



Scroll down to following pages to view full content of each Ordinance



ORDINANCE NUMBER	2009 INDEX OF ORDINANCES PENDING & ADOPTED	DATE ADOPTED
2009-01	AMENDING CHP132, GARBAGE, RUBBISH & REFUSE REQUIRING USE OF BIODEGRADABLE YARD WASTE COLLECTION BAGS	2-19-09
2009-02	REFUNDING BOND ORDINANCE OUTSTANDING CALLABLE SCHOOL BONDS, SERIES 2001, DATED 6-1-01 AND AUTHORIZING THE ISSUANCE OF UP TO \$4,500,000 GENERAL OBLIGATION REFUNDING BONDS	3/19/09
2009-03	AUTHORIZING SALE OF 5008 VENTNOR AVE	3/19/09
2009-04	2009 SALARY ORDINANCE	3/19/09
2009-05	AMENDING CHP.102, DEVELOPMENTAL REGULATIONS OF VC CODE AS IT RELATES TO R-7 ZONING DISTRICT TO ALLOW FOR ZERO LOT LINE CONSTRUCTION	4/16/09
2009-06	AUTHORIZING BOND ORDINANCE FOR THE FINANCING OF WEST CANAL SEWER MAIN PROJECT	3/19/09
2009-07	AMENDING BOND ORDINANCE 2002-03 TRANSFER OF MONIES TO PROVIDE BEACH REPLENISHMENT PAYMENT	3/19/09
2009-08	ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK	4/16/09
2009-09	INCREASING VENTNOR FISHING PIER FEES	4/16/09
2009-10	REPEALING CH 187, VC CODE, SEX OFFENDER RESIDENCY (ENTIRELY)	4/16/09
2009-11	AMENDING CHP 206 TENNIS COURT FEES & HOURS OF OPERATION	5/21/09
2009-12	AMENDING CHP 208 TOWING - IMPOUND LOT WITHIN 15 MILES	5/21/09
2009-13	AMENDING CHP 101, CURFEW	6/18/09
2009-14	BOND ORDINANCE CAPITAL EQUIPMENT & IMPROVEMENTS \$6,418,000	6/18/09
2009-15	BOND ORDINANCE W/S UTILITY EQUIPMENT & CONSTRUCTION OF VARIOUS IMPROVEMENTS TO WATER/SEWER UTILITY \$2,922,400	6/18/09
2009-16	ADOPTION OF MODEL CITIZEN SERVICE ACT	6/18/09
2009-17	REPEALING CHAPTER 77, BLOCK PARTIES	7/16/09
2009-18	AMENDING PERSONNEL POLICIES & PROCEDURES MANUAL AS IT RELATES TO ANTI-SEXUAL HARASSMENT POLICY	9/17/09

2009-19	AUTHORIZING COMMISSION APPROVAL FOR ANY VOUCHERS IN EXCESS OF \$3,000	9/17/09
2009-20	ALL PROFESSIONAL SERVICES CONTRACTS TO BE APPROVED BY RESOLUTION PRIOR TO ENGAGING SERVICE	9/17/09
2009-21	AMEND CHAPTER 214-30 NO PARKING CERTAIN HRS TO CHANGE ATLANTIC AVE (JACKSON TO SOMERSET) FROM TUESDAY TO THURSDAY (JACKSON TO CAMBRIDGE) AND CHANGE ATLANTIC AVE (PORTLAND TO FREDERICKSBURG) TO (SACRAMENTO TO FREDERICKSBURG)	10/15/09
2009-22	APPROPRIATING FUNDS FOR SCHOOL IMPROVEMENTS OR PURPOSES AND AUTHORIZING THE ISSUANCE OF UP TO \$2,823,000 SCHOOL BONDS TO MEET SAID APPROPRIATIONS (UPGRADING AND/OR REPLACEMENT OF HVAC SYSTEM, VARIOUS WINDOWS & PORTION OF ROOF)	10/15/09
2009-23	AMENDING CHP 99-7 TO INCREASE FEES FOR CERTIFIED COPIES OF VITAL STATISTICS RECORDS	12-17-09
2009-24	ORDINANCE DETERMININT POSITION ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM	12-17-09
2009-25	BOND ORDINANCE AMENDING BOND ORDINANCE 2009-14	12-17-09
2009-26	BOND ORDINANCE AMENDING BOND ORDINANCE 2009-15	12-17-09

ORDINANCE No. 2009-01

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 132, GARBAGE, RUBBISH AND REFUSE, OF THE CODE OF THE CITY OF VENTNOR CITY TO REQUIRE THE USE OF BIODEGRADABLE YARD WASTE COLLECTION BAGS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 132, Garbage, Rubbish and Refuse, of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 132.8 Responsibility and time for placing trash for collection; containers shall be amended to add the following:

C. All grass clippings, leaves, lawn thatching, leafy vegetative waste from lawns, flower beds, shrubs and trees shall be placed in reusable containers or separate biodegradable paper bags. The containers or biodegradable bags, when filled, shall weigh less than 50 pounds. The bags shall be placed at the curb to be collected as described in Subsection A. above.

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

SECTION III. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: January 15, 2009

Publication: January 19, 2009

Public Hearing
& Adoption: February 19, 2009

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL BONDS, SERIES 2001, DATED JUNE 1, 2001; AUTHORIZING THE ISSUANCE OF UP TO \$4,500,000 OF GENERAL OBLIGATION SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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") and N.J.S.A. 18A:24-1 et seq., as follows:

Section 1. The City of Ventnor City, County of Atlantic, New Jersey ("City"), is hereby authorized to refund all of its outstanding callable School Bonds, Series 2001, dated June 1, 2001, in the aggregate principal amount of \$4,151,000, and maturing as follows (collectively, the "Callable Bonds"):

<u>Maturity Date</u>	<u>Amount</u>
June 1, 2011	\$300,000
June 1, 2012	315,000
June 1, 2013	330,000
June 1, 2014	345,000
June 1, 2015	360,000
June 1, 2016	375,000
June 1, 2017	390,000
June 1, 2018	410,000
June 1, 2019	430,000
June 1, 2020	450,000
June 1, 2021	446,000

The exact principal amount of Callable Bonds to be refunded (which may be less than all of the Callable Bonds) shall be determined pursuant to a resolution adopted by the Board of Commissioners by not less than two-thirds of all the members thereof.

Section 2. To effectuate the refunding of up to all of the Callable Bonds, negotiable general obligation School Refunding Bonds of the City are hereby authorized to be issued in one or more series in an aggregate principal amount not to exceed \$4,500,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The exact principal amount of Refunding Bonds to be issued and terms thereof shall be determined pursuant to a resolution adopted by the Board of Commissioners by not less than two-thirds of all the members thereof.

Section 3. An aggregate amount not exceeding \$80,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, N.J.S.A. 40A:2-51.b., has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

Section 4. The purpose of the Refunding Bonds is to effect an interest cost savings for the City.

Section 5. Each Refunding Bond authorized herein shall be designated, substantially, "City of Ventnor City, New Jersey, General Obligation School Refunding Bond, Series 20__" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the City shall approve.

Section 6. The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Board of Commissioners adopted by not less than two-thirds of the full members thereof.

Section 7. 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 City Clerk prior to the passage of this refunding 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.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the City Chief Financial Officer as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

Section 9. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Date of Introduction: February 19, 2009

Publication: February 23, 2009

**Public Hearing &
Adoption March 19, 2009**

ORDINANCE NO.2009-03

AN ORDINANCE AUTHORIZING THE

**SALE OF 5008 VENTNOR AVENUE
ALSO KNOWN AS LOT 14 IN
BLOCK 50 AS SHOWN ON THE OFFICIAL
TAX MAP OF THE CITY OF VENTNOR**

WHEREAS, the City of Ventnor has adopted the Northeast Ventnor Redevelopment Plan for redevelopment of a certain section of the City of Ventnor; and

WHEREAS, one of the purposes of said redevelopment plan was the improvement of the northeast section of Ventnor City including the demolition of old and dilapidated buildings; and

WHEREAS, the City wishes to sell property commonly known as 5008 Ventnor Avenue also known as Lot 14 in Block 50 as shown on the tax map of the City of Ventnor; and

WHEREAS, the sale will be to an entity who is the contiguous property owner to said property being sold and has entered into an agreement with the City of Ventnor whereby the property to be sold as well as other properties owned by said property owner between Oaklyn Avenue and Nashville Avenue will be demolished pursuant to the agreement to be entered into with the City; and

WHEREAS, the purchaser has agreed to construct uses consistent with the current redevelopment plan within a reasonable time period given current economic conditions; and

WHEREAS, by this Ordinance, City officials are authorized to take all action to enter into and carry out the intention of the Agreement of Sale for 5008 Ventnor Avenue which is to be entered into between said City and Ventnor Investment Properties, which said agreement is attached hereto and made a part hereof and incorporated herein by this reference; and

WHEREAS, the sale price for said property shall be TWO HUNDRED AND FIVE THOUSAND DOLLARS (\$205,000.00) payable pursuant to the terms as set forth in the Agreement.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey as follows:

SECTION I: The City of Ventnor is hereby authorized to take any and all actions to enter into an agreement and consummate a sale for property known as 5008 Ventnor Avenue pursuant to the terms and conditions of an Agreement of Sale which is attached to this Ordinance and made a part hereof by this reference.

SECTION II: The property is being sold in furtherance of the Northeast Ventnor Redevelopment Plan and all terms and conditions of this Ordinance are incorporated into the Agreement of Sale and the seller shall be bound by the same.

SECTION III: The parties to the Agreement of Sale acknowledge that no broker has been used for this transaction and the City of Ventnor will not be responsible for the payment of any brokerage fees.

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

SECTION IV. 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 V. This Ordinance shall take effect on final passage, approval and publication.

Date of Introduction: February 19, 2009

Publication: February 23, 2009

Public Hearing: March 19, 2009

Date of Adoption: March 19, 2009

**ORDINANCE NO. 2009-4
OF THE CITY OF VENTNOR**

**ESTABLISHING 2009 SALARIES, COMPENSATION AND SALARY RANGES
OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE
ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY** that:

SECTION I. The following Schedule of Compensation shall be in effect in the City of Ventnor City and all officers and employees shall be paid in accordance with the schedule set forth in Section III hereof.

SECTION II. Titles of officers or positions that have been classified heretofore pursuant to recommendations of the New Jersey Department of Civil Service and shall be used in accordance with the terms enumerated in said schedule so far as practicable, and any salary herein authorized in excess of any minimum, intermediate or maximum rate of compensation heretofore authorized by Ordinance to that extent only.

SECTION III. The following shall constitute the schedule of salary ranges and compensation referred to hereinabove:

DP CODE	TITLE	SALARY RANGE	
		FROM	TO
00003	Account Clerk Typing	\$20,000	\$50,700
	Attendants-Fishing Pier	\$5.25/hr	\$9.50/hr
	Attendants- Tennis	\$5.25/hr	\$10.70/hr
	Beach Cleaner	\$5.25/hr	\$9.50/hr
	Beach Fee Checker	\$5.25/hr	\$9.50/hr
	Captain, Beach Patrol	\$9.50/hr	\$27.05/hr
00970	Carpenter	\$20,000	\$50,600
07451	Chief Financial Officer	\$24,000	\$75,000
	Chief, Beach Patrol	\$13.50/hr	\$32.00/hr
01228	City Attorney	\$60.00/hr	\$135.00/hr
01229	City Clerk/Administrator	\$24,000	\$88,100
01268	Clerk Typist	\$20,000	\$41,400
01290	Commissioner	\$7,500	\$10,000
06096	Construction Official/Building Sub-Code Official	\$20,000	\$79,800
01509	Deputy City Clerk	\$20,000	\$59,300
01506	Deputy Fire Chief	\$61,400	\$93,500
07796	Deputy Municipal Court Administrator	\$20,000	\$37,400
05046	Electrical Sub-Code Official	\$3,000	\$10,000
06328	Engineer	\$40,000	\$115,400
01746	Equipment Operator	\$20,000	\$46,200
01836	Fire Captain	\$61,000	\$85,000
01837	Fire Chief	\$61,000	\$105,800
01839	Fire Fighter	\$27,800	\$70,200
01843	Fire Lieutenant	\$57,700	\$77,300
05200	Fire Sub-Code/Plumbing Sub-Code Official	\$7,500	\$16,200

DP CODE	TITLE	SALARY RANGE	
		FROM	TO
06818	General Supervisor Traffic Maintenance	\$20,000	\$58,000
02071	Housing Inspector	\$15,000	\$56,000
02219	Judge of Municipal Court	\$15,000	\$25,000
02248	Laborer	\$20,000	\$40,300
	Lieutenant, Beach Patrol	\$9.50/hr	\$21.00/hr
02297	Lifeguard	\$9.50/hr	\$15.45/hr
02428	Mayor	\$8,500	\$12,000
02434	Mechanic	\$23,900	\$48,500
02456	Mechanic's Helper	\$20,000	\$39,200
02519	Municipal Administrator	\$5,000	\$10,000
07795	Municipal Court Administrator	\$20,000	\$59,500
05079	Municipal Emergency Management Coordinator	\$15,000	\$70,000
10107	Network Administrator	\$30,000	\$43,300
07305	Parking Enforcement Officer	\$20,600	\$25,600

02604	Park Maintenance Worker	\$15,000	\$44,300
	Piermaster	\$250/wk	\$485/wk
05056	Plumbing Sub-Code Official	\$3,000	\$15,200
02718	Police Captain	\$69,984	\$98,300
02719	Police Chief	\$77,000	\$113,900
02727	Police Lieutenant	\$64,650	\$89,300
	Police Lieutenant, Assigned Detective	\$69,984	\$98,300
02728	Police Officer	\$26,592	\$73,800
	Police Officer, Assigned Detective	\$59,723	\$81,200
02739	Police Sergeant	\$59,723	\$89,000
	Police Sergeant, Assigned Detective	\$64,650	\$89,300
02534	Prosecutor	\$10,000	\$31,000
01296	Public Safety Telecommunicator	\$24,500	\$51,900
02936	Public Works Superintendent	\$15,000	\$84,000
02495	Pump Station Operator	\$17,050	\$41,000
05674	Receptionist/Telephone Operator Typing	\$15,000	\$45,700
02983	Recreation Aide	\$6,000	\$39,800
02993	Recreation Leader (Director)	\$6,000	\$72,100
02995	Recreation Leader Arts & Crafts	\$12,000	\$33,300
04440	Recreation Leader Tennis	\$200/wk	\$460/wk
03125	School Traffic Guard	\$20.00/day	\$45.00/day
03154	Secretary to the Mayor	\$15,000	\$46,000
03679	Sewer Equipment Operator	\$33,900	\$43,500
05875	Sewer Repairer/Water Repairer	\$31,400	\$44,500
05945	Sewer Superintendent/Water Superintendent	\$25,000	\$70,600
06895	Special Law Enforcement Officer	\$5.25/hr	\$15.00/hr
03805	Street Sweeper	\$15,000	\$44,800
07338	Supervising Maintenance Repairer	\$20,000	\$62,500
06724	Supervising Mechanic	\$15,000	\$58,000
06654	Supervisor of Roads	\$15,000	\$55,100
06707	Supervisor Sewer/Supervisor Water	\$15,000	\$57,900
04120	Tax Assessor	\$15,000	\$48,000
04124	Tax Collector	\$24,000	\$72,500
04189	Traffic Maintenance Worker	\$15,000	\$40,400
05742	Water Meter Reader/Water Meter Repairer	\$31,400	\$49,800

SECTION IV. The compensation indicated above shall be the maximum basic salary per annum within said title, payable in biweekly installments, exclusive of longevity.

SECTION V. The salaries and all rights contained in this Ordinance shall be effective as of January 1, 2009.

SECTION VI. Members of the Ventnor City Police Department and Ventnor City Fire Department will be granted one (1) working day of sick leave per month during the remainder of the first calendar year of employment after initial appointment and fifteen (15) working days of sick leave annually thereafter, or at one half of that rate while working 24 hour shifts, cumulative to the date of retirement. The maximum payment for accumulated sick leave at retirement is limited as specified in the respective employment agreements.

Members of the Ventnor City non-uniform departments will be granted one (1) working day of sick leave per month during the remainder of the first calendar year of employment after initial appointment and fifteen (15) working days of sick leave annually thereafter, cumulative to the date of retirement. Payment shall be calculated based upon the employee's base rate of salary at the termination date of employment, provided that the employee has completed at least twenty (20) years of service. The maximum payment for accumulated sick leave at retirement is limited as specified in the respective employment agreement.

SECTION VII. All permanent, non-uniform, non-contractual, full time employees shall be entitled to the same rights, privileges and benefits including but not limited to longevity, holidays, personal days, vacations, sick leave, maternity leave, jury duty, bereavement leave, leave of absence, educational leave and health insurance as set forth in the current labor contract of the non-uniform Public Works Employees.

All non-uniform employees shall be entitled to health and hospitalization coverage in the City's insurance program if employed as a full time employee. As of January 1, 1996, an employee must have ten (10) years of continuous service with the City of Ventnor City to be eligible for participation in the City's Group Health Insurance plan upon retirement. A full time employee is defined for this

section as being employed in a Civil Service title set forth within this Ordinance, working no less than thirty-five (35) hours per week and employed for more than ninety (90) consecutive business days.

Medical Benefits. The City agrees to continue to provide health insurance coverage at least equal to health insurance coverage as currently in effect for all employees and the dependents of those employees currently covered by this agreement at the City's expense. Employees will be responsible for payment of fifty (50%) percent of any annual increase in the administrative cost incurred for a self-insured medical benefit plan to provide said coverage for all employees and their respective dependents, or fifty (50%) percent of any annual increase in the premium cost for any carrier provided plan, up to a maximum annual contribution increase of \$100.00.

Benefit Waiver. The City agrees to pay a health benefit waiver stipend of \$6,500.00 per year if an employee covered herein agrees to waive participation in the City's health benefit plan provided said employee agrees to be excluded for the entire calendar year and can document that the employee's spouse has health benefit coverage. Employees waiving participation shall receive payment in 12 equal monthly installments to be paid at the end of each month. Employees and their covered dependants may re-enter the city health benefit plan at any time with no re-enrollment penalty or delay if spouse's coverage is eliminated involuntarily.

SECTION VIII. Should death occur during employment to any employee with twenty (20) years or more service to the City of Ventnor City, all benefits accrued by said employee shall be payable to said employee's estate.

SECTION IX. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION X. Reimbursement for business related travel shall be calculated at the standard mileage rate then in effect as determined and published from time to time by the Internal Revenue Service.

SECTION XI. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION XII. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Date of Introduction: February 19, 2009

Publication: February 23, 2009

Public Hearing: March 19, 2009

Date of Adoption: March 19, 2009

**ORDINANCE NO. 2009-05
(Revised 03-12-09)
AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 102 - DEVELOPMENTAL REGULATIONS**

**OF THE CODE OF THE CITY OF VENTNOR CITY
AS IT RELATES TO THE R-7 ZONING DISTRICT**

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 102 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. -Subparagraph (3) in Paragraph A. Principal Uses in **Section 102-61 Permitted Uses.** Is hereby deleted.

-Subparagraph (4) in Paragraph A. is renumbered to (3).

SECTION II. The following is added to Subparagraph B. Conditional Uses in **Section 102-61 Permitted Uses** of the R-7 Zoning District:

(3) ~~Zero Lot line~~ **[Attached single family]** Construction where **[not more than]** two single family residential units are permitted to be attached along a common side yard property line **[and]** when all of the following conditions are met:

(a) The minimum combined lot width for both structures shall be a minimum of 60 feet. Equal lot widths shall be assigned to each residential unit. No deeded lot width for any unit shall be less than 30 feet.

(b) The minimum side yard setback for the principal structure along the common property line shall be zero feet. The opposing side yard setbacks shall be as follows:

<i>Total Combined Lot Width</i>	<i>Minimum Side Yard Setback</i>
60 to 63.99 feet	7 feet
64 feet or greater	8 feet

(c) Both principal structures shall meet the front and rear setback requirements as required for single family detached units as established for this District.

(d) The maximum permitted building coverage shall be 60% and the maximum lot coverage shall be 75% for each lot.

(e) Each unit shall meet the minimum offstreet parking requirement for the proposed number of bedrooms per unit.

(f) Each unit meets the maximum eave height, overall building height, and roof slopes contained in Section 102-118 along the opposing side yards. Maximum eave and building heights shall be based on the total combined lot width. The maximum overall building height may be carried to the maximum height permitted along the common property line.

(g) No detached accessory structures will be permitted on either lot. Porches and decks in both the front and rear yard areas are permitted to have a zero side yard setback along the common property line provided that the front and rear setback requirements are met.

(h) For zero lot line zoning, the permitted size of a non garaged parking space shall be 8 feet wide and 18 feet long.

[(I) Both units shall be symmetrically designed in appearance as an overall single building in both material and construction as indicated on preliminary building elevations and floor layouts submitted with the Application and subject to approval of the Planning Board.]

SECTION III. The following additions, deletions, and modifications shall be made in **Section 102-62. Area and Bulk Requirements:**

(1). -Subparagraph (1) in Paragraph A is hereby deleted. Subparagraph (2) shall be renumbered as

-Subparagraph (1) in Paragraph D. shall be changed to read 55% instead of 60%

-Paragraph E. shall be changed to read 8 feet instead of 12 feet

-Paragraph F. shall be changed to read as follows:

F. The side yards shall be a minimum of four feet for both principal and accessory uses and structures.

-Paragraph G. shall be changed to read 10 feet where 12 feet is indicated

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

SECTION V. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

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

Date of Introduction: February 19, 2009

Publication: February 23, 2009

Public Hearing: March 19, 2009

Date of Adoption: April 16, 2009

CITY OF VENTNOR CITY, NEW JERSEY

ORDINANCE NO. 2009-06

BOND ORDINANCE PROVIDING FUNDING FOR THE EMERGENT RECONSTRUCTION OF A SANITARY SEWER LINE IN THE CITY; APPROPRIATING THE SUM OF \$1,000,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,000,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting 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 Ventnor City, County of Atlantic, 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 \$1,000,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,000,000.

Section 3. The sum of \$1,000,000, 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 \$1,000,000 to finance the costs of the purposes as set forth in Section 7 hereof, is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law. Said bonds may be evidenced by one (1) or more loans from the New Jersey Environmental Infrastructure Trust and/or the New Jersey Department of Environmental Protection.

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 \$1,000,000 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 \$250,000.

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. Emergent reconstruction of approximately 200 linear feet of a 30-inch sanitary sewer	\$1,000,000	\$0	\$1,000,000	40 years

line at West Canal, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the information on file and available for inspection at the office of the City Engineer.

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 \$1,000,000 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 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 authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, 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 term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of 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.

Date of Introduction: February 19, 2009

Publication: February 23, 2009

Public Hearing: March 19, 2009

Date of Adoption: March 19, 2009

CITY OF VENTNOR, NEW JERSEY

ORDINANCE 2009-07

**ORDINANCE AMENDING BOND ORDINANCE 2002-03
OF THE CITY OF VENTNOR CITY, IN THE COUNTY
OF ATLANTIC, NEW JERSEY**

BE IT ORDAINED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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. Section 3(b) of Bond Ordinance 2002-03 ("Bond Ordinance") is hereby amended to provide as follows:

Section 3.

- (b) repairs and renovations to City owned buildings and facilities including exterior repairs, improvements to increase energy efficiency, the abatement of OSHA and other safety hazards, renovations to mechanical systems, improvements to facilitate handicapped access, library expansion and renovation, and all work and materials necessary therefore or incidental thereto.

APPROPRIATION AND ESTIMATES COST - \$3,800,000

MAXIMUM AMOUNT OF BONDS OR NOTES - \$3,745,110

Section 2. Section 3(f) of the Bond Ordinance is hereby amended to provide as follows:

Section 3.

- (f) municipal share for beach replenishment project with all work and materials necessary thereof or incidental thereto.

APPROPRIATION AND ESTIMATES COST - \$1,000,000

MAXIMUM AMOUNT OF BONDS OR NOTES - \$814,890

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 4. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 5. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: February 19, 2009

Publication: February 23, 2009

Public Hearing: March 19, 2009

Date of Adoption: March 19, 2009

**CITY OF VENTNOR
ORDINANCE 2009-08
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Commission of the City of Ventnor in the County of Atlantic finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Commission hereby determines that a 1 % increase in the budget for said year, amounting to \$182,866 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Commission of the City of Ventnor, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the City of Ventnor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$640,030, and that the CY 2009 municipal budget for the City of Ventnor be approved and adopted in accordance with this ordinance; and,

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

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

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

First Reading: March 19, 2009

Publication: March 23, 2009

Public Hearing
& Adoption: April 16, 2009

ORDINANCE No. 2009-09

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 115 OF THE CODE OF THE CITY OF VENTNOR CITY TO INCREASE THE FEES FOR THE VENTNOR FISHING PIER

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 115 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 115-1. Fees for ice-skating rink. and Section 115-3. Fees for miniature golf. shall be eliminated in their entirety.

Section II. Section 115-2. Fees for fishing pier. shall be renumbered 115-1 and amended as follows:

B. All Memberships purchased on or before May 31st.

- (1) One hundred fifty dollars per person per year for senior citizens ("Senior citizen" to be defined as one being 62 years of age and above).
- (2) One hundred seventy five dollars per person per year for adults 18 years and above and below 62 years.
- (3) Forty dollars per year for individuals 10 years and over and under 18 years.
- (4) Forty dollars per year for spectators with key

C. All Memberships purchased after May 31st.

- (1) Two hundred dollars per person per year for senior citizens ("Senior citizen" to be defined as one being 62 years of age and above).
- (2) Two hundred twenty five dollars per person per year for adults 18 years and above and below 62 years.
- (3) Forty dollars per year for individuals 10 years and over and under 18 years.
- (4) Forty dollars per year for spectators with key.

D. Daily rates: residents and nonresidents.

- (1) Adults (18 years to 61 years): \$20.
- (2) Children (10 years to 17 years): \$10.
- (3) Senior citizens (62 years and older): \$10

E. Locker rental. Delete

SECTION III. Section 115-2.1 shall be renumbered **Section 115-2**; **Section 115-2.2** shall be renumbered **Section 115-3**; **Section 115-2.3** shall be renumbered **Section 115-4**.

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

SECTION V. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION VI. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: March 19, 2009
Publication: March 23, 2009
Adoption: April 16, 2009

ORDINANCE No. 2009-10

AN ORDINANCE REPEALING CHAPTER 187, SEX OFFENDER RESIDENCY,
OF THE CODE OF THE CITY OF VENTNOR CITY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 187, Sex Offender Residency, of the Code of the City of Ventnor City is hereby repealed

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

SECTION II. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION III. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: March 19, 2009

Publication: March 23, 2009

Public Hearing April 16, 2009
And Adoption

ORDINANCE No. 2009-11

ORDINANCE AMENDING CHAPTER 206, TENNIS COURTS, PUBLIC
OF THE CODE OF THE CITY OF VENTNOR CITY TO AMEND
HOURS OF OPERATION, RESERVATIONS & GENERAL RULES

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 206 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 206-2. General Rules. shall be amended as follows:

F. Sneakers or tennis shoes must be worn on the courts and proper tennis attire must otherwise be worn.

Section II. Section 206-3. Reservations. shall be amended as follows:

A. Shall be deleted in its entirety.

B. Shall be renumbered A. and read as follows: All reservations must be made

between 9:00a.m. and closing.

C. Shall be deleted in its entirety.

D. Shall be renumbered B.

E. Shall be deleted in its entirety.

F. Shall be renumbered C.

G. Shall be renumbered D.

H. Shall be renumbered E.

I. Shall be renumbered F.

SECTION III. Section 206-4. Fees. shall be amended as follows:

A.(1)(a) 8:00a.m. to 12:00 noon: \$7 per court per hour.

A.(1)(c) 5:00p.m. to 8:00p.m.: \$7 per court per hour.

A.(2) shall be deleted in its entirety.

C. shall be deleted in its entirety.

SECTION IV. Section 206-5. Hours of operation. Shall be amended as follows:

All courts shall open at 8:00a.m. and remain open until 8:00p.m. If the facilities have appropriate lighting and it is deemed advisable by the Ventnor City Board of Commissioners to extend the closing time, then it shall be within its determination to do so.

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

SECTION VI. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

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

First Reading: April 16, 2009

Publication: April 20, 2009

Public Hearing
& Adoption: May 21, 2009

ORDINANCE No. 2009-12

ORDINANCE AMENDING CHAPTER 208, TOWING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 208 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 208-2. Appointment of official towers; license required; term. shall be amended as follows:

Section 208-2C - 45 days shall be changed to 120 days

Section 208-2D - 30 days shall be changed to 90 days

Section II. Section 208-3. Types of services. shall be amended as follows:

Section 208-3C shall read:

Storage area (tow lot). The official tower will provide and maintain at his/her cost and expense, a storage area for all vehicles towed pursuant to the direction of the Police Department. Such tow lot shall not be located more than 15 miles from Ventnor City Hall. The City of Ventnor shall have no responsibility for costs or expenses associated with said storage facility and likewise shall have no rights or obligations concerning its operation.

SECTION III. Section 208-7. Utilization of official towers list. shall be amended as follows:

Section 208-7A shall read:

Official towers shall be placed on the official towers list at the beginning of each two-year period in accordance with the procedures as set forth in this chapter. The official towers list shall consist of a maximum of three (3) companies. If more than the maximum number of companies apply, priority will be given to those companies who have performed satisfactorily for the City in the past. The official towers shall rotate on the list for one month at a tie or for such a period as designated by the Chief of Police in accordance with his rule-making authority under this chapter. Unless otherwise changed by the Chief of Police under his rule-making authority, the one-month rotation shall commence at 12:00 midnight on the first day of each month and terminate at 11:59 p.m. the last day of the month.

SECTION IV. Section 208-10. Towing and storage fee schedule; releases; reporting of damage. Shall be amended as follows:

Section 208-10C - Three inches by five inches shall be changed to four inches by six inches

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

SECTION VI. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION VII. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: April 16, 2009

Publication: April 20, 2009

Public Hearing & Adoption: May 21, 2009

ORDINANCE 2009-13

**AMENDING CHAPTER 101, CURFEW,
OF THE VENTNOR CITY CODE**

SECTION I:

Chapter 101, Curfew, of the Ventnor City Code is hereby amended in its entirety to read:

101.1. Purpose

The Mayor and Commissioners of the City of Ventnor hereby find there has been a significant breakdown in the supervision normally provided by certain parents and guidance for juveniles under 18 years of age, resulting in juveniles being involved in a wide range of unacceptable behavior, including vandalism, noisy and rowdy behavior, breaking and entering, public drinking, littering, and harassment of residents.

The Mayor and Commissioners further find that the offensive activities of the juveniles are not easily controlled by existing laws and ordinances because the activities are easily concealed whenever police officers are present, and the establishment of reasonable curfew regulations will enable the community to better control the free and unobstructed access to the streets and public places by the majority of residents and will enable the police to act reasonably and fairly to prevent the violation of laws and ordinances by juveniles.

The Mayor and Commissioners further find and have determined that a curfew meets a very real local need and that curfew ordinances in other communities have been a significant factor in minimizing juvenile delinquency. A curfew in the City of Ventnor is particularly appropriate in view of the high density population in Ventnor and the mixed use of residential and commercial areas throughout the City. The regulation of juveniles is an attempt to minimize danger to the juveniles and the community during the danger hours for nocturnal crime and mischief, which could be accentuated because of the juvenile's immaturity.

A curfew in the City of Ventnor for those juveniles under the age of 18 will promote the public health, safety and general welfare and will help in obtaining the foregoing objectives.

Parental responsibility for the whereabouts of children is an accepted norm by a substantial majority of the community, and parents have expressed a desire to have a curfew in order to augment their efforts to supervise and guide their children.

101.2. Definitions.

GUARDIAN—A person other than a parent to whom a legal custody of the juvenile has been given by court order or who is acting in place of the parent or is responsible for the care and welfare of the juvenile

JUVENILE—An individual who is under the age of 18 years.

PUBLIC PLACE—Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, boardwalk, beach, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building or structure, or area.

101.3. Hours established, curfew for juveniles

It shall be unlawful for any person under 18 years of age to be or remain in or upon the public places within the City of Ventnor at night during the period ending at 6:00 AM. and beginning:

- A. At 11:00 P.M. July 1 through August 31.
- B. At 10:00 P.M. September 1 through June 30.

101.4. Exceptions

In the following exceptional cases, a juvenile located upon a public place during the nocturnal hours for juveniles for which 101.3 is intended to provide the maximum limits or regulation, and a clear and

general guide for juveniles, their parents and their fellow citizens, shall not, however, be considered in violation of the Curfew Ordinance:

- (1) When accompanied by a parent or guardian of such juvenile.
- (2) When accompanied by an adult authorized by a parent of such juvenile to take said parent's place in accompanying said minor for a designated period of time and purpose within a specified area.
- (3) When the juvenile is on the sidewalk or property where the juvenile resides.
- (4) When returning home from and within one hour after the termination of a school or City sponsored activity, or an activity or a religious or other voluntary association, of which prior written notice, indicating the place and probable time of termination, has been given in writing to and duly filed for immediate reference by, the Chief of Police or his/her designee on duty at the time of event, this encouraging, as in other exceptional situations, responsible conduct on the part of juveniles involved in such activities and striking a fair balance for any conflicting interests.
- (5) When authorized by special permit from the Chief of Police or his/her designee for that purpose, carried on the person of the juvenile thus authorized, as follows: When necessary nighttime activities of a juvenile may be inadequately provided for by other provisions of this chapter, then recourse may be had to the Chief of Police, either for a regulation as provided in Subsection (7) or a special permit as the circumstance warrants. Upon the findings of necessity for the use of the public places to the extent warranted by a written application signed by a juvenile and by a parent of the juvenile including the name, address, and telephone number of a parent thereof: height, weight, sex, color of eyes and hair and other physical characteristics of the juvenile: necessity which requires the juvenile to remain upon the public places during the curfew hours otherwise applicable; and street or route and the beginning and ending of the period of time involved by date and hour, the Chief of Police may grant a permit in writing for the use by the juvenile of public places at such hours as in the opinion of the Chief of Police may reasonably be necessary. In an emergency, this may be handled by telephone or other effective communication, with a corresponding record being made contemporaneously to the Chief of Police or his/her designee.
- (6) When authorized by regulation issued by the Chief of Police, in other similar cases or reasonable necessity, similarly handled but adapted to necessary nighttime activities or more juveniles that can readily be dealt with on an individual special permit basis. Normally such regulation by the Chief of Police permitting use of the public place should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies such as the schools, and shall define the activity, the scope of the use of the public places permitted, the period of time involved, not to extend more than one hour beyond the time for termination of the activity and the reason for finding that the regulation is reasonably necessary and is consistent with the purpose of the Curfew Ordinance.
- (7) When the juvenile carries a certified card of employment, renewable each calendar month when the current facts so warrant, dated or reissued not more than 45 days previously, signed by the Chief of Police and briefly identifying the juvenile, the address of their home and their place of employment, and their hours of employment. Or is traveling to or from a business or occupation which the laws of the State of New Jersey authorize a juvenile to perform.
- (8) When a juvenile is attending or traveling to or from an event wherein the juvenile will participate in the exercise of First Amendment activities. Each of the foregoing exceptions and their several limitations

such as provisions for notifications are severable as hereinafter provided but here reemphasized will be considered by the Mayor and Commissioners as warranted by future experience illuminated by the views of a student government organization, school personnel, citizens, associations, parents, officers and persons in authority concerned positively with juveniles as well as with juvenile delinquency.

101.5. Parental Responsibility

It shall be unlawful for a parent or guardian having legal custody of a juvenile knowingly to permit or by inefficient control to allow the juvenile to be or remain upon any public place under circumstances not constituting an exception to, or otherwise beyond the scope of the Curfew Ordinance. The term “knowingly” includes knowledge, which a parent should reasonable be expected to have concerning the whereabouts of a juvenile in that parent’s or legal guardian’s custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile.

101.6. Power and authority of Police.

Any police officer or any special law enforcement officer, duly appointed by the Mayor or Commission of the City of Ventnor City is hereby authorized and empowered to take into custody any juvenile who is in violation of this chapter. In determining the age of the juvenile and in the absence of convincing evidence such as a birth certificate, a police officer shall, in the first instance use his or her best judgment in determining age. Any police officer or any special law enforcement office, taking a juvenile into custody for violation of this chapter shall follow all current Police Department procedures for the handling of such juvenile arrests.

101.7 Violations and penalties

Any person, juvenile or adult, convicted of a violation of this chapter may be subject to the following penalties. For a first violation/conviction a fine of not less than \$50.00 and not more than \$1,000.00 and/ or community service as provided in N.J.S.A. 40:48-2.52, in discretion of the Municipal Court Judge. For a second violation/conviction of this chapter a fine of not less than \$150and not more than \$1000.00 and/ or community service as provided in N.J.S.A. 40:48-2.52, in the discretion of the Municipal Court Judge. For a third or subsequent violation/conviction of this chapter a fine of not less than \$350and not more than \$1000.00 and/ or community service as provided in N.J.S.A. 40:48-2.52, in the discretion of the Municipal Court Judge. If both a juvenile and a juvenile ’ s parents or guardian violate this chapter they may be required to perform community service together, and any monetary fines shall not merge or be concurrent with fines of either the juvenile, parents, or guardians.

101.8 Severability.

The provisions of this chapter are declared to be severable, and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decisions shall not affect eh validity of the remaining sections, any section, subsection, sentence, clause or phrase of this chapter and shall remain in effect.

First Reading: May 21, 2009

Publication: May 25,2009

Public Hearing
& Adoption: June 18,2009

**CITY OF VENTNOR CITY, NEW JERSEY
ORDINANCE NO. 2009-14**

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE CONSTRUCTION AND COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$6,418,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$6,097,100; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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 Ventnor City, County of Atlantic, 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 \$6,418,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$6,097,100; and
- (c) a down payment in the amount of \$320,900 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$6,097,100, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$320,900, which amount represents the required down payment, are 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 \$6,097,100 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 \$6,097,100 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 \$1,300,000.

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 available grants for 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.	Reconstruction and Restoration of Various Roads in the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	\$500,000	\$25,000	\$475,000	10 years
B.	Reconstruction and Restoration of a Bulkhead at the Public Works Building, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	1,000,000	50,000	950,000	15 years
C.	Reconstruction and Restoration of Various Drainage Facilities in the City, together, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	250,000	12,500	237,500	40 years
D.	Acquisition of Various Pieces of Computer and Other Office Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	300,000	15,000	285,000	7 years
E.	Acquisition of Various Pieces of Equipment for Public Works, including but not limited to, City Wide Security System, Time Management Program, Fueling System, Exhaust System, Traffic Light Computers, and Parking Meters, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	405,000	20,250	384,750	5 years
F.	Acquisition of Various Vehicles for Public Works, including but not limited to, Dump Trucks, Loaders and Trailers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	400,000	20,000	380,000	15 years
G.	Acquisition of Various Vehicles for Public Safety and Public Works, including but not limited to, Pick-up Trucks of various sizes together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	288,000	14,400	273,600	5 years
H.	Acquisition of Various Vehicles for Public Safety including but not limited to, a Pumper and Ambulance, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	525,000	26,250	498,750	10 years
I.	Renovation of Various Municipal Buildings, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	2,750,000	137,500	2,612,500	20 years
	Total	\$6,418,000	\$320,900	\$6,097,100	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 15.86 years.

Section 9. 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 10. 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 \$6,097,100 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. 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 12. The applicable Capital Budget of the City 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 applicable 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 13. The City hereby declares its intent to reimburse itself from the proceeds 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 14. 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 authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, 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 term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of 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 15. 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 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

First Reading: May 21, 2009

Publication: May 25, 2009

Public Hearing
& Adoption: June 18, 2009

**CITY OF VENTNOR CITY, NEW JERSEY
ORDINANCE NO. 2009-15**

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF WATER/SEWER UTILITY EQUIPMENT AND THE CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE WATER/SEWER UTILITY SYSTEM; APPROPRIATING THE SUM OF \$2,922,400 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,922,400 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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 Ventnor City, County of Atlantic, 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 \$2,922,400; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,922,400.

Section 3. The sum of \$2,922,400, 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 \$2,922,400 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 \$2,922,400 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 \$600,000.

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 available grants for 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.	Reconstruction of Sewer Lines, Curbing and Sidewalks, and Various Roads in conjunction with this project, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the records on file and available for inspection in the office of the City Clerk	\$1,700,000	\$0	\$1,700,000	40 years
B.	Repainting of a Water Tower together with the acquisition of all materials and equipment and completion of all work necessary therefor all as more particularly described in the records on file and available for inspection in the office of the City Clerk	400,000	0	400,000	15 years
C.	Acquisition and replacement of batteries for Water Meters together with all the acquisition of all materials and equipment and completion of all work necessary therefor all as more particularly described in the records on file and available for inspection in the office of the City Clerk	500,000	0	500,000	15 years
D.	Acquisition of Various Vehicles for Utility, including, but not limited to, Dump Truck together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	65,000	0	65,000	15 years
E.	Acquisition of Various Vehicles for Utility including but not limited to, Pick-up Trucks together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	77,400	0	77,400	5 years
F.	Acquisition of Various Pieces of Equipment for Utility, including but not limited to, Air Compressor, and Generators together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	180,000	0	180,000	15 years
	Total	\$2,922,400	\$0	\$2,922,400	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 30.30 years.

Section 9. 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 10. 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 \$2,922,400 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. 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 12. The applicable Capital Budget of the City 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 applicable 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 13. The City hereby declares its intent to reimburse itself from the proceeds 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 14. 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 authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, 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 term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of 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 15. 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 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

First Reading: May 21, 2009

Publication: May 25, 2009

Public Hearing
& Adoption: June 18, 2009

ORDINANCE 2009-16
ADOPTING MODEL CITIZEN SERVICE ACT

Section 11.1: Intent and Purpose

The purpose of this Ordinance is to foster the openness of government and provide citizens with information concerning the various Appointed Municipal Positions which exist within the City of Ventnor City. The Ordinance further provides for a procedure whereby a citizen can indicate his/her desire to serve in a particular appointed position. Finally, the Ordinance provides for a notification process so that those citizens who have indicated a desire to hold a position will be notified when that position is under consideration for appointment and will ultimately be notified as to the action that was taken.

Section 11.2: Definitions

The following terms as used in this Ordinance shall have the meaning set forth below unless the context within which the term is used clearly provides for a different meaning:

a. **Appointing Authority** The official or body which by virtue of statutory law or by Ordinance or Resolution is given the authority to appoint a person to hold a particular Appointed Municipal Position.

b. **Appointed Municipal Position** Any appointed position within the city government, which is created either by statutory law or by Ordinance or Resolution. Examples of such positions are Municipal Historian, member of any board, commission, agency, council or committee of the municipality.

Section 11.3: Registry of Appointed Municipal Positions

The Municipal Administrator/Clerk shall cause a register of Appointed Municipal Positions to be prepared and maintained. Such register shall be made available on the city's website and at the Municipal Hall and shall set forth at least the following:

- a. Title of each Appointed Municipal Position
- b. Brief description of the positions' powers and duties
- c. Any special credentials or qualifications required to hold the position
- d. The length of term for the position
- e. The name of the person currently holding the position, the expiration date of his or her term, and the number of vacant seats on the board or commission
- f. The dates/times and frequency of any meetings which the holder of the position must attend
- g. The Appointing Authority for each board or commission, and who confirms each appointment

Section 11.4: Vacancies

The Municipal Administrator/Clerk shall maintain a current updated listing of all existing vacancies for each Appointed Municipal Position within the municipality. Such list shall be made available free of charge at the Municipal Clerk's Office and shall, in addition, be posted by the Municipal Clerk on a bulletin board maintained for public announcements in the Municipal Building.

Section 11.5: Filling Vacancies

Unless essential for the proper functioning and/or carrying on of business of the local agency upon which the vacancy has occurred, a vacancy shall not be filled for a period of 10 days from its posting in order to allow interested persons time to submit applications as provided in Section 11.6 below.

Section 11.6: Application for Citizen Service

The Municipal Clerk shall maintain an application form to be completed by any person interested in serving in an Appointed Municipal Position. Such application shall, at a minimum, contain the following information:

- a. Name
- b. Address
- c. Telephone number
- d. Email address
- e. Appointed Municipal Position(s) sought
- f. Qualifications/experience for position(s)
- g. List of boards and commissions for applicant to indicate desired boards and commissions to serve on
- h. Signature

Section 11.7: Applications Public Record

An Application for Citizen Service filed for Appointment to an Appointed Municipal Position shall be deemed a public record. A person applying shall have the option of keeping their telephone and email address confidential by checking a box

designated for such purpose on the application form.

Section 11.8: Filing Applications

Any person interested in serving in an Appointed Municipal Position may file an application for such position with the Municipal Clerk. Such application(s) may be filed at any time, whether or not the Appointed Municipal Position sought is vacant. A person may withdraw his or her application at any time.

Section 11.9: Maintaining Applications

The Municipal Clerk shall maintain all filed applications in a file or binder, segregated for each board or commission.

Section 11.10: Filling Voluntary Municipal Positions

Prior to filling any Appointed Municipal Position, the appropriate Appointing Authority shall review each application filed for that position. Each person having submitted an application for an Appointed Municipal Position under consideration to be filled shall be notified of said vacancy. The Appointing Authority shall conduct such review, investigation and/or interviews as the Appointing Authority deems necessary or advisable, in its discretion. After a decision is reached to fill a vacant Appointed Municipal Position, all those who had submitted an application for that position shall be notified of the appointing decision.

Section 2

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 3. Severability and Effectiveness Clause:

If any sentence, paragraph or section of this ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this ordinance.

Section 4. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: May 21, 2009

Publication: May 25, 2009

Public Hearing
& Adoption June 18, 2009

**City of Ventnor City, NJ
Application for Appointment to Advisory Boards & Commissions**

Please read and complete all sections of this application.

Personal Information

Name _____

Home Address _____

City _____ State _____ Zip _____

Home Phone _____ E-mail _____

Business Phone _____ Cell Phone _____

Do you reside within the city limits? Yes No

Are you 18 or older? Yes No Are you a U.S. citizen? Yes No

Statement of Interest

For which board or commission would you like to be considered?

1st Choice: _____

2nd Choice: _____

3rd Choice: _____

Experience and Education (You may attach your resume)

Prior Civic Activities (including, but not limited to other boards/commissions):

Education/experience:

Please write a brief statement of 75 words or less, explaining your interest in the board or the commission for which you are applying. Include any training and/or qualifications for this position. Also, please indicate any conflicts of interest you may have if chosen for a board or a commission. You may use reverse side.

Signature: _____ Date: _____

Return completed form to:

City Clerk's Office, Ventnor City Hall, 6201 Atlantic Ave., Ventnor, NJ 08406

ORDINANCE No. 2009-17

AN ORDINANCE REPEALING CHAPTER 77, BLOCK PARTIES,
OF THE CODE OF THE CITY OF VENTNOR CITY

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 77, Block Parties, of the Code of the City of Ventnor City is hereby repealed in its entirety.

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

SECTION II. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION III. This Ordinance shall take effect on final passage, approval, and publication.

First Reading: June 18, 2009

Publication: June 22, 2009

Public Hearing
& Adoption July 16, 2009

ORDINANCE NO. 2009-18

AN ORDINANCE AMENDING THE PERSONNEL POLICIES AND
PROCEDURES MANUAL OF THE CITY OF VENTNOR AS IT PERTAINS
TO ANTI-SEXUAL HARASSMENT POLICY

WHEREAS, the City of Ventnor has in place a Personnel Policies and Procedures Manual governing the conduct of employees within the City of Ventnor; and

WHEREAS, said Personnel Policies and Procedures Manual includes provisions concerning anti-discrimination and anti-sexual harassment policies; and

WHEREAS, the case law regarding said policies and the implementation thereof evolves and changes with time; and

WHEREAS, the Commissioners of the City of Ventnor are desirous of amending the Personnel Policies and Procedures Manual in an attempt to keep pace with the changes regarding said law.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey as follows:

SECTION I. The Personnel Policies and Procedures Manual of the City of Ventnor shall be amended by adding the following sentences to the end of the first paragraph in the Anti-Sexual Harassment Policy contained on page 9 of said manual:

"This includes the prohibition of sexual harassment of fellow employees during hours of employment with the City of Ventnor in all areas including those areas which are not considered public accommodations such as the City Hall, Department of Public Works and Fire Houses. Further, sexual harassment of members of the public in such areas which are outside public accommodations shall be prohibited during hours of employment."

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

SECTION IV. 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 V. This Ordinance shall take effect on final passage, approval and publication.

FIRST READING August 20, 2009

PUBLICATION August 24, 2009

PUBLIC HEARING &
ADOPTION September 17 2009

ORDINANCE NO. 2009-19

AN ORDINANCE AUTHORIZING COMMISSION
APPROVAL FOR ANY VOUCHERS IN EXCESS OF
THREE THOUSAND DOLLARS (\$3,000.00)

WHEREAS, the City of Ventnor operates under the Commission form of Government; and

WHEREAS, fiscal integrity of the City of Ventnor is paramount to the Commissioners of the City of Ventnor; and

WHEREAS, it is of paramount importance to the Commissioners of the City of Ventnor that proper procedures be implemented to insure that the burden placed upon taxpayers is kept to a minimum; and

WHEREAS, the Commissioners of the City of Ventnor wish to preserve the fiscal integrity of the City of Ventnor while insuring that proper administration of departments under each Commissioner pursuant to the Commission form of Government.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey as follows:

SECTION I. Section 7.2 of the Code of the City of Ventnor shall be amended by adding a final sentence which states:

"For any bill or claim in excess of Three Thousand Dollars (\$3,000.00) the authorization of any such work must be approved by the majority of the Commission and any voucher requesting payment in excess of \$3,000.00 must be signed by the majority of Commissioners prior to approval of the Chief Financial Officer or placement on the bill list of the City of Ventnor."

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

SECTION IV. 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 V. This Ordinance shall take effect on final passage, approval and publication.

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

FIRST READING August 20, 2009

PUBLICATION August 24, 2009

PUBLIC HEARING &
ADOPTION September 17 2009

ORDINANCE NO. 2009-20

**AN ORDINANCE REQUIRING ALL PROFESSIONAL
SERVICE CONTRACTS TO BE AWARDED BY RESOLUTION**

WHEREAS, any contract in the State of New Jersey which exceeds the bid threshold may not be awarded without public advertising for bids and bidding; and

WHEREAS, one of the exceptions to said requirement is the award of professional service contract; and

WHEREAS, professional service contracts in excess of the bid threshold may only be awarded by Resolution of the Governing Body of any municipality; and

WHEREAS, the Commissioners of the City of Ventnor wish to establish a procedure whereby all professional service contracts whether the same exceed, equal or are less than the bid threshold be awarded by Resolution.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey as follows:

SECTION I. Any professional service contract to be awarded in the City of Ventnor regardless of the amount of said contract may only be awarded by a Resolution adopted by the Commissioners of the City of Ventnor. Said Resolution must be printed once in the official newspaper of the City of Ventnor and said notice and Resolution shall both contain a brief notice stating the nature, duration, service and amount of said contract. Said notice and Resolution shall further state a copy of said contract is on file and available for public inspection in the office the Clerk of the City of Ventnor. No such contract shall be entered into or authorized until first approved by a Resolution adopted by a majority of the Governing Body in the City of Ventnor.

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

SECTION III. 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.

FIRST READING August 20, 2009

PUBLICATION August 24, 2009

PUBLIC HEARING &
ADOPTION September 17 2009

ORDINANCE NO. 2009-21

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214-30
(VEHICLES and TRAFFIC) OF THE CODE OF THE CITY OF VENTNOR CITY
TO AMEND NO PARKING CERTAIN HOURS TO CHANGE ATLANTIC AVE (JACKSON TO
SOMERSET) FROM TUESDAY TO THURSDAY (JACKSON TO CAMBRIDGE) AND CHANGE
ATLANTIC AVE (PORTLAND TO FREDERICKSBURG) TO (SACRAMENTO TO FREDERICKSBURG)

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 214 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 214-30. Schedule II: No Parking Certain Hours

Name of Street	Side Hours	Location
Atlantic Ave	Both 7:00am to 8:00am Tuesday	From Jackson Ave to Somerset Ave
Atlantic Ave	Both 7:00am to 8:00am Tuesday	From Portland Ave to Fredericksburg Ave

shall be amended to read as follows:

Name of Street	Side Hours	Location
Atlantic Ave	Both 7:00am to 8:00am Thursday	From Jackson Ave to Cambridge Ave
Atlantic Ave	Both 7:00am to 8:00am Tuesday	From Sacramento Av to Fredericksburg Av

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

SECTION III. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION V. This Ordinance shall take effect on final passage, approval, and publication.

1st Reading: September 17, 2009

Publication: September 21, 2009

Public Hearing &
Adoption: October 15, 2009

ORDINANCE NO. 2009-22

ORDINANCE APPROPRIATING FUNDS FOR SCHOOL IMPROVEMENTS OR PURPOSES IN THE CITY OF VENTNOR CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF UP TO \$2,823,000 OF SCHOOL BONDS OF THE CITY TO MEET SAID APPROPRIATIONS

Pursuant to due action of The Board of Education of the City of Ventnor City, in the County of Atlantic, New Jersey, taken at and pursuant to its meeting duly held on June 24, 2009, and due action of the Board of School Estimate of the City, taken at and pursuant to its meeting duly held on July 9, 2009, the sum of money necessary for the school improvement or purposes described in Section 2 of the ordinance set forth below, all as more fully appears by the certificate heretofore made by said Board of School Estimate and delivered to the Board of Commissioners of the City.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of the School Bond Law, N.J.S.A. 18A:24-1, et seq., as amended and supplement to date ("School Bond Law") and any other laws applicable thereto, the sum of \$4,705,000 is hereby appropriated for the capital project described in Section 2 hereof for lawful school purposes undertaken or to be undertaken by The Board of Education of the City of Ventnor City, in the County of Atlantic, New Jersey ("School District").

Section 2. The capital project to be undertaken by the School District for lawful school purposes consists of the upgrading and/or replacement of the HVAC System, various windows and a portion of the roof of the Ventnor City Educational Community Complex, together with the completion of all work and improvements, and the acquisition of equipment necessary therefor or related thereto, all as more particularly described in the information prepared in respect thereof on file at the offices of the City Clerk (Project Nos. 5350-045-09-1001, 5350-045-09-1002, 5350-045-09-1003 and 5350-045-09-1004) (collectively, the "Project").

Section 3. The said sum so appropriated for said Project shall be met from: (i) four (4) grants from the State of New Jersey, acting by and through the Schools Development Authority in the aggregate amount of \$1,882,000; and (ii) the proceeds of the sale of bonds of the City, which are hereby authorized to be issued in one or more series pursuant to the School Bond Law, in the principal amount of up to \$2,823,000 ("Bonds").

Section 4. Each of said Bonds shall be designated "School Bond", and said Bonds shall be registerable as to principal only or as to both principal and interest, and shall be in such form and of such denomination, shall bear such date, shall mature in such years and amounts and shall bear interest at such rate, as shall hereafter be determined by resolution. Said Bonds shall be sold in accordance with the requirements of the School Bond Law.

Section 5. It is hereby determined that the period within which said Bonds shall mature, being the period assigned by the School Bond Law, N.J.S.A. 18A:24-5, to the purpose for which said Bonds are to be issued is fifteen (15) years.

Section 6. The supplemental debt statement provided for in Sections 16 and 17 of the School Bond Law, N.J.S.A. 18A:24-16-17, was duly filed in the required offices prior to the passage of this 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.

Section 7. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds authorized to be issued by this 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 8. The City hereby declares its intent to reimburse itself from the proceeds of the bonds authorized by this 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.

Section 9. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the Bonds 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 do or suffer any other action that would cause the bonds 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;

(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 to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 10. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 11. This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: September 17, 2009

Publications: September 21 & October 19, 2009

**Public Hearing
& Adoption: October 15, 2009**

ORDINANCE No. 2009-23

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 99-7 OF THE
CODE OF THE CITY OF VENTNOR CITY TO INCREASE THE FEES FOR
CERTIFIED COPIES OF VITAL STATISTICS RECORDS

BE IT ORDAINED by the Board of Commissioners of the City of Ventnor City that Chapter 99-7 of the Code of the City of Ventnor City shall be amended and supplemented as follows:

SECTION I. Section 99-7 B. shall be amended to change the fee of \$5 to \$10.

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

SECTION II. Should any section, subsection, paragraph, clause, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance

SECTION IV. This Ordinance shall take effect on final passage, approval, and publication.

First Reading:	<u>November 19, 2009</u>
Publication:	<u>November 23, 2009</u>
Public Hearing And Adoption	<u>December 17, 2009</u>

CITY OF VENTNOR CITY
ORDINANCE No. 2009-24

**ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED
CONTRIBUTION RETIREMENT PROGRAM**

Whereas, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

Whereas, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

Whereas the Board of Commissioners of the City of Ventnor City has considered the guidelines issues by the Local Finance Board;

Therefore, be it ordained by the Board of Commissioners of the City of Ventnor City that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the

Defined Contribution Retirement Program:

- a. City Administrator/Clerk;
 - b. Chief Financial Officer;
Tax Collector;
Tax Assessor;
Construction Code Official;
 - c. Prosecutor;
 - d. Solicitor
 - e. City Engineer;
 - f. Commissioner - Department of Public Works;
 - g. Commissioner – Department of Revenue & Finance;
2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
 - a. City Administrator/Clerk;
 - b. Tax Collector;
 - c. Chief Financial Officer;
 - d. Tax Assessor;
 - e. Construction Code Official;
 - f. City Engineer;
 3. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

4. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
5. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.
6. This ordinance shall take effect upon its passage and publication as required by law/take effect immediately.

First Reading: November 19, 2009

Publication: November 23, 2009

Public Hearing &:
Adoption December 17, 2009

**CITY OF VENTNOR, NEW JERSEY
ORDINANCE 2009-25**

**ORDINANCE AMENDING BOND ORDINANCE 2009-14
OF THE CITY OF VENTNOR CITY, IN THE COUNTY
OF ATLANTIC, NEW JERSEY**

BE IT ORDAINED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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. Section 7(c) of Bond Ordinance 2009-14 ("Bond Ordinance") is hereby amended to provide as follows:

Section 7.

- (c) Reconstruction and Restoration of Various Drainage Facilities in the City, together, all as more particularly described in the records on file and available for inspection in the office of the City Clerk.

APPROPRIATION AND ESTIMATES COST - \$250,000
MAXIMUM AMOUNT OF BONDS OR NOTES - \$224,000

Section 2. Section 7(h) of Bond Ordinance 2009-14 ("Bond Ordinance") is hereby amended to provide as follows:

Section 7.

- (h) Acquisition of various vehicles for Public Safety including but not limited to, a Pumper and Ambulance, together with the acquisition of all materials and equipment and completion of all work necessary therfor or related thereto.

APPROPRIATION AND ESTIMATES COST - \$525,000
MAXIMUM AMOUNT OF BONDS OR NOTES - \$551,000

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 4. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 5. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: November 19, 2009

Publication: November 23, 2009

**Public Hearing
& Adoption:** December 17, 2009

CITY OF VENTNOR, NEW JERSEY

ORDINANCE 2009-26

**ORDINANCE AMENDING BOND ORDINANCE 2009-15
OF THE CITY OF VENTNOR CITY, IN THE COUNTY
OF ATLANTIC, NEW JERSEY**

BE IT ORDAINED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic, 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. Section 7(b) of Bond Ordinance 2009-15 ("Bond Ordinance") is hereby amended to provide as follows:

Section 7.

- (d) Repainting of water tower together with the acquisition of all materials and equipment and completion of all work necessary therefor all as more particularly described in the records on the file and available for inspection in the office of the City Clerk

APPROPRIATION AND ESTIMATES COST - \$400,000
MAXIMUM AMOUNT OF BONDS OR NOTES - \$290,000

Section 2. Section 7(c) of Bond Ordinance 2009-15 ("Bond Ordinance") is hereby amended to provide as follows:

Section 3.

- (e) Acquisition and replacement of batteries for water meters together with all the acquisition of all materials and equipment and completion of all work necessary therefor all as more particularly described in the records on file and available for inspection in the office of the City Clerk

APPROPRIATION AND ESTIMATES COST - \$500,000
MAXIMUM AMOUNT OF BONDS OR NOTES - \$617,400

Section 3. Section 7(e) of Bond Ordinance 2009-15 ("Bond Ordinance") is hereby amended to provide as follows:

Section 3.

- (b) Acquisition of various vehicles for utility including but not limited to, Pick-up Trucks together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto

APPROPRIATION AND ESTIMATES COST - \$77,400
MAXIMUM AMOUNT OF BONDS OR NOTES - \$70,000

Section 4. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 5. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 6. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: November 19, 2009

Publication: November 23, 2009

**Public Hearing
& Adoption:** December 17, 2009