Public Hearing &  
Adoption: February 18, 2016

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Mayor John Michael Bagnell

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Commissioner Frank Sarno

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Commissioner Theresa D. Kelly

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Janice K. Callaghan, RMC, City Clerk

RESOLUTION 01 OF 2016  
2016 TEMPORARY BUDGET  
CURRENT FUND

GENERAL GOVERNMENT FUNCTIONS	FCOA	
City Administrator		
Salaries and Wages	20-100-010	19,975.00
Mayor's Office		
Salaries and Wages	20-110-010	17,666.50
Other Expenses	20-110-020	3,923.00
Finance Commissioner		
Salaries and Wages	20-112-010	2,500.00
Public Works Commissioner		
Salaries and Wages	20-114-010	2,500.00
City Clerk		
Salaries and Wages	20-120-010	24,045.00
Other Expenses	20-120-020	10,050.00
Revision/Codification of Ordinances	20-120-300	2,300.00
Election Expenses	20-120-400	2,400.00
Financial Management		
Salaries and Wages	20-130-010	59,254.75
Other Expenses	20-130-020	12,920.00
Auditing Fees	20-131-020	13,900.00
Information Technology		
Salaries and Wages	20-140-010	18,240.25
Other Expenses	20-140-020	9,700.00
Collection of Taxes		
Salaries and Wages	20-145-010	22,011.00
Other Expenses	20-145-020	3,675.00
Assessment of Taxes		
Salaries and Wages	20-150-010	24,047.50
Other Expenses	20-150-020	2,480.00
Legal Services Costs		
Other Expenses	20-155-020	75,000.00
City Engineer		
Salaries and Wages	20-165-010	26,375.00
Other Expenses	20-165-020	20,750.00
Planning Board		
Salaries and Wages	20-180-010	800.00
Other Expenses	21-180-020	6,750.00
Construction Code		
Salaries and Wages	22-195-010	77,274.00
Other Expenses	22-195-020	1,650.00
Housing Code		
Salaries and Wages	22-196-010	18,837.00
Other Expenses	22-196-020	1,225.00
Electrical & Plumbing Inspections		
Salaries and Wages	22-197-010	2,265.00
Other Expenses	22-197-020	0.00
Interlocal Municipal Service Agreements		
Borough of Longport-UCC		
Salaries & Wages	22-198-010	8,500.00

INSURANCE		
Other Insurance Premiums	23-211-000	30,591.00
Worker Compensation Insurance	23-215-000	229,656.00
Health Insurance	23-220-000	618,842.00
Health Insurance Waiver	23-221-000	22,396.00
Police		
Salaries and Wages	25-240-010	1,059,521.00
Other Expenses	25-240-020	20,850.00
Radio & Communication		
Salaries and Wages	25-250-010	123,195.00
Other Expenses	25-250-020	30,600.00
Office of Emergency Management		
Salaries and Wages	25-252-010	13,875.00
Other Expenses	25-252-020	9,200.00
Fire Department		
Salaries and Wages	25-255-010	1,083,752.00
Other Expenses	25-255-020	8,060.00
Uniform Fire Safety		
Other Expenses	25-265-020	1,050.00
Streets & Roads		
Salaries and Wages	26-290-010	122,306.00
Other Expenses	26-290-020	9,600.00
Traffic & Electrical Division		
Salaries and Wages	26-300-010	15,067.00
Other Expenses	26-300-020	3,750.00
Solid Waste/Recycling		
Salaries and Wages	26-305-010	14,916.00
Other Expenses	26-305-020	276,274.00
Building & Grounds		
Salaries and Wages	26-310-010	50,399.00
Other Expenses	26-310-020	15,350.00
Motor Vehicle Maintenance		
Salaries and Wages	26-315-010	68,641.00
Other Expenses	26-315-020	4,750.00
Dog Control	27-340-020	2,100.00
Recreation		
Salaries and Wages	28-370-010	65,000.00
Other Expenses	28-370-020	13,030.00
Beach Patrol		
Salaries and Wages	28-380-010	10,000.00
Other Expenses	28-380-020	4,500.00
Beach Control		
Salaries and Wages	28-381-010	4,000.00
Other Expenses	28-381-020	5,600.00
Celebration of Public Events	30-420-299	2,500.00
Utility Expenses		
Gasoline	31-460-000	23,700.00
Electricity	31-430-000	147,000.00
Telephone	31-440-000	15,000.00
Natural Gas	31-446-000	30,000.00
Terminal Leave	32-400-011	

STATUTORY EXPENDITURES

Contribution to:		
Unemployment	36-473-000	31,500.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00
Consolidated P&FRS	36-474-000	2,000.00
Medicare Insurance	36-476-000	36,750.00
Lifeguard Pension Fund	36-477-000	
Police & Firemens Retirement System NJ	36-475-000	400,000.00
Public Employees Retirement System of NJ	36-471-000	85,000.00
Defined Contribution Retirement Plan	36-480-000	2,100.00
Municipal Court		
Salaries and Wages	43-490-010	55,770.50
Other Expenses	43-490-020	2,100.00
Prosecutor		
Salaries and Wages	43-492-010	7,750.00
Public Defender		
Salaries and Wages	43-495-010	2,250.00
MUNICIPAL DEBT SERVICE		
Bonds Interest - General	45-930-000	18,000.00
Bond Principal - School	48-920-000	375,000.00
Bond Interest - School	48-930-000	47,930.00
		<u>\$ 5,772,610.50</u>

WATER/SEWER UTILITY FUND

WATER/SEWER UTILITY FUND	FCOA	
Operating		
Salaries and Wages	55-501-010	\$251,955.00
Other Expenses	55-502-020	\$176,287.50
ACUA Sewer Shared Costs	55-502-300	\$345,211.75
STATUTORY EXPENDITURES		
Contribution to:		
Unemployment	55-542-000	265.00
Social Security System (O.A.S.I.)	55-541-000	21,250.00
		<u>\$794,969.25</u>

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC  
CITY CLERK**

**RESOLUTION  
NO. 002 OF 2016**

**DESIGNATION OF BANK DEPOSITORIES**

WHEREAS, the City of Ventnor City is desirous of designating certain local banks as depositories for City funds for the year 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the following banks are sod designated:

1. Ocean City Home Bank
2. Fidelity Investment
3. NJ Asset & Rebate Management Program
4. TD Bank
5. Fidelity Investment Account

BE IT FURTHER RESOLVED by the Board of Commissioners of the City of Ventnor City that a copy of this Resolution be forthwith filed with the Chief Financial Officer of the City of Ventnor City.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC  
CITY CLERK**

**RESOLUTION  
NO. 003 OF 2016  
PUBLIC EMPLOYEE BONDS**

WHEREAS, in accordance with NJSA 40A:5-34 and NJSA 40A:5-34.1, it is necessary for public officials to provide performance bonds for the faithful performance of their services for all years while employed for a municipality; and

WHEREAS, it is the direction of the Board of Commissioners that said faithful performance bonds be supplied for the year 2016 by said public officials.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of said City of Ventnor City provide a performance bond for faithful service to said City in an amount that shall be acceptable to the Board of Commissioners, as well as a Surety that shall be acceptable to the Board of Commissioners as set forth in NJSA 40A:5-34.

BE IT FURTHER RESOLVED that the Tax Collector of said City provide a performance bond for faithful service to said City in an amount that shall be acceptable to the Board of Commissioners, as well as a Surety that shall be acceptable to the Board of Commissioners as set forth in NJSA 40A:5-34.

BE IT FURTHER RESOLVED that the Municipal Court Administrator, Deputy Court Administrator and Personnel employed in said City Court system shall provide a blanket bond in accordance with NJSA 40A:5-34.1 for an amount not less than \$15,000 per position.

BE IT FURTHER RESOLVED that all other officers and employees of the City of Ventnor City shall supply a blanket bond in an amount not less than \$50,000 per position in accordance with NJSA 40A:5-34.1.

BE IT FURTHER RESOLVED that all such bonds as hereinbefore mentioned shall be approved as to amount, surety and sufficiency by the Board of Commissioners of the City of Ventnor City with the advice from the City Auditor and the City Solicitor.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC  
CITY CLERK**

**RESOLUTION**  
**NO. 004 OF 2016**

**A RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR  
THE CITY OF VENTNOR CITY FOR THE 2016 FISCAL YEAR**

BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Cash Management Plan for the City of Ventnor City, as outlined in the attached document is adopted for the 2016 fiscal year.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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**JANICE K. CALLAGHAN, RMC**  
**CITY CLERK**

## Cash Management Plan of Ventnor City in the County of Atlantic

### **I** STATEMENT OF PURPOSE

This Cash Management Plan (CMP) is prepared pursuant to provisions of N.J.S.A 40A:5-14 in order to set for the basis for the deposits and investments of public funds of the City of Ventnor. The CMP is intended to assure that public funds identified herein are deposited in interest bearing accounts or otherwise safeguarded, in permitted investments to insure safety, liquidity and a maximum investment rate of return. The CMP is intended to insure that any deposits and permitted investments mature within the time period that approximates the prospective need for the funds, deposited or invested so that there is not a risk to the market value of Ventnor cash resources.

### **II** CASH MANAGEMENT POLICY

- A. Objectives: The priority of investing policies shall be, in order of descending importance, security, liquidity and yield.
- (1) Security: The safety of principal is the foremost objective of the CMP. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate.
  - (2) Credit Risk: Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
    - (1) Limiting investments to the safest types of securities.
    - (2) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
    - (3) Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
  - (3) Interest Rate Risk: Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:
    - (1) Structuring the investment portfolio so that securities mature to meet cash requirement for ongoing operations thereby avoiding the need to sell securities on the open market prior to maturity, and
    - (2) By investing operating funds primarily in shorter-term securities.
  - (4) Liquidity: The investment portfolio must remain sufficiently liquid so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
  - (5) Yield: The investment must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking in to account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments is limited to relative low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions:

- (1) A declining credit security could be sold early to minimize the loss of principal.
- (2) A security swap would improve the quality, yield or target duration in the portfolio.
- (3) Liquidity needs of the local unit require that the security be sold.

B. Standard of Care

(1) Prudence

The standard of prudence to be used by investment officials shall be the "pedant person" standard and shall be applied in the context of managing an overall portfolio in accordance with the State law and this policy. The Chief Financial Officer, acting in accordance with written procedures and this CMP and exercising due diligence be relieved of personal responsibility for an individual security's credit risk or marked price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the cash management plan and policy.

Investment shall be made with the judgement and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(2) Ethics and Conflicts of Interest

The designated officials in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of the individuals involved in administering the AMP shall be governed by the Local Government Ethics Law. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. The actin with the same individual with whom business is conducted on behalf of the City.

(3) Delegation of Authority

Authority to manage the CMP is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A:5-14. Responsibility for the operation of the CMP is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of this policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

**III**

**IDENTIFIED FUNDS AND ACCOUNTS TO BE COVERED BY THIS PLAN**

The CMP is intended to cover the deposit and or investment of the following funds and of the City of Ventnor.

- Current Fund
- Ambulance Fee Account
- Bail Account
- Clerk of the Municipal Court Account
- Dog Dedicated Trust Account
- Evidence Trust Account
- Water/Sewer Utility Operating Fund
- Water/Sewer Utility Capital Fund
- Developer's Escrow Account
- Lifeguard Pension

Other Trust Fund  
General Capital Fund  
Unemployment Trust Fund  
Fidelity Investment Account  
Green Acres Account  
Law Enforcement Trust Account  
Merchant Court Fees Account  
Payroll Account  
Petty Cash Account  
Premium Account  
Small Cities Account  
Tax Lien Redemption Account  
Federal Forfeiture Account  
Payroll Agency Account  
Penalties Collected Under Uniform Fire Code Account

**IV DESIGNATION OF CITY OF VENTNOR OFFICIALS AUTHORIZED TO MAKE INVESTMENTS UNDER THE PLAN**

The Chief Financial Officer is required to supervise deposits and investments of the City of Ventnor. If the Chief Financial Officer is unavailable he/she may designate the employees under CFO's supervision have the ability to transfer and invest funds in only the allowed types of investments as permitted in the CMP. Prior to making any such deposits or any permitted investment such officials of the City of Ventnor are directed to supply all depositories or any other parties with whom the Deposits or permitted investments are made a written copy of such of this CMP which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

**V DESIGNATION OF DEPOSITORIES.**

The following banks and financial institutions are hereby designated as official depositories for the deposit of all public funds referred to in the CMP, including certificates of deposit which are not otherwise invested in permitted for in the CMP.

Ocean City Home Bank Fidelity Investment  
NJ Asset & Rebate Management Program  
TD Bank  
Fidelity Investment Account

Also for the purpose of investing, any other institution presenting a GUDPA Certificate may be used. All such depositories shall acknowledge in writing receipt of this CMP by sending a copy of such acknowledgment to the designated officials referred.

**VI DESIGNATION OF BROKERAGE FIRM AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL**

In the event that the Chief Financial Officer deems it advantageous to utilize the services Brokerage Firms and Dealers, this CMP will be amended to specify designees.

**VII AUTHORIZED INVESTMENT**

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by the CMP, to the extent not otherwise held in deposit's, in the following permitted investment:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.

- (2) Government money market mutual funds.
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
- (4) Bond or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located.
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasurer for Investment by Local Units.
- (6) Local government investment pools.
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4); or
- (8) Agreement for the repurchase of fully collateralized securities if
  - (a) the underlying securities are permitted investments pursuant to paragraph (1) and (3) of this subsection a;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section I of P.L. 1070. C.236(C.17:9-41); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For the purpose of this above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

- Government Money Market Mutual Fund**, An investment company or investment trust:
- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940" 15 U.S.C. sec 80a-1 et seq, and operated in accordance with 17 C.F.R. sec 270.2a-7
  - (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270. 2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
  - (c) which has:
    - (1) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
    - (2) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940" 15 S.S.C. sec 80B-1 et seq., with experience investing in US Government securities for at least the

most recent past 60 months and with assets under management in excess of \$500 million.

**Local Government Investment Pool.** An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a7
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. Sec 270k.2a-7 and repurchase agreements that are collateralized by such U.S Government securities;
- (d) Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act: P.L. 1968, c.41 0(c.52:14B-1 et seq) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize and index that does not support a stable net asset value; and
- (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund or the State of New Jersey Management Fund, or through the use of a national or State bank located within this State or through a grocer-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in Capital stock (or equivalent capitalization if not a corporation) surplus reserves for contingencies and undivided profits, or through a securities and reports daily to the Federal Reserve Bank of New York its position in the borrowing on such U.S. Government securities.

**VII**

**SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the City to assure that there is not unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the City or by third party custodian prior to or upon release of the City's Fund.

To assure that all parties with whom the City Deals with by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in the SMP, all such parties shall be supplied with a copy of this CMP in writing and all such parties shall acknowledge the receipt of the CMP in writing, a copy of which shall be on file with the Designated Officials.

## **IX**

### **REPORTING REQUIREMENTS:**

On the first day of each month during which this CMP is in effect, the Designated Officials referred to in Section IV hereof shall supply to the governing body of the City a written report of any Deposits of Permitted Investment made pursuant to this CMP, which shall include, at a minimum, the following information:

- (a) The name of any institution holding funds of the City as Deposit of a Permitted Investment.
- (b) The amount of securities or Deposits purchased or sold during the immediately preceding month.
- (c) The class or type of securities purchased or Deposits made.
- (d) The book value of such Deposits or Permitted Investments.
- (e) The earned income on such Deposits or Permitted Investments to the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- (f) The fees incurred to undertake such Deposits or Permitted Investments.
- (g) The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- (h) All other information which may be deemed reasonable from time to time by the governing body of the City.

## **X**

### **TERM OF PLAN**

The CMP shall be in effect from January 1, 2016 to December 31, 2016. Attached to this CMP is a resolution of the governing body of the City approving this CMP for such period of time. The CMP may be amended from time to time. To the extent that any amendment is adopted by the Board of Commissioners, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received a copy of the originally approved CMP, which amendment shall be acknowledged in writing in the same manner as the original CMP was so acknowledged.

**RESOLUTION  
NO. 05 OF 2016**

**AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT**

WHEREAS, NJSA 40A:21-1 et. seq. and Chapter 204 of the Code of the City of Ventnor City allows for the granting of a tax exemption for qualifying new dwellings; and

WHEREAS, application for such tax exemption has been filed by Peggy Cavanaugh for the newly constructed residential dwelling known as Block 117, Lot 8; and

WHEREAS, application for such tax exemption has been filed by James R. Bonanno for the newly constructed residential dwelling known as Block 172, Lot 14; and

WHEREAS, the Ventnor City Tax Assessor has reviewed such applications and has deemed the applications complete and in compliance with the provision of NJSA 40A:21-1 et. seq. and Chapter 204 of the Code of the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter authorizes the execution of Tax Exemption Agreements for:

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Peggy Cavanaugh	117/8	25 N Cornwall
James R Bonanno	172/14	6711 Monmouth

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGAHAN, RMC  
CITY CLERK**

**RESOLUTION**  
**NO. 006 OF 2016**

**REMOVAL OF DISABLEDF VETERAN EXEMPTION &  
AUTHORIZE COLLECTION OF BACK TAXES DUE**

WHEREAS, Meg Abruzze is the owner of Block 276, Lot 10, also known as 307 Essex Court in the City of Ventnor City; and

WHEREAS, Ms Abruzze is the widow of a totally disabled Veteran and therefore entitled to a total tax exemption on her primary residence; and

WHEREAS, in 2014 Ms Abruzze changed her primary residence to 3 Truman Ave., Egg Harbor Twp, NJ and was granted a disabled veterans tax exemption on her new residence effective October 1, 2014; and

WHEREAS, Ms Abruzze continued to receive the disabled veterans tax exemption on her property in Ventnor City; and

WHEREAS, the Tax Assessor of the City of Ventnor City has requested the veteran tax exemption be removed and the taxes owed on Block 276, Lot 10 be collected as of October 1, 2014 in the total amount of \$5,141.65.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereby authorizes the Tax Assessor to remove the Veterans Tax Exemption on Block 276, Lot 10.

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to take whatever action necessary to collect back taxes due and owing in the total amount of \$5,141.65.

BE IT FURTHER RESOLVED that a copy of this Resolution be forthwith filed with the Tax Assessor and Tax Collector of the City of Ventnor City.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC**  
**CITY CLERK**

**RESOLUTION**  
**NO 07 OF 2016**

**CHANGE ORDER #2 – CALVERT AVE DRAINAGE IMPROVEMENTS**

WHEREAS, the City of Ventnor City did award a contract for the “Calvert Ave Drainage Improvements” and did enter into a contract with Lexa Concrete, LLC in the amount of \$1,471,850.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and by Change Order #1 the contract price was adjusted to \$1,538,884.58; and

WHEREAS, additional adjustments in quantity amount

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Calvert Ave Drainage Improvements” be amended to \$1,570,533.58 for a net adjustment of \$31,649.00.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

\_\_\_\_\_  
**JANICE K. CALLAGHAN, RMC**  
**CITY CLERK**

RESOLUTION  
NO. 08 OF 2016

TRANSFER OF LIQUOR LICENSE #0122-44-013-005  
GR8 LIQUORS CORPORATION TO VENTNOR SPIRITS, LLC

WHEREAS, there exists in the City of Ventnor City a certain Plenary Retail Distribution License, being License #0122-44-013-005, GR8 Liquor Corporation t/a Roger Wilco Liquors; and

WHEREAS, said owners have filed with the issuing authority a letter of consent to transfer said license; and

WHEREAS, said applicant has complied with all State and Local requirements for said transfer including legal advertisements under such statutes made and provided; and

WHEREAS, the applicant has complied with the provisions of NJSA 33:2-7.10(3), namely:

- (3) The applicant has disclosed, and the authority has reviewed the source of all funds used in the purchase of this license and the licensed business, and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Plenary Retail Distribution License #0122-44-013-005 is hereby transferred to Ventnor Spirits, LLC whose sole stockholders are Ketul B. Patel, 38 Johanna Ct., Piscataway, NJ 08854 and Alpesh T. Patel, 408 Fir Ave., Galloway, NJ 08205.

BE IT FURTHER RESOLVED that said 0122-44-013-005 license shall operate from 5026 Wellington Ave., Ventnor, NJ 08406.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC  
CITY CLERK**

RESOLUTION  
NO. 9 OF 2016

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS.  
BE IT RESOLVED that the following appropriation transfers are hereby authorized

	ACCT #	FROM	TO
ADMINISTRATOR			
SALARIES & WAGES	20-100-011		\$1.00
BUILDINGS & GROUNDS			
SALARIES & WAGES	26-310-011	\$1.13	
INTEREST ON NOTES LOCAL SCHOOL	48-930-000		\$0.13
		\$1.13	\$1.13
		\$1.13	\$1.13

WATER/SEWER UTILITY

	ACCT #	FROM	TO
WATER/SEWER UTILITY			
SALARIES & WAGES	55-501-011	\$206.26	
INTEREST ON BONDS	55-523-000		\$206.26
		\$206.26	\$206.26
		\$206.26	\$206.26

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC**  
**CITY CLERK**

RESOLUTION  
NO. 10 OF 2016

RESOLUTION ALLOWING THE CITY OF VENTNOR TO ENTER INTO  
AN AGREEMENT WITH 5105 WINCHESTER BAYFRONT, LLC

WHEREAS, on July 6, 2015 the City of Ventnor Board of Commissioners entered into a Contract with Walters Marine for the installation of check valves for the back bay outfalls to limit flooding in the City of Ventnor ("The Project");

WHEREAS, as part of the project service was to be performed on an outfall pipe located at 5105 Winchester Avenue, Block 100, Lot 12, also known as 5105 Winchester Bayfront, LLC;

WHEREAS, a dispute arose with the City of Ventnor and 5105 Winchester Bayfront LLC regarding the City's ownership of easement rights to access and service the pipe;

WHEREAS, the City of Ventnor has entered into negotiations with the owner of 5105 Winchester Bayfront, LLC with the assistance of the solicitor, engineer and tax assessor for purposes of the City acquiring an easement on the property for furthering the City's storm water, flood prevention program;

WHEREAS, the owner of Winchester Bayfront, LLC has agreed to grant the City of Ventnor a 15 foot by 34.57 easement for \$1.00 and other non-monetary consideration to allow for the installation of an 18 inch wide pipe on the property;

WHEREAS, the owner of Winchester Bayfront, LLLC has agreed to be responsible for digging the trench and installing the pipe and creating the hole in the bulkhead for the discharge of the water at his sole expense;

WHEREAS, the City of Ventnor has agreed to be responsible for purchasing the required pipe and all construction costs necessary for the connection of the pipe at Winchester Avenue at their sole expense;

WHEREAS, the City of Ventnor has agreed that they shall be responsible for maintaining the pipe and if entry onto 5105 Winchester for repairs to the pipe is necessary to be responsible to return the property, concrete parking pad and landscaping to its "as built" condition at their sole expense;

WHEREAS, with the assistance of Arthur Ponzio & Company and Associates, an appropriate easement setting forth the metes and bounds will be drafted, filed and recorded with the Atlantic County Clerk's office;

WHEREAS, upon 5105 Winchester Bayfront filing an appropriate tax appeal, the tax assessor having reviewed the property has determined the appropriate land value for the property would be \$335,000 for a period of three (3) years; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the City to enter into the aforementioned agreement with 5105 Winchester Bayfront, LLC to acquire an easement and allow the installation of check valves for the benefit of all citizens to reduce the flooding in the city pursuant to the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey, authorizes the Mayor to enter into and execute a Settlement Agreement with 5105 Winchester Bayfront, LLC.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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JANICE K. CALLAGHAN, RMC  
CITY CLERK

**RESOLUTION  
NO. 11 OF 2016**

**CLOSE OUT OF ESCROW ACCOUNT**

WHEREAS, the Planning & Zoning Boards of the City of Ventnor City is required to collect escrow fees from developers for projects within the City, and

WHEREAS, the following developers have paid said fees, and

WHEREAS, the applications have been finalized and final notification has been published, the excess funds and interest must be returned to the developers.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City that the Chief Finance Officer of the City of Ventnor City is hereby authorized to close the account as state below.

BE IT FURTHER RESOLVED that the Chief Finance Officer is authorized to mark the books and records accordingly.

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
Daniel Cahill	210 N Cambridge Ave	\$551.00

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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JANICE K. CALLAGHAN, RMC  
CITY CLERK

**RESOLUTION  
NO. 012 OF 2016**

**AUTHORIZE SUBMISSION OF APPLICATION FOR 2016 MUNICIPAL ALLIANCE GRANT**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Ventnor Board of Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, The Ventnor Board of Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, The Ventnor Board of Commissioners has applied for funding to the Governor's Council on alcoholism and Drug Abuse through the County of Atlantic.

NOW, THEREFORE, BE IT RESOLVED by the City of Ventnor, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The City of Ventnor Board of Commissioners does hereby authorize submission of a strategic plan for the Ventnor City Municipal Alliance grant for the calendar year 2016 in the amount of:

DEDR	\$14,110.00
Cash Match	\$ 3,528.00
In-Kind	\$10,582.00
Total	\$28,220.00

2. The City of Ventnor Board of Commissioners acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

**JANICE K. CALLAGHAN, RMC  
CITY CLERK**

RESOLUTION  
NO. 13 of 2016

AUTHORIZING THE CITY OF VENTNOR TO SEEK QUOTATIONS FOR A CONCESSION AGREEMENT  
WITH AN ELECTRONIC SELLER AND DISTRIBUTOR OF CITY BEACH BADGES

WHEREAS, The City of Ventnor at the January 14, 2016 Workshop Session in the presence of the public discussed entering into a concession agreement, as defined by the Local Public Contracts Law;

WHEREAS, The City of Ventnor recognizes the need to award a concession contract to allow for citizens to have access to the purchasing of beach badges through alternative and convenient methods;

WHEREAS, The City of Ventnor believes that such a concession will benefit the public by providing increased access to beach badges and the Ventnor City Beaches and increased revenue for the City of Ventnor, and that such benefits outweigh the potential decrease in the number of late-season, increased-price sales;

WHEREAS, The City of Ventnor wishes to allow a company, with the requisite technological capabilities, to sell beach badges to the public by way of website and mobile application;

WHEREAS, The City of Ventnor wishes to enter into an agreement with such a company for the purpose of granting them the right to provide those services to the citizens and visitors to the City of Ventnor who wish to use the Ventnor City Beaches;

WHEREAS, The City of Ventnor through its Chief Financial Officer has estimated the total amount value of the agreement to the vendor be \$14,000;

WHEREAS, The City of Ventnor anticipates promoting and making the public aware of the potential concession holder's services;

WHEREAS, The City of Ventnor wishes to seek quotations from potential vendors;

WHEREAS, based on the discussions at the January 14, 2016 Workshop Session of the Ventnor City Commission in the presence of the public, the City Commission discussed the possible benefits and detriments of entering into such a concession agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Ventnor as follows:

1. The Governing Board hereby authorizes the Chief Financial Officer to seek quotations for a concession agreement with an electronic seller and distributor of beach badges.
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the **Ventnor City Board of Commissioners** held this 21<sup>st</sup> day of January 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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JANICE K. CALLAGHAN, RMC  
CITY CLERK

**RESOLUTION**  
**NO. 014 OF 2016**

**PROFESSIONAL SERVICES CONTRACT FOR PLANNING AND GRANT ASSISTANCE**

WHEREAS, by Resolution No. 92 of 2013 James M. Rutala was appointed for planning and grant assistance for the City of Ventnor City; and

WHEREAS, the City of Ventnor wishes to reappoint Mr. Rutala for such services; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:5-11 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners as follows:

The Contract is awarded without competitive bidding as a "Professional Services Contract" under the provisions of the Local Public Contracts Law because the law permits the waiving of competitive bids under N.J.S.A. 40A:5-11.

BE IT FURTHER RESOLVED that James M. Rutala Associates, LLC is hereby appointed for planning and grant assistance for the City of Ventnor pursuant to the terms of the contract.

BE IT FURTHER RESOLVED that a notice of this appointment be published at least once in the Press of Atlantic City pursuant to the requirements of Chapter 198 of the laws of 1971.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Ventnor City Board of Commissioners held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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**JANICE K. CALLAGHAN, RMC**  
**CITY CLERK**

RESOLUTION  
NO. 15 OF 2016

OPPOSING THE COUNTYWIDE DISPATCH CENTER

WHEREAS, the County of Atlantic has recently released proposed plans for a Consolidated Emergency Communication and Stockton Police Center, also known as Countywide Dispatch Center, located in the Township of Galloway; and

WHEREAS, the County of Atlantic has been designing and planning for a County Dispatch Center for over thirty (30) years; and

WHEREAS, the City of Ventnor is satisfied with the current level of service being provided by its own dispatch center; and

WHEREAS, if Atlantic County approves a Central Dispatch Center, all residents of Atlantic County, including Ventnor City residents, will be charged the cost, in the County's tax rate, to construct and operate the Center; and

WHEREAS, in order to avoid paying double for dispatch services, the City of Ventnor would need to shut down its own dispatch center and lay off its own dispatch employees; and

WHEREAS, if the City of Ventnor were to lose its local dispatch center, it would also lose the institutional knowledge its own dispatch employees possess;

NOW, THEREFORE, IT BE RESOLVED, that the Board of Commissioners of the City of Ventnor hereby oppose the plans for the Consolidated Emergency Communication Stockton Police Center, also known as Countywide Dispatch Center, presented by the County of Atlantic.

I, **JANICE K. CALLAGHAN**, City Clerk of the **CITY OF VENTNOR CITY**, do hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Ventnor City Board of Commissioners held this 21<sup>st</sup> day of January, 2016 and in witness whereof I have hereunder set my hand and official seal on this date written.

	Motion	Second	Yes	Nay	Abstain	Absent
Sarno						
Kelly						
Bagnell						

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JANICE K. CALLAGHAN, RMC  
CITY CLERK