



Ventnor City Board of Commissioners

*Mayor Theresa Kelly
Commissioner Stephen Weintrob
Commissioner John Piatt*

~ 2010 ~

*Commission Meetings
Minutes*

Explanation of Contents:

This volume of the Official Minutes of the Ventnor City Board of Commissioners begins on January 14th, 2010. Minutes will be updated as quickly as possible after each meeting has been held.

The Ventnor City Website Minutes are written in full as they appear in the Official Minute Books of the City of Ventnor City. Should you wish to view specific minutes from past years, simply stop by the City Clerk's Office and you may do so.

After an Ordinance has been **introduced**, it will appear as written in its entirety in the:

2010 Index of Ordinances Pending & Adopted

The date scheduled for a **Public Hearing** is printed at the end of the Ordinance,

After the Ordinance has been **adopted** the date will also be added.

Feel free to visit your City Clerk's Office in person or call us at (609) 823-7904.

*Sandra M. Biagi, RMC/CMC
City Clerk/Administrator*

*Janice K. Callaghan, RMC
Deputy City Clerk*

Office of the City Clerk/Administrator

Ventnor City Hall
6201 Atlantic Avenue
Ventnor City, NJ 08406
Fax (609) 823-2809

Business Hours:

Monday – Friday
8:30am-4:00pm

Executive Session of the Ventnor City Board of Commissioners was called to order in the Mayor's Office, City Hall on January 14, 2010 at 6:00 PM followed by The Pledge of Allegiance.

Present: Cmr Piatt, Cmr. Weintrob, Mayor Kelly, Deputy Clerk Callaghan & Solicitor Maguire

Mayor Kelly announced: "This is a Special Executive Session of the Ventnor City Board of Commissioners being held for the express purpose of discussing the appointment of a Municipal Engineer. Notice of this meeting was sent to the Press, Downbeach Current and posted on the City Hall Bulletin Board as required by law".

Mayor Kelly moved, seconded by Cmr. Piatt the Executive session be opened.

Roll Call Vote:

Yeas: Cmr Piatt, Weintrob and Mayor Kelly

Mayor Kelly and Cmr Piatt reviewed notes taken during the interview process and information gleaned from discussions with neighboring municipalities. Cmr. Weintrob offered his opinion that the best \$\$ value was to continue with the former engineer and the ACIA being used for special projects. After much discussion it was agreed that a great deal was learned during the interviews; that it may be beneficial to the City to appoint one firm to handle everyday projects and a different firm to handle Zoning/Planning Board responsibilities; and establishing specific fee schedules was necessary.

Following all discussions, the Mayor & Commissioners determined that additional time was needed for the Solicitor to speak with the candidates/firms about their fee schedules and whether they would be willing to split the engineering duties and Zoning/Planning Board positions and that a final Executive Session of the Board would be necessary to discuss the findings before a decision could be made.

Cmr. Piatt moved, seconded by Cmr Weintrob that the Board of Commissioners hold another Executive Session on Thursday, January 21, 2009 @ 6:00PM, prior to the 7:00 PM regularly scheduled Commission Meeting for the sole purpose of discussing the appointment of the Municipal Engineer and that the City Clerk be directed to give notice in conformance with law.

EXECUTIVE SESSION CLOSED: 6:45 PM

Cmr Piatt moved, seconded by Cmr Weintrob, the Executive Session be ended. So ordered.

The Executive Session of the Ventnor City Board of Commissioners was called to order in the Mayor's Office, City Hall on January 21, 2010 at 6:00 PM followed by The Pledge of Allegiance.

Present: Cmr Piatt, Cmr. Weintrob, Mayor Kelly, City Clerk/Administrator Biagi & Solicitor Maguire

Mayor Kelly announced that this Special Executive Session of the Ventnor City Board of Commissioners was being held for the purpose of discussing the appointment of a Municipal Engineer. Notice of this meeting was sent to the Press, Downbeach Current and posted on the City Hall Bulletin Board as required by law".

Mayor Kelly moved, seconded by Cmr. Piatt the Executive session be opened.

Roll Call Vote:

Yeas: Cmr Piatt, Weintrob and Mayor Kelly

Solicitor Maguire began by repeating the directive he had been given by Commission at the last meeting, after which he reported the substance of his discussions with the prospective engineers. He reported positive responses to their questions & concerns with no one having a problem dividing up Municipal Engineer with Zoning & Planning, etc. since each wanted something and all clearly showed a willingness to work in whatever capacity Commission chose.

After the top three contenders were determined, discussion turned to the orderly transfer of Ventnor's engineer records (presently housed in Richard Carter's Borough of Longport Office). Cmr Weintrob said that he has spoken with Carter about the transition & being available to meet to bring the new Engineers up to date on ongoing projects. The Solicitor said he would like to attend the meeting to assure a smooth transition. Cmr Weintrob said he had space at the Public Works building to store the records. The Solicitor said the new engineer may want to have some or all of those records in his own office. The Cmr said that was fine but a space had been cleaned should they need meeting space, it will be clean & comfortable but they don't have to use it if they don't want to.

Mayor Kelly asked, since last time Cmr Weintrob really didn't take part in any of the discussions, was there anything he wanted to say about these choices, i.e. was he satisfied? Cmr Weintrob said he did take part in a sense – that everything is on the table now. He reiterated his public statements regarding his feelings that from a cost standpoint it will cost higher for us to do it this way - it will always be his feeling and hoped he would be wrong in the future. He asked the Solicitor to clarify his understanding of Title 40. We can have a Municipal Engineer; the Water & Sewer Utility can have its own Engineer; and we could have a Special Projects Engineer?

The Solicitor replied, yes, to all three questions adding that every special project could have a different engineer but noted the law of diminutive returns and too many chefs spoiling the soup is to be considered . A discussion followed Cmr Weintrob's classification of projects with water, sewer, milling & paving as Water/Sewer. The Solicitor offered examples of multi-faceted projects where that would not necessarily be true. Cmr Weintrob remained firm on his opinion that once you have water or sewer - it is a water sewer project. Other examples were offered without any change of opinion. Moving on, the Solicitor said the Commission can set it up any way they want.

Mayor Kelly interjected that when it was discussed last week they were thinking there would be a Municipal Engineer to handle the engineering work with an engineer to handle planning & zoning. Cmr Piatt affirmed the Mayor's understanding. The method of payment for planning/zoning engineer also arose. The Mayor asked if he wanted to suggest other than those discussed. Cmr Weintrob agreed they were three fine firms. Cmr. Piatt said that since the last meeting he came into possession of certain information which that needed to be shared and in light of the facts, wanted that firm removed from any consideration – as it changes the picture.. Solicitor Maguire confirmed that the information was also made aware to him during conversations with the applicants. It wasn't requested and it is what it is. Cmr. Piatt agreed that the case did occur - there was ¼ million settlement and made him wary of further considering that firm.

Mayor Kelly proposed Doran as one who would make a very good Municipal Engineer - saying Doran's presentation was good and their prices were more reasonable than the others. Cmr Piatt agreed their presentation was good, adding that the first 3 presentations (Polistina, Doran, Remington/Vernick) were the strongest. As to Polistina, the Mayor felt they would be helpful with Green Acres and in reviewing their presentation she noted they represented a lot of municipalities in planning & zoning – also of help to us. Cmr Piatt offered that in our state's present environment, it wouldn't hurt to have them aboard as part of our team. The Solicitor agreed wholeheartedly, saying that Vince Polistina impressed him during his presentation – that he heard truth in his statement that everyone who comes in here is going to be good - but there's no one who is going to come in here who will help you more with State agencies than he could. Cmr Weintrob reminded everyone of the political climate in April of 2008 with respect to all of the people being discussed being adamantly for the opposing side - openly endorsing the incumbents. A discussion ensued re state guidelines on what should not be charged to a taxpayer/applicant who does not require an engineer. The Mayor said that Jack Mathews said he sits on many boards without an engineer – has seen one maybe 3 times and explained that the p/z engineer will not charge for sitting at the meeting – only for the review required which charge would be passed to the applicant(s). Cmr Piatt said they should receive something if they come. The Mayor explained that the Engineer doesn't necessarily attend when an application does not require their presence as most applications in a developed city coming before a board, do not require an engineer. She noted that she knew Matt Doran from the AC Board of Education – that he is a good man without a bad word being said about him and that we would be helping citizens of Ventnor as having Polistina on board would help too. Cmr Piatt agreed.

Solicitor Maguire then advised how a duo title would work, i.e. thr Commission may want to have Matt Doran as Municipal Engineer and Vince Polistina as Special Projects Engineer and if you're going to recommend Polistina to the Planning & Zoning Boards –he could also be their named engineer - giving further assurance that if Matt Doran

January 21, 2010

doesn't work out as well as hoped, you still have an engineer aboard. With everyone in general agreement, Mayor Kelly asked Solicitor Maguire to write something out to that effect before they went up on the floor,.

Cmr Weintrob asked how the appointment of Doran will effect ACIA with their daily management of projects. Noting the condition of our infrastructure & the emergency work that must be done, lack of work was not an issue. Fralinger, one of firm's interviewed, was proffered as an example of an engineer who came highly recommended and might still be considered in the future - taking into account the myriad of projects Ventnor is facing. The Solicitor cautioned them to stay with discussions of the appointments - not to finalize their votes until they went on the floor.

Related to the engineer's appointment, Resolution No.19 was discussed. The Resolution is broad in wording to allow the Solicitor and the Municipal Engineer to determine if the contract change order could be accomplished legally without stopping work or if another public bid will be necessary. Doing one will not necessarily preclude the other. The change order estimates 50 water laterals @\$1,100 = \$55,000. However, that estimate is for laterals only and does not include unknown contract increases which might exceed the legal change order threshold of 20% (\$297,185).

EXECUTIVE SESSION CLOSED: 7:00 PM

Cmr Piatt moved, seconded by Cmr Weintrob, the Executive Session be ended. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on January 21, 2010 at 7:10 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

Mayor Kelly announced that "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

Cmr. Piatt moved, seconded by Cmr. Weintrob, that the minutes of the 12-16-09 special session engineer interviews, the 1-14-10 session for discussion of engineer appointments and the 12-17-09 Regular Commission meeting be approved as written (oral reading waived).

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

REPORT OF BID OPENING FURNISHING/DELIVERING WATER METERS/WATER METER SETTING EQUIPMENT

Date of Bid Opening: January 12, 2010 @2:00 PM

Bid Opened By: Sandra M. Biagi, RMC/CMC, City Clerk

1. HD Supply Waterworks \$62,415.00
Berlin, NJ
Bid Bond Attached
2. Atlantic Plumbing Supply Corp. \$26,141.00/Setting Equipment only
Long Branch, NJ
\$2614.00 Cashier's Check Attached

Report Submitted By Sandra M. Biagi, RMC/CMC

Cmr. Weintrob moved, seconded by Cmr Piatt the report be received and filed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

REPORT OF BID OPENING FIRE HOUSE ROOF REPLACEMENT - HELD

Date of Bid Opening: January 14, 2010 @2:00 PM

Bid Opened By: Sandra M. Biagi, RMC/CMC, City Clerk

1. Alper Enterprises, Inc. \$53,000.00
Moorestown, NJ
Bid Bond Attached
2. Brown & Guarino, Inc. \$65,500.00
Egg Harbor Twp., NJ
Bid Bond Attached
3. Union Roofing Contractors, Inc. \$43,900.00
Phila., PA
Bid Bond Attached
4. Mike Kobithen Roofing & Insulation, Inc. \$52,000.00
Churchville, PA
Bid Bond Attached
5. Cumberland USA, Inc. \$42,800.00
Ramsey, NJ
Bid Bond Attached
6. Gen II Contracting Co., Inc. \$22,630.00
Clarksburg, NJ
Bid Bond Attached
7. D.A. Nolt, Inc. \$46,377.00
Berlin, NJ
Bid Bond Attached

Report Submitted By Sandra M. Biagi, RMC/CMC, City Clerk

Mayor Kelly moved, seconded by Cmr Weintrob the report be received and filed and held in committee for further study.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

NEW BUSINESS

INTRODUCTION OF ORDINANCE 2010-01

AN ORDINANCE AMENDING CHAPTER 7, SECTION 6, OF
THE CODE OF THE CITY OF VENTNOR CITY

Comr Weintrob moved, seconded by Comr Piatt that Ordinance 2010-01 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

PUBLIC INPUT OR QUESTIONS FOR ANY AGENDA ITEM UNDER CONSENT

Mayor Kelly asked if there were any questions on Resolutions No 01 thru 19 of 2010 before they were voted by Consent.

TIM KREISCHER, 117 N Somerset asked who was chosen as Engineer. MAYOR KELLY responded that MATTHEW F. DORAN will be the MUNICIPAL ENGINEER & the SPECIAL PROJECTS ENGINEER/PLANNING & ZONING that they are recommending to the Planning & Zoning Boards, is Vincent J Polistina & Company. KREISCHER complimented the choice of MATTHEW DORAN and asked what we will be paying him and if we would also be going with ACIA. As to Doran, MAYOR KELLY offered to copy KREISCHER the list of things w/costs and affirmed that we would also be going with ACIA (R12). Responding to confusion from an article appearing today, CMR PIATT explained that his press remarks referred to any service ACIA employed on our behalf would follow the normal public bidding process with contractors.. that ACIA will be managing the process. Further discussion of the press item ensued. KREISCHER questioned why Doran couldn't handle projects already bid using Brigantine as an example. The SOLICITOR noted that while Matt Doran is Brigantine's Engineer, they have used ACIA on certain projects. In response to whether the Engineer would attend Workshop & Commission meetings the MAYOR explained that MR DORAN would attend only when it's necessary. KREISCHER restated his rationale for employing Richard Carter. CMR PIATT attempted to clarify today's article on the subject of financing the proposed projects. The confusion resulted from a public speaker being quoted at the 1/14/10 Workshop.

PRISCILLA BEURET 15 S Richards commended the City for getting new signs (Item#15/R8). MAYOR KELLY explained that the Beautification Committee asked permission to hold a contest to design the City's entrance signs. Hopefully, local artists and people who just like to do drawings will take part. Since our signs needing updating, the MAYOR felt it was a great suggestion and it will turn out very nice.

MIKE WEISEN 326 N Dorset asked if the Zoning Board could expect Mr. Polistina to be at their Board meetings as Mr. Carter had been - that at last night's meeting, without the presence of an engineer, there were questions which went unanswered and a majority could not pass the one case before them. The MAYOR stated that Polistina is expected to attend when needed & that she had spoken with Chairman Reynolds on Monday & asked if an engineer was needed for the meeting as one was not being hired until tonight. Reynolds did not feel the necessity for an engineer to be there. WEISEN spoke of the level of comfort the board members had with Carter's presence & guidance over the years explaining ordinances & the types of variances. That new members, not having the same benefit of experience, felt open without the lack of security of an engineer to guide them. The MAYOR explained that the Board has the right to appoint whoever they choose but the governing body sets the salary for the Engineer. MIKE appreciated that the engineer had been comfortable over the years - like an old pair of slippers and while he was sorry Mr. Carter was leaving he understood that there were other factors involved. The MAYOR said that the only factor she was aware that was involved - was that he told her a year ago he was going to retire and needed one more year and they gave him that year and now, has maybe changed his mind but they had already gone out to see who was out there. The SOLICITOR added that once the Engineer is selected, the board can dictate if he's there or not - that if they want him there, just tell him you want him. MIKE reviewed his learning process as a new member & suggested it might be a good idea for any prospective member to sit a month or two just to observe some of the answers, how to routinely ask questions and learn a little bit before they're thrown in. Even though they have to attend the (state required) class what you learn at the course is not the real world.

MOTION FOR CONSENT AGENDA

There being no one further wishing to speak, Comr Weintrob moved, seconded by Comr Piatt that Resolutions No 1 thru 19 of 2010 be adopted by consent.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 1 OF 2010 - REFUND OF DEPOSITS SPECIAL STRIPER FISHING PIER KEY RETURNS

WHEREAS, the following people purchased a 2009 Striper Licenses in the amount of \$175.00 (\$75.00 for the license & \$100.00 key deposit); and

January 21, 2010

WHEREAS, they returned their key before January 5, 2010 and have requested a refund of the \$100.00 key deposit sent to them:

Name	Address	Date Purchased	Key #
Niles D Webb	341 Essex Ave Marmora, NJ 08223	09-18-09	273
Rex Breuer	9 N Newark Ave Ventnor, NJ 08406	09-27-09	274
Harry Franks	1007 Maple Ave Linwood, NJ 08221	10-06-09	276
Joe Crowe	PO Box 676 Pomona, NJ 08240-0676	10-14-09	277

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of the City of Ventnor City is authorized to issue refund checks as stated above.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the City of Ventnor City is authorized to mark the books and records accordingly.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 1 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 2 OF 2010 - AWARD OF CONTRACT, FURNISHING & DELIVERING OF WATER METERS & WATER METER SETTING EQUIPMENT

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her Office on Tuesday, January 12, 2010 at 2:00PM two (2) bid proposals for WATER METERS & WATER METER SETTING EQUIPMENT; and

WHEREAS, the Water/Sewer Superintendent has reviewed same and have herewith recommended award to the lowest responsible bidder HD SUPPLY WATERWORKS, LTD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards the Contract for WATER METERS & WATER METER SETTING EQUIPMENT to HD SUPPLY WATERWORKS, LTD for their Total Amount Bid of \$62,415.00; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued by the Municipal Chief Financial Officer shall be attached hereto.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 2 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 3 OF 2010- RENEWAL OF IN-POCKET LIQUOR LICENSE 1022-44-013-004 TJ&J, INC

WHEREAS, there exists in the City of Ventnor City a certain In Pocket Plenary Retail Distribution License, being License #0122-44-013-004 issued to TJ&J, Inc.; and

WHEREAS, said liquor license has been In Pocket since May 30, 2002 thus requiring a Special Ruling from the Division of Alcoholic Beverage under NJSA 33:1-12.39 before renewal by the Governing Body for the period of July 1, 2009 to June 30, 2010; and

WHEREAS, said licensee has received the necessary approval from the Division of Alcoholic Beverage Control under NJSA 33:1-12.39 to permit the renewal of said liquor license for the 2008-2009 licensing year; and

WHEREAS, said licensee paid the annual renewal fee of \$360.00 and the required fee to the Division of Alcoholic Beverage Control of \$200.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Plenary Retail Distribution License #0122-44-013-004 issued to TJ&J Inc. is hereby renewed for the 2009-2010 license year.

BE IT FURTHER RESOLVED that as a special condition of said renewal no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2010.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 3 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 4 OF 2010 - ACCEPTING RESIGNATION OF EURIPIDES NOURAGAS

WHEREAS, Euripides Nouragas has tendered his resignation with the City of Ventnor City; and

WHEREAS, the Board of Commissioners of the City of Ventnor City wish to accept such resignation.

January 21, 2010

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby accepts the resignation of Euripides Nouragas effective 10-31-09.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No.4 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 5 OF 2010 - RECOGNITION OF EMPLOYEES WHO HAVE RETIRED SINCE 5-20-08

WHEREAS, certain employees have retired after serving more than 20 years as an employee or professional appointment with the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners wishes to publicly recognize the following employees for their years of service to the City of Ventnor:

EMPLOYEE NAME	DEPARTMENT	RETIREMENT DATE	YRS OF SERVICE
William M. Johnson	Tax Assessor	02-18-09	21
Frank G. Moore	Public Works	06-01-09	27
Robert A. Streb, Jr.	Police	06-01-09	31
Richard L. Carter	Engineer	12-31-09	25
Wayne Arnold	Police	01-01-10	26
Mary E. Larkin	Police Records	01-01-10	26

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby acknowledges those employees hereinbefore listed and offers their thanks and appreciation for their years of dedicated service to the City of Ventnor City and extend their best wishes for a healthy, happy, enjoyable retirement.

BE IT FURTHER RESOLVED that this resolution be spread upon the Official Minutes of the City of Ventnor City.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 5 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 6 OF 2010 - TAX REFUND, OVERPAYMENT

WHEREAS, the 2009 tax on Block 81, Lot 12 known as 7106 Ventnor Ave, Ventnor, NJ and assessed to Mark N & Carol B Cohen was overpaid in the amount of \$1,874.75 due to the homeowner and Chase Home Finance paying; and

WHEREAS, Chase Home Finance, Mail Code OH4-7326, 3415 Vision Drive, Columbus, OH 43219 has requested a refund in the above amount sent to them.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of the City of Ventnor City is authorized to issue a refund check as stated above.

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Tax Collector of the City of Ventnor City are authorized to mark their books and records accordingly.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 6 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 7 OF 2010 - RESCINDING PETTY CASH FUNDS

WHEREAS, N.J.S. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any County or Municipality by application and resolution, and

WHEREAS, it is the desire of the City of Ventnor City, County of Atlantic that the petty cash funds for the City Clerk's Office and the Police -Detective be rescinded;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey hereby authorizes such action and that two copies of this resolution be filled with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 7 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

January 21, 2010

RESOLUTION NO. 8 OF 2010 - GRANTING APPROVAL TO VENTNOR BEAUTIFICATION COMMITTEE TO HOLD SIGN DESIGNING CONTEST FOR VENTNOR CITY ENTRANCE SIGNS

WHEREAS, the Ventnor Beautification Committee has requested permission to hold a contest for the designing of signs to be placed at the entrance to the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners wishes to grant such approval for said contest.

NOW, THEREFORE, BE IT RESOLVED that approval is herein and hereby granted to the Ventnor Beautification Committee to hold a sign designing contest for Ventnor City entrance signs.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 8 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 9 OF 2010 - ESTABLISHING EMERGENCY NO PARKING AREAS DURING CONSTRUCTION (BATON ROUGE FROM WINCHESTER TO VENTNOR & TROY FROM MONMOUTH TO WINCHESTER)

WHEREAS, the Ventnor City Governing Body has awarded a Contract to Feriozzi Concrete Company for sewer and roadway improvements under the 2009 CAPITAL SEWER - CDBG Sewer and Roadway Improvements to Troy and Baton Rouge Avenues which will require that no parking be enforced to effectuate the speedy completion of the project and ensure the safety of the traveling public; and

WHEREAS, due to this construction a temporary condition exists necessitating special traffic regulations on the Municipal Street(s) as listed below; and

WHEREAS, in accordance with N.J.S.A. 39:197.3, a Municipality has the right to permit Special Traffic Regulations when circumstances of this type dictate its necessity.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the City of Ventnor City that it hereinafter authorizes the following temporary, special traffic regulations to be implemented in the City of Ventnor City, Atlantic County, New Jersey:

'No Parking' on both sides of:

<u>Roadway</u>	<u>From</u>	<u>To</u>
BATON ROUGE AVENUE	Winchester Avenue	Ventnor Avenue
TROY AVENUE	Monmouth Avenue	Winchester Avenue

AND BE IT FURTHER RESOLVED that prohibition of parking shall expire upon completion of the aforesaid project or thirty (30) days from this date of adoption, whichever is the sooner.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No.9 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 10 OF 2010 - APPROVAL OF EXTENSION OF TIME, MARKLAND DUE TO DETERIORATED STRUCTURAL STEEL REPAIRS

WHEREAS, a contract for repairs to the Ventnor City Public Works Building was awarded to M.B. Markland Contracting Co.; and

WHEREAS, during the performance of said contract severely deteriorated building structural steel supports were discovered requiring additional intense rust removal, coating, additional steel reinforcements and re-stuccoing of damaged area; and

WHEREAS, said work requires temperatures above 40 degrees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter approves extending the completion time of the contract with M.B. Markland Contracting Co. to May 1, 2010.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 10 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 11 OF 2010 - AUTHORIZING INTERLOCAL AGREEMENT WITH ACIA FOR MANAGEMENT SERVICES FOR ROADWAY/SEWER IMPROVEMENTS TO TROY & BATON ROUGE AVES

WHEREAS, the State of New Jersey through the Office of the Governor, encourages Municipalities and Boards to share services with the goal of reducing costs, improving services, and at the same time stabilizing tax rates for the benefit of taxpayers in the State of New Jersey; and

WHEREAS, the Interlocal Services Act, NJSA 40:8A-1 et seq. authorizes the City of Ventnor City in Atlantic County and the Atlantic County Improvement Authority to enter into a Contract for the sharing of services; and

WHEREAS, it is the desire of the Governing Body of the City of Ventnor City to authorize the execution of an Interlocal Governmental Services Agreement with the Atlantic County Improvement Authority for providing project management services for the roadway and sewer improvements to Troy and Baton Rouge Avenues project.

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

- (1) The Preambles hereof are incorporated herein as though fully set forth at length.
- (2) The Mayor is hereby authorized to execute, and City Clerk to attest, to an
Interlocal Government Services Agreement with the Atlantic County Improvement Authority for providing project management services for the roadway and sewer improvements to Troy and Baton Rouge Avenues project.
A copy of said Agreement, in substantial form to be executed, is on file in the City Clerk's Office and available for inspection as a Public Document.
- (3) All Resolutions inconsistent with the provisions hereof are hereby immediately repealed upon adoption of this Resolution, which shall be effective immediately according to law.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 11 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 12 OF 2010 - AUTHORIZING INTERLOCAL AGREEMENT WITH ACIA FOR ENGINEERING & PROJECT MANAGEMENT SERVICES FOR SEWER MAIN REPLACEMENT PROJECT PHASE I

WHEREAS, the State of New Jersey through the Office of the Governor, encourages Municipalities and Boards to share services with the goal of reducing costs, improving services, and at the same time stabilizing tax rates for the benefit of taxpayers in the State of New Jersey; and

WHEREAS, the Interlocal Services Act, NJSA 40:8A-1 et seq. authorizes the City of Ventnor City in Atlantic County and the Atlantic County Improvement Authority to enter into a Contract for the sharing of services; and

WHEREAS, it is the desire of the Governing Body of the City of Ventnor City to authorize the execution of an Interlocal Governmental Services Agreement with the Atlantic County Improvement Authority for providing engineering and project management services for the Sewer Main Replacement project, Phase I.

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

- (1) The Preambles hereof are incorporated herein as though fully set forth at length.
- (2) The Mayor is hereby authorized to execute, and City Clerk to attest, to an Interlocal Government Services Agreement with the Atlantic County Improvement Authority for providing engineering and project management services for the Sewer Main Replacement project, Phase I.
A copy of said Agreement, in substantial form to be executed, is on file in the City Clerk's Office and available for inspection as a Public Document.
- (3) All Resolutions inconsistent with the provisions hereof are hereby immediately repealed upon adoption of this Resolution, which shall be effective immediately according to law.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 12 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 13 OF 2010 - AUTHORIZING PAYMENT OF MARTIN BLUMBERG INVOICE FOR ADDITIONAL SERVICES RENDERED - REPAIRS TO PW BUILDING

WHEREAS, Martin Blumberg was awarded a Professional Services Contract for the Design through Construction Phases of the Public Works Complex Main Plant Roof Replacement; and

WHEREAS, due to the discovery of significant latent defects in the building there is a need to increase the project scope of Architectural Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City herein and hereby approves payment to Martin Blumberg for these additional services rendered.

BE IT FURTHER RESOLVED that the increase in services for this additional scope of work shall not exceed an additional \$9,735.00.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 13 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 14 OF 2010 - AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH CONCORD ATLANTIC ENGINEERS, INC FOR UPGRADES TO LILY PARK SEWERAGE PUMP STATION

WHEREAS, there is a need for professional mechanical and electrical engineering consultation and design services for the project to upgrade the Lily Park Sewerage Pumping Station ; and

WHEREAS, a Proposal has been obtained from Concord Atlantic Engineers, Inc. dated December 10, 2009 for an amount not to exceed \$22,900.00 and is attached hereto; and

WHEREAS, a Certificate of Availability of Funds issued by the Municipal Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it accepts the Proposal from Concord Atlantic Engineers, Inc. to perform mechanical and electrical engineering consultation and design services for the project to upgrade the Lily Park Sewerage Pumping Station in accordance with their Proposal dated December 10, 2009 and attached hereto.

BE IT FURTHER RESOLVED that a Notice of this Contract Award shall be published at least once in the Atlantic City Press pursuant to the requirements of Chapter 198 of the Laws of 1971.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 14 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 15 OF 2010 - GRANTING APPROVAL FOR A CIRCULAR DRIVEWAY AT 15 S. DORSET

WHEREAS, by Resolution No. 22 of 2009 of the Ventnor City Zoning Board of Adjustment, Tiny Houses, LLC was granted certain variances for new construction on the property known as 15 S. Dorset Avenue, Block 61, Lot 3; and

WHEREAS, as a condition of said approval the Zoning Board of Adjustment has recommended that the Ventnor City Board of Commissioners allow a circular driveway with two curb cuts on Dorset Avenue; and

WHEREAS, such allowance would not be a detriment to the public good or impair the intent and purpose of the Zoning Ordinance of the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby grants approval to Tiny Houses, LLC for a circular driveway with two curb cuts on Dorset Avenue at the premises known as 15 S. Dorset Ave., Block 61, Lot 3.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 15 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 16 OF 2010 - APPOINTMENT OF MUNICIPAL ENGINEER

*** WHEREAS Solicitor Maguire advised the Board of Commissioner that a formal motion should be made for the appointment of the Municipal Engineer and a separate motion appointing an alternate Special Projects Engineer which will be memorialized by Professional Service Agreements at a future meeting.

Cmr. Piatt moved, seconded by Cmr. Weintrob, that MATTHEW F. DORAN be appointed as the Municipal Engineer and that VINCENT J. POLISTINA be appointed as the Special Projects Engineer.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 17 OF 2010 - SUPPORTING 2010 CENSUS

WHEREAS an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day care centers, roads and public transportation, hospitals and other facilities, and achieving an accurate and complete count of the nation's growing and changing population;

WHEREAS more than \$435 billion per year in federal and state funding is allocated to states and communities based, in part, on census data;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and often is used for the redistricting of state legislatures, county and city councils and voting districts;

WHEREAS the 2010 Census creates jobs that stimulate economic growth and increase employment;

WHEREAS the information collected by the census is confidential and protected by law;

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

As a 2010 Census partner, we will:

Support the goals and ideals for the 2010 Census and disseminate 2010 Census information to encourage those in our community to participate.

Encourage people in our community to place an emphasis on the 2010 Census and participate in events and initiatives that will raise overall awareness and ensure a full and accurate census.

Support census takers as they help our community complete an accurate count.

Create or seek opportunities to collaborate with other like-minded groups in our community by participating in Complete Count Committees and/or utilizing high-profile, trusted voices to advocate on behalf of the 2010 Census; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to Geraldine Clark, Partnership Coordinator of the U.S. Census Bureau and the New Jersey League of Municipalities.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 17 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 18 OF 2010 - EMERGENCY SEWER REPAIR WYE BRANCH/LATERAL, 301 HAMPSHIRE

WHEREAS, a sewer emergency exists requiring the immediate replacement of the wye branch and lateral at 301 Hampshire Drive; and

WHEREAS, the line is at a depth of 6 feet, making it necessary to engage the services of a Utility company to safely perform such repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Lafayette Utility Construction Company, Inc. is herein and hereby authorized to perform the emergency repair of the wye branch and lateral at 301 Hampshire Drive.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 18 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 19 OF 2010 - CONTRACT AMENDMENT TO INCLUDE WATER LATERALS (2009 CAPITAL SEWER - CDBG ROADWAY & SEWER IMPROVEMENTS IN BATON ROUGE & TROY AVES)

WHEREAS, on 11-19-09 by Resolution No. 163 of 2009, a contract was awarded to L. Feriozzi Concrete Co. for the 2009 Capital Sewer - CDBG Roadway & Sewer Improvements in Baton Rouge & Troy Aves; and

WHEREAS, the removal and replacement of water laterals was omitted from said plans, specifications & contract; and

WHEREAS, during and coinciding with the performance of the aforementioned contract, the City of Ventnor City desires to include the removal and replacement of water laterals in Baton Rouge and Troy Aves.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the preparation of plans and specifications for the removal and replacement of water laterals on Baton Rouge Av from Winchester to Ventnor and Troy Av from Monmouth to Winchester.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 19 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BINGO LICENSE #362 & RAFFLE LICENSE #363 - ST. JAMES R.C. CHURCH

Cmr. Piatt moved, seconded by Cmr. Weintrob that Bingo License #362 and Raffle License #363 for St. James R.C. Church be approved.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$2,629,961.77 and payrolls from 12/19/09 to 12/31/09 in the amount of \$436,993.52 and from 1/1/10 to 1/15/10 in the amount of \$487,739.37 for approval. So ordered

ANNOUNCEMENTS

Mayor Kelly announced FEBRUARY 5, 2010 is NATIONAL WEAR RED DAY FOR WOMEN & hoped we will show support by wearing red for the ladies of our fair city, state & country.

APPOINTMENTS OF MATTHEW F. DORAN AS MUNICIPAL ENGINEER & VINCENT J. POLISTINA AS SPECIAL PROJECTS ENGINEER

*** Solicitor Maguire advised the Board of Commissioner that a formal motion should be made for the appointment of the Municipal Engineer and a separate motion appointing an alternate Special Projects Engineer which will be memorialized by Professional Service Agreements at a future meeting.

Cmr. Piatt moved, seconded by Cmr. Weintrob, that MATTHEW F. DORAN be appointed as the Municipal Engineer and that VINCENT J. POLISTINA be appointed as the Special Projects Engineer.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

PUBLIC COMMENTS MEETING ADJOURNED: 7:36PM

Cmr Piatt moved, seconded by Cmr Weintrob, the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on February 18, 2010 at 7:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

Mayor Kelly announced that "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

Cmr. Piatt moved, seconded by Cmr. Weintrob, that the minutes of the 1-21-10-09 Regular Commission meeting and the 1-14-10 & 1-21-10 special sessions held for discussion of the City Engineer position be approved as written (oral reading waived).

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

SWEARING IN OF CAPTAIN DONALD CANCELOSI AS POLICE CHIEF

Police Captain Donald Cancelosi & his family were called to the dais after which MAYOR KELLY administered the Oath of Office to DONALD CANCELOSI as CHIEF OF POLICE. Friends, relatives & fellow officers stood and applauded their appreciation.

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-01

The City Clerk read the Title of Ord 2010-01 'AN ORDINANCE AMENDING CHAPTER 7, SECTION 6, OF THE CODE OF THE CITY OF VENTNOR CITY' after which Cmr Weintrob moved the Ordinance be tabled. Mayor Kelly asked him to please state his reason for the motion.

WEINTROB said it was unfortunate that he hadn't read this Ordinance (or change in the Ordinance) until tonight but that this Ordinance clearly takes away all the responsibility from the Commissioners for which they were elected, i.e. to purchase anything in the City of Ventnor or to approve purchases in the City of Ventnor. He didn't think this was the thing intended by state statutes or under our code nor was it intended by the electorate to have the Administrator & Chief Financial Officer, who are employees of the City, be the only ones who can purchase anything in the City or approve anything in the City. Calling emergency appropriations "one of the best examples" he said that if either one of these people are not available & there is an emergency and the Commissioner in charge of that particular area is the only one available, they cannot make a decision on that purchase at that time. He felt it was contrary to basic law & to the bidding process that people elected them to do. He repeated his motion to table Ordinance 2010-01, rework it, review it and put it back on next month.

The City Clerk asked for a second to the motion to table Ord 2010-01. There being no second, the motion died.

The City Clerk requested the Public Hearing be opened. Mayor Kelley moved, seconded by Cmr Piatt the Public hearing of Ordinance 2010-01 be opened.

RICH BOBB 4901 Ventnor Av questioned what the procedures were before and with this Ordinance. The MAYOR deferred to TORO ABODERIN, CFO, who explained that the Ordinance cements what we do right now - that each department has their own budget and the Dept Head, which is the Cmr, has the right to purchase whatever they need for their dept. On the voucher of the PO, there are 3 sections that need signatures. Before it is sent to the vendors, the CFO & the Administrator sign it. When the vendor receives it, they sign the 'vendor' portion & provide the services. After it comes back to finance it goes back to the Dept Head where the requisition originated & he (Cmr) approves the purchase before it goes into the system. The Dept Head then signs his portion & payment is made. WEINTROB disagreed offering his opinion of what/how the procedure occurs for first approval - repeating that that the Ordinance circumvents the Cmrs rights & states clearly that *only* the CFO & the CA have those rights. The CFO clarified that 'H' said that only the CFO & the City Administrator have the right to expend/spend City funds. It is the Cmr that has already encumbered the money within the department. When the dept created the requisition, the Dept Head (Cmr) has already given it the first approval - it is already encumbered. WEINTROB disagreed as the CFO attempted again to explain each step. WEINTROB resumed his disputing of sections, saying he would continue to disagree until legal counsel explained. The SOLICITOR said that as Toro described, and after his review of the Ordinance, he felt very confident that whoever drafted this had patterned it after the statute and the statute is very clear in what has to be done - 1st it has to be a true emergency - it can't just act like an emergency to avoid the bidding laws; 2nd, the department requesting the emergency purchase shall contact the CFO - which means the Dept Head (Cmr) or a significant person like Tom Klein or Dave Smith whereupon the CFO makes sure there is funding available or could be made available in the budget for the emergency purchase. The Dept Head then submits the written request explaining why we had to do this as an emergency. The SOLICITOR said that in reviewing this he felt comfortable. That it is not strange to go through the CFO - that the wording on how the process works is patterned exactly after the statute & is on point as to what you are supposed to do and that he was confident that it is not a usurpation of anyone's power or any type of attempt to bypass someone or limit someone's power. Concluding, he added that in his experience, in all the years he had worked with municipal governments, emergencies come up very rarely but when they do, there is never debate or disagreement that there is an emergency. MAYOR KELLY asked RICH BOBB if he understood & was satisfied by their discussion. He responded in the affirmative.

CMR WEINTROB said he withdrew his motion. (Referencing an earlier motion which died from lack of a second)

Cmr. Piatt moved, seconded by Mayor Kelly, the Public Hearing be closed.

FINAL READING & ADOPTION OF ORDINANCE 2010-01

AN ORDINANCE AMENDING CHAPTER 7, SECTION 6, OF
THE CODE OF THE CITY OF VENTNOR CITY

Cmr Piatt moved, seconded by Mayor Kelly that Ordinance 2010-01 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

NEW BUSINESS

CONSENT AGENDA - PUBLIC INPUT BEFORE ADOPTION

Mayor Kelly asked if there were questions on Resolutions No 20 thru 39 of 2010 before they were voted by Consent.

There being no one wishing to speak, Mayor Kelly moved, seconded by Cmr Piatt that Resolutions No 20 thru 39 of 2010 be adopted by consent.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 20 OF 2010 – ADOPTION OF CORRECTIVE ACTION PLAN - 2008 AUDIT REPORT

BE IT RESOLVED that the Ventnor City Board of Commissioners hereby accepts this Corrective Action Report for the 2008 Audit.

CORRECTIVE ACTION REPORT

City of Ventnor City, Atlantic County

Audit Report Date: March 13, 2009

Finding 08-1

Description:

The City incurred expenditures without an appropriation, over expenditures of appropriations and over expenditures of appropriation reserves.

Analysis:

The Prior CFO did not verify available budget appropriations prior to expenditures being made from the Current Fund. The revenues budgeted in the utility fund did not reflect current year billing rates.

Corrective Action:

An availability of funds is certified prior to expenditures being made.

Implementation Date: January 2, 2009

Finding 08-2

Description:

The payroll agency account was not properly maintained and a shortage of \$8,275 existed in the account at year end.

Analysis:

The prior CFO did not reconcile the agency account to ensure all funds were identified, therefore payments required to be made out of the payroll agency account were unfunded.

Corrective Action:

The payroll agency account will be reconciled on a monthly basis and all remaining balances will be identified.

Implementation Date: July 2009

Finding 08-3

Description:

The Construction Office personnel are charging fees for permits that are not in accordance with the approved ordinance.

Analysis:

Personnel are incorrectly interpreting the fees that have been approved by the governing body.

Corrective Action:

Construction and permit fees should be charged in accordance with approved ordinance. If the approved fees are not appropriate, a new ordinance will be passed by the governing body in 2010.

Implementation Date: April 2009

Finding 08-4

Description:

Of the five properties selected for testing, none of the issued certificates of occupancy were properly added to the tax rolls.

Analysis:

Due to the lack of coordination between the construction office and the tax assessor office, not all properties are included in the added and omitted taxes.

Corrective Action:

A new Tax Assessor was hired and is working in concert with the Construction Office to ensure all CO's that are issued are brought to the Assessor's Office and included in the added and omitted taxes.

Implementation Date: June 2009

Finding 08-5

Description:

The subsidiary ledger for permit fees could not be reconciled by approximately \$1,100 to the quarterly reports printed from the computer system.

Analysis:

Because the Construction Office personnel were unaware that the quarterly reports were required to be in agreement with the detail they did not reconcile the quarterly reports to the computer generated reports.

Corrective Action:

The Construction Office is to reconcile a reconciled permit fee log quarterly.

Implementation Date: April 2009

Finding 08-6

Description:

Fees are not being charged in accordance with the approved ordinances and supporting documentation for the amounts collected is not in agreement with the funds turned over to the finance office. The difference between the fees received and the fees per ordinance were unable to be determined.

Analysis:

Personnel are ignoring fees that have been approved by the governing body and there is no reconciliation done to determine if the proper funds are being turned over to the City for revenues such as the tennis courts and the fishing pier.

Corrective Action:

All fees charged will be in accordance with the approved ordinances and supporting documentation should be maintained to support the amounts being turned over to the finance office.

Implementation Date: April 2009

Finding 08-7

Description:

The trust account reserves have not been analyzed to determine appropriate balances.

Analysis:

Because the trust account reserves have not been analyzed, it was impossible to be determined if the appropriate reserve balances are recorded.

Corrective Action:

The CFO will review all trust reserve balances and analyze them to ensure the correct balances are recorded on a monthly basis.

Implementation Date:

Finding 08-8

Description:

Grants are not being properly posted to the general ledger. Grants have not been analyzed to determine if the funds are still available for use. The total of the grants still available to the City was unable to be determined.

Analysis:

Because the Grants are not properly posted to the General Ledger and have not been analyzed, the totals available were undeterminable.

Corrective Action:

The grants were reviewed to ensure that the funds are available for use and all grants are properly recorded and tracked in the general ledger.

Implementation date: September 2009

Finding 08-9

Description:

The general ledger did not reflect accurate activity for the current year; the current fund did not have any tax activity posted. And receipts and disbursements were inaccurate. No general ledger activity was noted other than in the Current Fund.

Analysis:

The staff was neither trained nor informed as to the purpose and proper use of the General Ledger and therefore did not record activities properly.

Corrective Action:

The staff will be re-trained as to the purpose and use of the General Ledger. The staff will be refrained from making entries directly into the General Ledger.

Implementation date: Work is still in progress.

Finding 08-10

Description:

Bank reconciliations for six out of 22 accounts were not in agreement with the general ledger.

Analysis:

Because of the multiple incorrect entries recorded in the General Ledger it was impossible to accurately reconcile all Bank Accounts to the general ledger.

Corrective Action:

The staff was trained to reconcile all bank accounts on a monthly basis and ensure the balances available are in agreement with the general ledger. The staff was also trained to properly record any adjustments with supporting documentation.

Implementation Date: Work is still in progress.

Finding 08-11

Description:

The City was unable to provide a complete set of financial statements, including related disclosures.

Analysis:

The City does not currently employ or contract with an individual or consultant with knowledge and experience to prepare a complete set of financial statements, including related disclosures.

Corrective Action:

The City will examine the options to determine the most cost effective resolution to bring the City into compliance with the new accounting standard.

Implementation Date: Work still in progress.

Finding 08-12

Description:

No written procedures are maintained by the City for cash receipts or disbursements, including payroll procedures.

Analysis:

Because written procedures have not been maintained by City personnel for procedures followed for all transactions, the City did not have documentation of controls for appropriate monitoring.

Corrective Action:

The staff has been instructed to provide written procedures for all transactions performed, including payroll, cash receipts and disbursements. These procedures are to be maintained as processes change.

Implementation Date: July 2009 but work is still ongoing.

Finding 08-13

Description:

A complete fixed asset listing was unavailable for audit.

Analysis:

The City has not maintained and updated the asset listing for all purchases and sales of City's assets

Corrective Action:

A fixed asset ledger has been established moving forward. In 2010 the City will look into hiring an outside vendor to perform a comprehensive audit of all fixed asset and utilize the current financial system for record keeping.

Implementation Date:

Finding 08-14

Description:

The disbursement account had a remaining balance of approximately \$270,000, which could not be reconciled back to the source.

Analysis:

The staff did not reconcile the funds coming into and out of the disbursement account to ensure that all funds were properly transferred from the correct accounts.

Corrective Action:

It is still impossible to correctly identify the source of the balance in the disbursement account but going forward ensure that funds are transferred from the correct accounts and also eliminate the use of the disbursement account so that all funds have their own separate accounts beginning January 2010.

Implementation Date: November 2009 but work is still ongoing.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 20 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 21 OF 2010 – AUTHORIZING PARTICIPATION IN ATLANTIC COUNTY SPONSORED PARIS GRANT CONTINUATION OF RECORDS PURGING, REORGANIZATION & INVENTORIES SHARED SERVICES PROJECT

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management preservation and storage needs of county and municipal governments; and

WHEREAS, a top priority if the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-2011 grant cycle, priority funding will be given to County Sponsored Municipal Inventory Continuation and Records Reorganization projects; and

WHEREAS, the City of Ventnor City desires to collaborate with Atlantic County in the performance of County Sponsored Municipal Inventory Continuation and Records Reorganization projects; and

WHEREAS, the City of Ventnor City is acknowledging that their eligible funding of \$40,000.00 will be leveraged with Atlantic County; and

WHEREAS, the City of Ventnor City is acknowledging that Atlantic County would be both the lead agency and the applicant for such a proposal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the City of Ventnor City does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above and to execute and deliver all documents required incident thereto.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 21 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 22 OF 2010- APPROVING VENTNOR BEAUTIFICATION COMMITTEE REQUEST & NORTH BEACH VENTNOR RESIDENTS’ COMMITTEE FOR VC LIFE GUARD BOATS

WHEREAS, the Ventnor Beautification Committee and the North Beach Ventnor Residents’ Committee have requested surplus lifeguard boats to use for decorative purposes only; and

WHEREAS, the City of Ventnor City has two surplus lifeguard boats which are no longer operable and of no monetary value.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby donates one surplus lifeguard boat to the Ventnor Beautification Committee and one surplus lifeguard boat to the North Beach Ventnor Residents’ Committee which boats are no longer operable and of no monetary value.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 22 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 23 OF 2010 – TAX REFUNDS, OVERPAYMENTS

WHEREAS, there are certain properties in the City of Ventnor City that have credit balances on their tax accounts for various reasons; and

WHEREAS, these credits should be refunded as follows:

<u>BLK/LT/QUAL</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REASON</u>
178/14	Murphy	127 N Wissahickon Ave	\$204.29	Duplicate Payment
237/3	Tracy	307 Windsor Dr	\$736.03	Tax Appeal
51/5	Conklin	19 S Hillside Ave	\$789.39	Homestead Rebate
154/7	VanDuyne	117 N Dudley Ave	\$1,447.96	Duplicate Payment
154/8	VanDuyne	119 N Dudley Ave	\$447.72	Duplicate Payment
129/16	1 st American	20 N Rosborough Ave	\$1,762.47	Duplicate Payment
211/10	Cianci	5400 Balfour Ave	\$3,264.66	Duplicate Payment

69.02/9 CB	Markus	6313 Ocean Ave	\$1,886.68	February 18, 2010
45/14	Eplan/Tedesco	4802 Ventnor Ave	\$2,249.81	Duplicate Payment
				Tax Appeal

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of the City of Ventnor City is hereby authorized to issue refund checks as stated above.

BE IT FURTHER RESOLVED that the Tax Collector of the City of Ventnor City and the Chief Financial Officer are authorized to mark their books and records accordingly.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No.23 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 24 OF 2010 – WATER/SEWER REFUNDS, OVERPAYMENTS

WHEREAS, the water/sewer on Block 285, Lot 14 assessed to Thomas Grimley and known as 506 N Oxford Ave, Ventnor, NJ was overpaid in the amount of \$874.50 due to a payment by the homeowner and the mortgage company; and

WHEREAS, Service Link, 4000 Industrial Blvd., Aliquippa, PA 15001 has requested a refund sent to them; and

WHEREAS, the water/sewer on Block 308, Lot 11 known as 610 N Suffolk Ave, Ventnor, NJ and assessed to Gregg & Tiffany Chakov was overpaid in the amount of \$566.30 due to the homeowner and the mortgage company paying; and

WHEREAS, CitiMortgage, 95 Methodist Hill Drive, Suite 100, Rochester, NY 14623 Attn: Refunds has requested a refund sent to them.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City have authorized the Chief Financial Officer of the City of Ventnor City to issue refund checks as stated above.

BE IT FURTHER RESOLVED that the Tax Collector of the City of Ventnor City and the Chief Financial Officer are authorized to mark their books and records accordingly.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 24 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 25 OF 2010 – AUTHORIZING ACUA TO OBTAIN WET & DRY WEATHER FLOW INFORMATION FROM TEMPORARY PUMPING STATION ON HARVARD AVE

WHEREAS, the City of Ventnor City has requested to tie a portion of the City's municipal sewer system directly into the ACUA's regional system at Wellington Avenue and West End Canal; and

WHEREAS, certain engineering data detailing the impacts to the regional system must be provided prior to the request being considered; and

WHEREAS, the ACUA has estimated that the City's share of this effort will be \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City hereby authorizes the ACUA to perform the necessary testing to obtain wet and dry weather flow information from the temporary pumping station on Harvard Avenue.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 25 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 26 OF 2010 – AUTHORIZING ENGINEER TO PURSUE REMAINING PERMITS, FINALIZE DESIGN & AUTHORIZE PUBLIC BID, MILLING & OVERLAY OF ATLANTIC AVE PHASE I, JACKSON TO DORSET (NJ DOT FY2010 MUNICIPAL AID PROGRAM)

WHEREAS, the City of Ventnor City has determined a need to repave a portion of Atlantic Avenue; and

WHEREAS, the City of Ventnor City has previously secured funds from the New Jersey Department of Transportation in the amount of \$190,000.00 and wishes to pursue the design and Public Bid for the project.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer, Doran Engineering, to pursue all remaining permits, finalize the project design and upon completion of the above, authorize the project to be publicly bid as required.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 26 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 27 OF 2010 – AUTHORIZING ENGINEER TO PURSUE REMAINING PERMITS, FINALIZE DESIGN & AUTHORIZE PUBLIC BID IMPROVEMENTS TO BULKHEAD PW COMPLEX

WHEREAS, the City of Ventnor City has a need for a new Bulkhead located at the Public Works Complex and has secured funds for the same; and

WHEREAS, the City of Ventnor City has previously secured an New Jersey Department of Environmental Permit for the project and wishes to continue with the request for all applicable permits and request Public Bids for the project:

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer, Doran Engineering, to pursue all remaining permits, finalize the project design and upon completion of the above, authorize the project to be publicly bid as required.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 27 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 28 OF 2010 – AUTHORIZING ENGINEER TO PURSUE REMAINING PERMITS, FINALIZE DESIGN & AUTHORIZE PUBLIC BID RECONSTRUCTION OF VARIOUS STREETS

WHEREAS, the City of Ventnor City has determined a need for Sewer, Water and Street Reconstruction as follows:

1. Somerset Avenue- 200 Block North.
2. Victoria Avenue- 600 Block North.
3. Suffolk Avenue- 400 Block North.
4. Balfour Avenue- Between Surrey and Suffolk Avenues. and;

WHEREAS, the City of Ventnor City has previously secured funds within a previous Bond Ordinance and wishes to continue with the request for all applicable permits for the project, and continue with the design and preparation of bid documents:

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer, Doran Engineering, to pursue all remaining permits, finalize the project design and upon completion of the above, authorize the project to be publicly bid as required.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No.28 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 29 OF 2010 – AUTHORIZING ENGINEER TO PURSUE REMAINING PERMITS, FINALIZE DESIGN & AUTHORIZE PUBLIC BID, SANITARY SEWER PUMP STATION (FULTON AVE, VENTNOR HEIGHTS)

WHEREAS, the City of Ventnor City has need for a investigation and repair of the Sanitary Sewer Pump Station located at Fulton Avenue in Ventnor Heights; and

WHEREAS, the City of Ventnor City has previously secured funds for repair or replacement of the pump station and piping as may be needed.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer, Doran Engineering, to pursue all remaining permits, finalize the project design and upon completion of the above, authorize the project to be publicly bid as required.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 29 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 29A OF 2010 – AUTHORIZING APPLICATION FOR LOAN FROM NJ INFRASTRUCTURE FINANCING PROGRAM

RESOLUTION AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the City of Ventnor City, County of Atlantic, intends to file an Application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the **2010 INSTALLATION OF A PUMP STATION AND FORCE MAIN AT WEST CANAL.**

NOW, THEREFORE, BE IT RESOLVED by the City of Ventnor City Commission that Matthew F. Doran, P.E., P.P., P.L.S., C.M.E., Municipal Engineer be authorized to act as the Authorized Representative to represent the City of Ventnor City in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at Doran Engineering, 840 N. Main Street, Pleasantville, New Jersey 08232, (609) 646-3111 phone, (609) 641-0592 fax).

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 29A of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 30 OF 2010 – AWARD OF CONTRACT FIRE HOUSE ROOF REPLACEMENT TO CUMBERLAND USA, INC IN THE AMOUNT OF \$42,800

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her Office on January 14, 2010 at 2:00PM seven (7) bid proposals for THE ROOF REPLACEMENT AT THE NEW HAVEN & WINCHESTER AVE FIREHOUSE; and

WHEREAS, Peter C. Weiss, Architect has reviewed same and has herewith recommended award to the second lowest bidder CUMBERLAND USA, INC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards the Contract for THE ROOF REPLACEMENT AT THE NEW HAVEN & WINCHESTER AVE FIREHOUSE to CUMBERLAND USA, INC for their Total Amount Bid of \$42,800; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued by the Municipal Chief Financial Officer shall be attached hereto.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 30 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 31 OF 2010 – AUTHORIZING INTERLOCAL SERVICE AGREEMENT WITH ACIA FOR ADMINISTRATION OF CDBG PROGRAM (YEAR 2010) FOR PROJECT KNOWN AS LILY PARK FORCE MAIN MODIFICATION

WHEREAS, the City of Ventnor has opted to participate in the Atlantic County Community Development Block Grant (CDGB) Program for FY 2009; and

WHEREAS, as a participant, the City of Ventnor expects to be allocated \$68,779.00 for Fiscal Year 2009 for the project known as Lily Park Force Main Modification; and

WHEREAS, in order to be allocated CDGB funds, the City of Ventnor must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDGB Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the City of Ventnor, which is attached hereto, is approved and Mayor and the Municipal Clerk are authorized to sign said agreement.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 31 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 32 OF 2010 – AUTHORIZING CHANGE ORDER #2, M.B. MARKLAND CO , ALTERATIONS TO PUBLIC WORKS BLDG

WHEREAS, the Board of Commissioners of the City of Ventnor City entered into a Contract with M.B. Markland Contracting Co on October 20, 2009 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING for the total amount bid of \$574,400.00; and

WHEREAS, it was necessary to include or adjust various contract work, all as necessary for the successful completion of the project as outlined in Change Order No. 2, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Change Order No. 2 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING, which Change Order will increase the Original Contract Amount by \$50,940.41 thus bring the Total Adjusted Contract Amount to \$657,076.74; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued from the Municipal Chief Financial Officer be attached to this Resolution.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 32 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 33 OF 2010 – AUTHORIZING CHANGE ORDER #1, 2009 CAPITAL SEWER - CDBG ROADWAY AND SEWER IMPROVEMENTS IN BATON ROUGE AND TROY AVES

WHEREAS, the City of Ventnor City did award a contract for “2009 Capital Sewer – CDBG, Roadway and Sewer Improvements in Troy Avenue – From Monmouth to Winchester Avenues, Baton Rouge Avenue – From Winchester to Ventnor Avenues” and did enter into a contract with L. Feriozzi Concrete Company in the amount of \$297,185.00; and

WHEREAS, during performance of the project, it was determined that the existing water services were in disrepair and that fifty-two (52) would be replaced in order to properly complete and enhance the project. The additional work being herein enclosed in Appendix A;

NOW, THEREFORE, BE IT RESOLVED that the Contract for the “2009 Capital Sewer – CDBG, Roadway and Sewer Improvements in Troy Avenue – From Monmouth to Winchester Avenues, Baton Rouge Avenue – From Winchester to Ventnor Avenues” be amended from \$297,185.00 to \$349,185.00; a Net Increase of \$52,000.00

**APPENDIX A
WORK CHANGE ORDER #1
2009 CAPITAL SEWER - CDBG
ROADWAY AND SEWER IMPROVEMENTS TO
TROY AVENUE – Monmouth to Winchester
BATON ROUGE AVENUE – Winchester to Ventnor
City of Ventnor City
Municipal Project No. V2338
Doran #11434**

Item	Description	Contract Quantity	Unit	Unit Price	Total
1	Maintenance and Protection of Traffic	LS	LS	\$29,338.00	\$29,338.00
2	Earth Excavation for Test Pits	10	CY	\$100.00	\$1,000.00
3	Milling, 2" Average Depth	3,500	SY	\$4.25	\$14,875.00
4	Removal of Concrete Roadway (Base and Surface)	144	SY	\$0.50	\$72.00
5	Permanent Trench Restoration, HMA, Mix I-2, 4"th	225	TON	\$82.00	\$18,450.00
6	Hot Mix Asphalt Surface Course, Mix I-5 2" th	500	TON	\$60.00	\$30,000.00
7	Remove and Replace 6"x8"x18" Vertical Concrete Curb	2,250	LF	\$16.00	\$36,000.00
8	Remove and Replace 6" x 24" Concrete Gutter	2,250	LF	\$15.00	\$33,750.00
9	Remove and Replace 6"x48" Concrete Rocker Gutter	60	LF	\$30.00	\$1,800.00
10	Remove and Replace Concrete Sidewalk, 4"th	500	SY	\$55.00	\$27,500.00
11	Remove and Replace Concrete Driveway Aprons, 6"th	140	SY	\$48.00	\$6,720.00
12	Remove and Replace 8" Sanitary Sewer Main	1,100	LF	\$66.00	\$72,600.00
13	Remove and Replace Sanitary Sewer Manhole	3	UN	\$2,950.00	\$8,850.00
14	Repair Sanitary Sewer Manhole	2	UN	\$500.00	\$1,000.00
15	Remove and Replace 6" Sanitary Sewer Lateral	725	LF	\$11.00	\$7,975.00
16	Reset Water Valve Boxes (if & where directed)	3	UN	\$75.00	\$225.00
17	Reset Manhole Castings (if & where directed)	2	UN	\$350.00	\$700.00
18	Retrofit Inlets	2	UN	\$450.00	\$900.00
19	Public Sidewalk Curb Ramp Delineation	24	SY	\$220.00	\$5,280.00
20	Traffic Markings, Lines, Long Life, Epoxy Resin (IWD)	150	LF	\$1.00	\$150.00
				SUB TOTAL	\$297,185.00
	Supplemental Agreement				
SA-1	Water Service	52	UN	\$1,000.00	\$52,000.00
				AMENDED CONTRACT TOTAL	\$349,185.00

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 33 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 34 OF 2010 – CONFIRMING APPOINTMENT OF MATTHEW DORAN AS MUNICIPAL ENGINEER

WHEREAS, the City of Ventnor is desirous of entering into a Professional Services Contract with Matthew Doran, P.E., of Doran Engineering, 840 North Main Street, Pleasantville, New Jersey 08232; and

WHEREAS, the City of Ventnor is desirous of using such knowledge and expertise of Matthew Doran to implement the services required herein; and

WHEREAS, a Professional Services Contract may be awarded without competitive bidding pursuant to the Open Public Contracts Law; and

WHEREAS, Matthew Doran was selected pursuant to a fair and open process as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY AS FOLLOWS:

Section I: Matthew Doran is hereby awarded a Professional Services Contract to perform all engineering services on an as needed basis as directed by the City of Ventnor.

Section II: A Professional Services Contract is awarded to Matthew Doran pursuant to the following conditions:

- A. Nature of Contract: The nature of the contract is to complete any and all tasks and engineering services as so required.
- B. Duration: The duration of the contract shall be for a period of one (1) year from the date of January 1, 2010.
- C. Service and Amount: The amount for the services to be provided pursuant to this contract are set forth in a certain contract entered into between Matthew Doran and the City of Ventnor which is attached hereto and incorporated in this Resolution by this reference.

Section III: This Resolution detailing the terms and conditions of the Professional Contract with Matthew Doran of Doran Services Engineering is to be placed on file and made available for public inspection in the Office of the City Clerk of the City of Ventnor. Said Resolution should be made available for public inspection upon request. The City Clerk shall cause to be published in the official newspaper of the City of Ventnor a brief notice stating the nature, duration, service and amount of the contract and that the Resolution is on file and available for public inspection in the City Clerk's Office.

Section IV: The award of the contract pursuant to this Resolution shall become effective immediately upon adoption.

BE IT SO RESOLVED.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 34 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 35 OF 2010 – CONFIRMING APPOINTMENT OF VINCENT POLISTINA AS SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Ventnor is desirous of entering into a Professional Services Contract with Vincent J. Polistina, PE,PP, of Polistina & Associates, 6684 Washington Avenue, Egg Harbor Township, New Jersey 08234 as an Alternate Engineer; and

WHEREAS, a Professional Services Contract may be awarded without competitive bidding pursuant to the Open Public Contracts Law; and

WHEREAS, this contract is being awarded pursuant to the fair and open process as set forth in State statute.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY AS FOLLOWS:

Section I: Vincent J. Polistina of Polistina & Associates is hereby awarded a Professional Services Contract as the Alternate Engineer for the City of Ventnor to be used on an as needed basis if the City Engineer is unable to perform engineering services on any project for any reason.

Section II: A Professional Services Contract is awarded to Vincent J. Polistina pursuant to the following conditions:

- A. Nature of Contract: The nature of the contract is to complete any and all engineering tasks on an as needed basis as the Alternate Engineer for the City of Ventnor.
- B. Duration: The duration of the contract shall be for a period of one (1) year from the date of January 1, 2010
- C. Service and Amount: The amount for the services to be provided pursuant to this contract are set forth in the contract entered into between Vincent J. Polistina and the City of Ventnor which is attached hereto and incorporated in this Resolution by this reference.

February 18, 2010

Section III: This Resolution detailing the terms and conditions of the Professional Services Contract entered into between the City of Ventnor and Vincent J. Polistina is to be placed on file and made available for public inspection in the Office of the City Clerk of the City of Ventnor. Said Resolution should be made available for public inspection upon request. The City Clerk shall cause to be published in the official newspaper of the City of Ventnor, a brief notice stating the nature, duration, service and amount of the contract and that the Resolution is on file and available for public inspection in the City Clerk's Office.

Section IV: The award of the contract pursuant to this Resolution shall become effective immediately upon adoption.

BE IT SO RESOLVED.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 35 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 36 OF 2010 – WAIVING PENALTY WAIVED FOR TAX PAYMENTS POSTMARKED BY 2-10-10 OR RECEIVED BY 2-11-10

WHEREAS, interest penalties are assessed for tax payments made after the tenth of the month in which they are due; and

WHEREAS, severe weather in the area during the first two weeks of February caused the closing of Ventnor City Hall on February 10, 2010 and the disruption of mail service thus casing many tax payments to be received late; and

WHEREAS, the Ventnor City Board of Commissioners desires to waive the penalty for tax payments postmarked by February 10, 2010 or received by February 11, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby waive the penalty for tax payments postmarked by February 10, 2010 or received by February 11, 2010.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 36 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 37 OF 2010 – AUTHORIZING 3YR CONTRACT WITH COMTEC COMMUNICATIONS AND BROADVIEW NETWORKS FOR TELEPHONE SYSTEM UPGRADES & BILL CONSOLIDATION

WHEREAS, there exists a need for the upgrading and bill consolidation of the telephone system within the City of Ventnor City; and

WHEREAS, a proposal has been received from Comtec Communications and Broadview Networks for such services; and

WHEREAS, it is in the best interest of the City of Ventnor City to accept such proposal.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby authorizes the execution of a 3 year contract with Comtec Communications and Broadview Networks for telephone system upgrades and bill consolidation.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 37 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 38 OF 2010 – ESTABLISHING POLICE DEPARTMENT PETTY CASH FUND

WHEREAS, N.J.S. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any County or Municipality by application and resolution, and

WHEREAS, it is the desire of the City of Ventnor City, County of Atlantic to establish such a fund for the Police Department—Detective in the amount of \$1,000.00; and

WHEREAS, the custodian for this fund is, the Chief of Police, who is bonded for the amount of \$50,000.00 such custodian, shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey hereby authorizes such action and that two copies of this resolution be filled with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 38 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 39 OF 2010 – AUTHORIZING PAYMENT TO XTC CONSULTING FOR TELECOMMUNICATION BILLING REVIEW & AUDIT

WHEREAS on May 5th of 2008, the then Finance Officer, entered into a contract with XTC Consulting, on behalf of the City, to conduct a complete analysis of the City's telecommunications network and service; and

WHEREAS, XTC Consulting conducted the analysis and identified procedures that produced refunds and savings for the City of Ventnor City; and

WHEREAS, the City's Network Administrator, Jim Pacanowski and Police Network Administrator, Sgt. Marc Franco have reviewed the analysis and agreed that the City benefited from the procedures that were identified by XTC Consulting; and

WHEREAS, the City has budgeted for this contract in the 2010 budget;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey hereby authorizes payment of \$7,400.42 to XTC Consulting for the services rendered.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 39 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$3,533,671.08 and payrolls from 1/16/10 to 1/29/10 in the amount of \$433,987.61 and from 1/30/10 to 2/12/10 in the amount of \$489,118.22 for approval. So ordered

APPOINTMENT OF PETER COURTER AS ALT #1 MEMBER OF ZONING BD OF ADJUSTMENT TO FILL UNEXPIRED TERM OF STEPHEN RICE UNTIL 12-1-11

Mayor Kelly announced the appointment of Peter Courter to the Zoning Board of Adjustment as Alternate #1 & noted that she had received a letter from Mr. Courter requesting he be considered to serve on the board..

PUBLIC COMMENTS

TIM KREISCHER, 117 N Somerset asked why R30, \$42,800/firehouse roof is being bonded when \$50,000 was set aside in the 2008 Budget for repair. He guessed what the cost might be with bonding vs cash. The MAYOR explained unexpended balances, reserved funds – how they may be used. She declared that the roof was in such bad shape, it had to be done. After further similar questions, MAYOR KELLY asked KREISCHER why he didn't just fix the roof when he was in office. He said they planned to but the election changed that - but they could have in the 7 ½ months following. The Mayor countered that the firehouse roof had been bad for quite awhile and when they got in office, they found so many things - they didn't know where to begin. It was the Chief who told her the firehouse roof had to be done. KREISCHER posed more budget funding & disbursement questions relative to surplus. CFO Aboderin responded. The MAYOR reiterated the same responses she had given KREISCHER previously to the same questions he was repeating tonight. In response to his assertion that the roof bonded will cost \$75,000 - the Mayor restated that he knew the roof had to be done & he should have done it! Further opinions were expressed on bonding vs cash.

KREISCHER asked for the City's position on the County Waste Flow Issue with ACUA. The MAYOR & CMR PIATT said that it sounds good on the surface but needed to know more about it. KREISCHER said it appeared from the chart that Ventnor might save \$30-35,000 but was concerned that if it did not go through, Ventnor's bond rating could suffer if ACUA defaults. Referring to the western part of the county coming to the Freeholder Meeting in opposition – he wondered why the eastern seaboard communities hadn't. The MAYOR stated how privileged Ventnor was to have Rick Dovey come himself to explain it all in detail, that they have continued to stay in contact and that our Freeholders have been properly representing us in the media. KREISCHER thought the Commissioner should reopen the meeting & adopt a resolution supporting the waste flow system to let the Freeholders know they have some support from the eastern part of the county. The MAYOR felt sure they already knew they had that support.

KREISCHER said that while he was not unhappy with the quality of education provided by ACHS after last year's ACHS tuition increase from \$16 to \$20,000 per student & there being only 1 sending district representative (Ventnor) allowed to sit on the ACBOE, he suggested that the sending districts should file a Federal Law Suit against the State of NJ for violating our civil rights of taxation without representation. He expounded upon lack of representation being a major point of the lawsuit noting that the 1994-95 lawsuit changed the law of representation. He said he had already asked our BOE but has had not seen any action due to money being tight & they don't want to spend the money.

DENNIS KELLY, 106 S CAMBRIDGE addressed the capital improvement issue of the firehouse roof. He explained that in an attempt to bring things into perspective, he went back through the budgets from 2003 thru 2008. For Improvement to Fire Stations in 2003, 2004 & 2005 nothing was budgeted in Capital Improvement. In 2006, \$30,000 was appropriated for the fire stations and nothing was spent. The \$30,000 was held in reserve. In 2007, \$50,000 was appropriated for improvements to the fire stations and nothing was spent. The \$50,000 was held in reserve. So when the \$50,000 was placed in the appropriation for 2008 as stated by former Mayor Kreischer, they had to do that - because you're required every other year after you don't spend the money, to spend the money that you appropriated two years before. That's point #1. Point No.2 Appropriated for all accounts in 2008 \$763,000 \$123,402 was spent & \$639,848 was held in reserve. The Mayor gave the reasons why – as a new administration they wanted to see what money we had. The money appropriated in 2008 reverts directly to what was appropriated & expended in 2006. In 2006, \$615,350 was appropriated. They reserved \$338,127 which meant that of the \$763,000 in the 2008 Budget they had to appropriate at least \$338,000 because they didn't spend that 2 years before. In summation, he said he just wanted to fill them in; that we need to have all the facts before we get up and start presenting things - asking why you didn't spend this or why you didn't do this. And, as far as the fire stations - they should have been repaired in 2006 because the money was appropriated.

ANNOUNCEMENTS

The Mayor thanked Emergency Management Coordinator, Bill Melfi, Supt Dave Smith, Supt Tom Klein, Chief Sabo, Chief Cancelosi, the Dispatch personnel & City Administrator, Sandy Biagi for all the help they gave to us and the residents during the big snow storm & the ones that came one after another.

ADJOURNED: 8:01PM

Cmr Piatt moved, seconded by Cmr Weintrob, the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on March 18, 2010 at 7:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

Mayor Kelly announced that "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

Cmr. Piatt moved, seconded by Cmr. Weintrob, that the minutes of the 2-18-10 Regular Commission meeting be approved as written (oral reading waived).

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-02

AN ORDINANCE REGULATING THE PLACEMENT AND USE OF DUMPSTERS & PORTABLE STORAGE UNITS WITHIN THE CITY OF VENTNOR CITY

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-02 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

The governing body voice concern that the 48 hour time limit for portable dumpsters could be too short if the unit was placed over a weekend. It was agreed that if a portable dumpster is placed over a weekend the 48 hour limit should be extended to 72 hours. Prior to making this change and posting the Ordinance for public hearing, the City Clerk will inform the Code Official of the 72 hour weekend time limit extension.

INTRODUCTION OF ORDINANCE 2010-03

ORDINANCE AMENDING CHAPTER 206-4 OF THE CODE OF THE CITY OF VENTNOR CITY TO INCREASE FEES FOR USE OF TENNIS COURTS

Mayor Kelly moved, seconded by Cmr Weintrob that Ordinance 2010-03 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

NEW BUSINESS

CONSENT AGENDA - PUBLIC INPUT BEFORE ADOPTION

Mayor Kelly asked if there were questions on Resolutions No 40 thru 47 of 2010 before they were voted by Consent. Commissioner Weintrob requested that each Resolution be voted on separately. Cmr. Piatt seconded his request.

RESOLUTION NO. 40 OF 2010 – AUTHORIZING ASSESSOR TO FILE PETITION OF APPEALS TO CORRECT ERRORS & ASSESSMENTS

WHEREAS, from time to time the Assessor discovers an error in calculation, transposing, measurement or typographical errors, in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax lists for the tax year; and

WHEREAS, the governing body of the Taxing District of Ventnor City is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fare share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal for the current tax year with the Atlantic County Board of Taxation; and

WHEREAS, the errors were not caused by the taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Taxing District of Ventnor City that the Assessor is hereby authorized to act as the agent for the Taxing District and file a Petition of Appeal or Appeals for the tax year 2010 with the Atlantic County Board of Taxation to correct such errors and assessments to the correct value.

BE IT FURTHER RESOLVED that a copy of any Petition of Appeal filed with the Atlantic County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Atlantic County Board of Taxation with any such Petition of Appeal.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 40 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 41 OF 2010 - AMENDING TEMPORARY BUDGET

CURRENT FUND				
GENERAL GOVERNMENT FUNCTIONS	FCOA	2010	Amended	Amended
		Temporary	Amended	Temporary
		Budget	Amount	Appropriation
Mayor's Office				
Salaries and Wages	20-110-010	15,691.20	14,196.80	29,888.00
Other Expenses	20-110-020	2,387.70	3,692.30	6,080.00
Police				
Salaries and Wages	25-240-010	976,747.28	883,723.72	1,860,471.00
Other Expenses	25-210-020	31,368.75	30,881.25	62,250.00
Uniform Fire Safety				
Other Expenses	25-265-020	2,326.54	2,105.46	4,432.00
Fire Department				
Salaries and Wages	25-265-010	963,262.39	871,522.61	1,834,785.00
Other Expenses	25-265-020	35,810.78	36,979.22	72,790.00
Radio & Communication				
Salaries and Wages	25-250-010	110,771.06	100,220.94	210,992.00
Other Expenses	25-265-020	4,784.06	11,159.94	15,944.00
Office of Emergency Management				
Salaries and Wages	25-252-010	25,958.89	23,487.11	49,446.00
Other Expenses	25-252-020	7,410.90	89.10	7,500.00
Dog Control	27-340-020	2,100.00	2,100.00	4,200.00
Electrical Division				
Salaries and Wages	26-300-010	29,732.85	26,901.15	56,634.00
Other Expenses	26-300-020	5,721.98	5,177.02	10,899.00
Celebration of Public Events	30-420-299	3,937.50	0.00	3,937.50
Zoning Commission				
Salaries and Wages	21-185-010	656.25	593.75	1,250.00
Other Expenses	21-185-020	5,444.25	2,055.75	7,500.00
Beach Patrol				
Salaries and Wages	28-380-010	110,775.00	0.00	110,775.00
Other Expenses	28-380-020	18,684.88	0.12	18,685.00
Beach Control				
Salaries and Wages	28-381-010	4,462.50	0.00	4,462.50
Other Expenses	28-381-020	5,000.00	0.00	5,000.00
Public Works Commissioner				
Salaries and Wages	20-114-010	2,625.00	2,375.00	5,000.00
Other Expenses	20-114-020	52.50	(7.50)	45.00
Streets & Roads				
Salaries and Wages	26-290-010	119,742.53	108,338.47	228,081.00
Other Expenses	26-290-020	19,207.13	17,422.87	36,630.00
Motor Vehicle Maintenance				
Salaries and Wages	26-315-010	60,119.06	54,395.94	114,515.00
Other Expenses	26-315-020	14,702.63	13,302.37	28,005.00
Building & Grounds				
Salaries and Wages	26-310-010	43,188.60	56,171.40	99,360.00
Other Expenses	26-310-020	51,157.05	46,284.95	97,442.00
Beach & Boardwalk	26-310-303	52,681.65		52,681.65
Recreation				
Salaries and Wages	28-370-010	35,112.00	40,637.00	75,749.00
Other Expenses	28-370-020	32,983.13	29,591.87	62,575.00
City Engineer				
Salaries and Wages	20-165-010	7,825.91	0.00	7,825.91
Other Expenses	20-165-020	2,231.25	47,768.75	50,000.00
Solid Waste/Recycling				
Salaries and Wages	26-305-010	12,364.80	22,635.20	35,000.00
Other Expenses	26-305-020	288,750.00	261,250.00	550,000.00
Finance Commissioner				
Salaries and Wages	20-112-010	2,625.00	2,375.00	5,000.00
Other Expenses	20-112-020	65.63	(20.63)	45.00

March 18, 2010

Legal Services Costs				
Salaries and Wages	20-155-010	9,843.75	(9,843.75)	0.00
Other Expenses	20-155-020	39,375.00	45,468.75	84,843.75
City Clerk				
Salaries and Wages	20-120-010	46,470.90	42,045.10	88,516.00
Other Expenses	20-120-020	10,425.45	9,432.55	19,858.00
Revision/Codification of Ordinances	20-120-320	1,916.25	1,733.75	3,650.00
Election Expenses	20-120-420	5,775.00	0.00	5,775.00
Planning Board				
Salaries and Wages	20-180-010	656.25	543.75	1,200.00
Other Expenses	21-180-020	5,610.94	(0.94)	5,610.00
Financial Management				
Salaries and Wages	20-130-010	59,186.93	53,550.07	112,737.00
Other Expenses	20-130-020	25,910.06	23,464.94	49,375.00
Auditing Fees	20-131-235	13,125.00	0.00	13,125.00
Assessment of Taxes				
Salaries and Wages	20-150-010	33,286.58	1,713.42	35,000.00
Other Expenses	20-150-020	6,564.34	(0.34)	6,564.00
Collection of Taxes				
Salaries and Wages	20-145-010	20,154.23	18,234.77	38,389.00
Other Expenses	20-145-020	3,453.19	3,174.81	6,628.00
Information Technology				
Salaries and Wages	20-140-010	11,355.75	10,274.25	21,630.00
Other Expenses	20-140-020	13,256.25	(0.25)	13,256.00
Municipal Court				
Salaries and Wages	43-490-010	52,582.95	47,575.05	100,158.00
Other Expenses	43-490-020	3,156.04	2,854.96	6,011.00
Prosecutor				
Salaries and Wages	43-492-010	8,137.50	7,362.50	15,500.00
Public Defender				
Salaries and Wages	43-495-010	2,362.50	2,037.50	4,400.00
INSURANCE				
Other Insurance Premiums	23-211-000	65,625.00	0.00	65,625.00
Worker Compensation Insurance	23-215-000	118,125.00	281,875.00	400,000.00
Health Insurance	23-220-000	525,000.00	475,000.00	1,000,000.00
Construction Code				
Salaries and Wages	22-195-010	62,766.11	56,788.39	119,554.50
Other Expenses	22-195-020	2,047.50	0.00	2,047.50
Housing Code				
Salaries and Wages	22-196-010	22,371.04	20,239.96	42,611.00
Other Expenses	22-196-020	1,707.30	1,544.70	3,252.00
Electrical & Plumbing Inspections				
Salaries and Wages	22-197-010	2,377.99	5,512.01	7,890.00
Other Expenses	22-197-020	65.63	(65.63)	0.00
Utility Expenses				
Gasoline	31-460-000	44,625.00	40,375.00	85,000.00
Electricity	31-430-000	128,625.00	116,375.00	245,000.00
Telephone	31-440-000	14,437.50	13,062.50	27,500.00
Natural Gas	31-446-000	28,875.00	26,125.00	55,000.00
STATUTORY EXPENDITURES				
Contribution to:				
Unemployment	36-473-000	15,750.00	4,250.00	20,000.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00	54,625.00	115,000.00
Consolidated P&FRS	36-474-000	10,086.30	(2,951.30)	7,135.00
Medicare Insurance	36-476-000	32,812.50	29,687.50	62,500.00
Lifeguard Pension Fund	36-477-000	0.00	0.00	0.00
Police & Firemens Retirement System NJ	36-475-000	441,724.24	1,144,995.76	1,586,720.00
Public Employees Retirement System of NJ	36-471-000	82,431.56	274,491.44	356,923.00
Defined Contribution Retirement Plan	36-478-000	0.00	500.00	500.00
Interlocal Municipal Service Agreements				
Borough of Longport-UCC				
Salaries & Wages	22-198-010	6,431.25	11,068.75	17,500.00
Other Expense	22-198-020	2,756.25	0.00	2,756.25
Borough of Longport-Engineering				
Salaries & Wages	22-165-010	15,435.00	(15,435.00)	0.00

March 18, 2010

Other Expense	22-165-020	5,250.00	(5,250.00)	0.00
CAPITAL IMPROVEMENTS				
Capital Improvement Fund	44-901-000	150,000.00	0.00	150,000.00
MUNICIPAL DEBT SERVICE				
Bond Principal - General	45-920-000	1,055,000.00	0.00	1,055,000.00
Bonds Interest - General	45-930-000	212,551.26	4,999.74	217,551.00
Bond Principal - School	48-920-000	1,020,000.00	0.00	1,020,000.00
Bond Interest - School	48-930-000	397,851.26	201,323.74	599,175.00
Interest on BAN	45-935-000	144,539.10	25,134.90	169,674.00
Green Trust Loan	45-940-000	31,091.60	0.00	31,091.60
		\$ 8,183,816.88	\$5,741,300.28	\$13,923,107.16
WATER/SEWER UTILITY FUND				
WATER/SEWER UTILITY FUND	FCOA			
Operating				
Salaries and Wages	55-501-010	\$246,606.68	223,120.32	469,727.00
Other Expenses	55-502-020	\$252,510.52	234,229.48	486,740.00
ACUA Sewer Shared Costs	55-502-300	\$407,804.29	362,377.71	770,182.00
STATUTORY EXPENDITURES				
Contribution to:				
Unemployment	55-542-000	262.50	237.50	500.00
Social Security System (O.A.S.I.)	55-541-000	23,625.00	21,375.00	45,000.00
CAPITAL IMPROVEMENTS				
Capital Improvement Fund	55-512-000	75,000.00	0.00	75,000.00
MUNICIPAL DEBT SERVICE				
Bond Principal	55-520-000	155,000.00	0.00	155,000.00
Interest on Notes	55-522-000	19,745.00	0.00	19,745.00
Interest on Bonds	55-523-000	23,025.00	0.00	23,025.00
		\$1,203,578.99		\$2,044,919.00

Cmr. Piatt moved, seconded by Cmr. Weintrob that Resolution No. 41 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 42 OF 2010 – SETTING DATE OF ABANDONED VEHICLE AUCTION

WHEREAS, the City of Ventnor City is interested in aiding in the sale of certain vehicles which are identified in Schedule A attached hereto and made a part hereof; and

WHEREAS, said vehicles have remained unclaimed by the owner or other persons having legal right to same within the required period pursuant to NJ Statutes; and

WHEREAS, the City of Ventnor City is desirous of aiding in the sale of said vehicles at a public auction; and

WHEREAS, pursuant to NJ Statutes said vehicles may be sold.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the City Clerk of the City of Ventnor City is hereby authorized to coordinate a public auction at a public place of those motor vehicles identified in Schedule A.

BE IT FURTHER RESOLVED that said public auction shall be held on Tuesday, April 6, 2010 at 10AM, prevailing time, at the Ventnor City Public Works Complex, Cornwall and Winchester Aves., Ventnor City, NJ.

BE IT FURTHER RESOLVED that Notice of said public auction has been given in writing by certified mail, return receipt requested, to the appropriate parties in accordance with NJ Statutes.

BE IT FURTHER RESOLVED THAT Notice of said public auction has also been given by certified mail, return receipt requested, to the holder of any security interest filed with the Director of the Division of Motor Vehicles of the State of NJ at least ten (10) days prior to the date of the public auction.

BE IT FURTHER RESOLVED that the Notice of said public auction shall be published one (1) time at least ten (10) days prior to the date of the sale in one (1) or more newspapers published in the State of NJ and circulating in the municipality in which the motor vehicles are held.

BE IT FURTHER RESOLVED that all vehicles listed in Schedule A shall be sold a one (1) lot to the highest bidder.

BE IT FURTHER RESOLVED that the sale of all motor vehicles is final, absolute and the purchaser of the vehicles is required to pay for the vehicles in full in cash or by certified check at the auction.

BE IT FURTHER RESOLVED that the successful bidder shall remove all vehicles from the site no later than fourteen (14) days from the date of the sale.

SCHEDULE "A"

#	Control #	Year	Make	Model	Vehicle Identification #	Mileage	Towing
1	08-1123	1991	Chevy	Caviler	1G1JC84G4M7274454	156,458	Point Auto
2	08-1124	1990	Dodge	Caravan	2B4FK4530LR704379	154,620	Point Auto
3	08-1127	1999	Ford	Explorer	1FMRU1860XLA22174	N/A	Point Auto
4	08-1128	1992	Honda	Civic	JHMEH9694NS003034	216,903	Point Auto
5	09-1140	1991	Mazda	626	1YVGD22B1M5174059	132,460	Point Auto
6	09-1145	1998	Honda	Civic	1HGEJ8245WL092894	120,705	Fourteen
7	09-1147	1994	Dodge	Van	2B4GH45R4RR612417	161,947	Fourteen
8	09-1148	1992	Ford	Escort	1FAPP15J8NW153334	35,595	Point Auto
9	10-1150	1998	Chevy	Lumina	2G1WL52MXW9140465	192,492	Point Auto
10	10-1152	1999	Infinity	I-30	JNKCA21AXXT778990	254,707	Point Auto

Cmr. moved Weintrob, seconded by Cmr. Piatt that Resolution No.42 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 43 OF 2010 – TAX REFUNDS, OVERPAYMENTS

WHEREAS, the 2006 tax on Block 235, Lot 3 known as 211 N Lafayette Ave, Ventnor, NJ and assessed to Thomas & Jessica Federico was overpaid in the amount of \$1,003.57 due to the title company and the mortgage company paying; and

WHEREAS, Mr. & Mrs. Federico have requested a refund in the amount of \$1,003.57 sent to them at the above address; and

WHEREAS, the 2010 tax on Block 5, Lot C1814 assessed to Stephen & Phyllis Port and known as 5000 Boardwalk #1814, Ventnor, NJ was overpaid in the amount of \$3,297.95 due to a duplicate payment; and

WHEREAS, Mr. & Mrs. Port have requested a refund in the above amount sent to them at 3506 Shawnee Ave, Altoona, PA 16602; and

WHEREAS, the 2010 tax on Block 414.01, Lot 6 assessed to Charles & Danya Middlesworth and known as 907 N Cambridge Ave, Ventnor, NJ was overpaid in the amount of \$1,470.18 due to overpayments; and

WHEREAS, Mr. & Mrs. Middlesworth have requested a refund in the amount of \$1,470.18 sent to them at 8 S Suffolk Ave, Ventnor, NJ; and

WHEREAS, the 2005 tax on Block 276, Lot 10 assessed to Meg Abruzzese and known as 307 Essex Court, Ventnor, NJ was overpaid in the amount of \$1,099.76 due to a 100% Veteran’s Exemption; and

WHEREAS, Ms. Abruzzese has requested a refund sent to her.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of the City of Ventnor City is authorized to issue refund checks as stated above.

BE IT FURTHER RESOLVED that the Tax Collector and the Chief Financial Officer of the City of Ventnor City are authorized to mark their books and records accordingly.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 43 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 44 OF 2010 – AUTHORIZING INTERLOCAL AGREEMENT WITH LONGPORT FOR SHARING OF CODE ENFORCEMENT OFFICIAL

WHEREAS, the City of Ventnor City and the Borough of Longport have shared the services of a Construction Code Official and related Sub-code Officials since 1999; and

WHEREAS, the City of Ventnor City is desirous of continuing this interlocal shared services agreement with the Borough of Longport for an additional one (1) year period; and

WHEREAS, the City of Ventnor City and the Borough of Longport have agreed that the contract should be renewed under the same terms and conditions for an additional one (1) year period, increasing the total contract amount to \$37,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the interlocal services agreement with the Borough of Longport for furnishing the services of a Construction Code

March 18, 2010

Official and related Sub-code Officials is herein and hereby approved under the same terms and conditions for an additional one (1) year with the total contract amount being raised to \$37,500.00.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No. 44 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 45 OF 2010 – NAMING FRALINGER ENGINEERING CONFLICT OF INTEREST ENGINEER

WHEREAS, the City of Ventnor is desirous of entering into a Professional Services Contract with Fralinger Engineering, 629 Shiloh Pike, Bridgeton, New Jersey 08302 as a Conflict of Interest Engineer; and

WHEREAS, a Professional Services Contract may be awarded without competitive bidding pursuant to the Open Public Contracts Law; and

WHEREAS, this contract is being awarded pursuant to the fair and open process as set forth in State statute.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY AS FOLLOWS:

Section I: Fralinger Engineering is hereby awarded a Professional Services Contract as the Conflict of Interest Engineer for the City of Ventnor to be used on an as needed basis if the City Engineer or Alternate Engineer is unable to perform engineering services on any project due to a conflict of interest.

Section II: A Professional Services Contract is awarded to Fralinger Engineering pursuant to the following conditions:

A. Nature of Contract: The nature of the contract is to complete any and all engineering tasks on an as needed basis as the Conflict of Interest Engineer for the City of Ventnor.

B. Duration: The duration of the contract shall be for a period of one (1) year from the date of January 1, 2010

C. Service and Amount: The amount for the services to be provided pursuant to this contract are set forth in the contract entered into between Fralinger Engineering and the City of Ventnor which is attached hereto and incorporated in this Resolution by this reference.

Section III: This Resolution detailing the terms and conditions of the Professional Services Contract entered into between the City of Ventnor and Fralinger Engineering is to be placed on file and made available for public inspection in the Office of the City Clerk of the City of Ventnor. Said Resolution should be made available for public inspection upon request. The City Clerk shall cause to be published in the official newspaper of the City of Ventnor, a brief notice stating the nature, duration, service and amount of the contract and that the Resolution is on file and available for public inspection in the City Clerk's Office.

Section IV: The award of the contract pursuant to this Resolution shall become effective immediately upon adoption.

BE IT SO RESOLVED.

Cmr. Piatt moved, seconded by Mayor Kelly that Resolution No. 45 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioner Piatt and Mayor Kelly

No: Commissioner Weintrob

RESOLUTION NO. 46 OF 2010 – AUTHORIZING APPLICATION FOR RECYCLING TONNAGE GRANT

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the City of Ventnor City to apply for such tonnage grants will memorialize the commitment of the City of Ventnor City to recycling and indicate the assent of the Board of Commissioners of the City of Ventnor City to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

March 18, 2010

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the City of Ventnor City hereby endorses the submission of a Municipal Recycling Tonnage Grant Application for 2010 to the New Jersey Department of Environmental Protection, Office of Recycling and designates David P. Smith, Superintendent of Public Works, City Hall, 6201 Atlantic Avenue, Ventnor City, NJ 08406 to ensure that the said Application is properly filed.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 46 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 47 OF 2010 – ACCEPTING RESIGNATION OF PUBLIC SAFETY TELECOMMUNICATOR MICHAEL J. PARKER

WHEREAS, Michael J. Parker has submitted a letter of resignation from his position as Ventnor City Public Safety Telecommunicator effective March 18, 2010; and

WHEREAS, the Ventnor City Board of Commissioners has agreed to accept the resignation of Michael J. Parker.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it herein and hereby accepts the resignation of Michael J. Parker as Ventnor City Public Safety Telecommunicator effective March 18, 2010.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

Cmr. Weintrob moved, seconded by Cmr. Piatt that Resolution No.47 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$4,473,535.78 and payrolls from 2/13/10 to 2/26/10 in the amount of \$459,550.90 and from 2/27/10 to 3/12/10 in the amount of \$429,179.89 for approval. So ordered

APPOINTMENT OF MICHAEL ADVENA AS ALT #2 MEMBER OF ZONING BD OF ADJUSTMENT

Mayor Kelly announced the appointment of Michael Advena to the Zoning Board of Adjustment as Alternate #2 for a 2 yr term from 3/18/10 to 3/18/12 – adding that he is already seated on the Planning Board and that this appointment will allow him to act as the liaison to the Planning and Zoning Boards.

Mayor Kelly moved, seconded by Cmr Piatt, the appointment of Michael Advena be ratified.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

ANNOUNCEMENTS

Mayor Kelly announced four (4) JIF ACHIEVEMENT & RECOGNITION AWARDS received by Ventnor City. 1) 2009 Safety Incentive Program Silver Qualifier Award 2) Fire Chief Bert Sabo received special recognition for safety efforts by hosting a First Aid, CPR and AED training for city employees. 3) Safety Incentive Program Certificate Of Achievement awarded to employees & volunteers for loss ratio average (85.1%) being below the JIF three-year loss ratio average (88.5%). 4) Safety Incentive Program Certificate of Achievement awarded to employees for using 100% available transitional duty days in 2009.

Administrator/City Clerk Biagi lauded all employees for their diligence with JIF-MEL liability programs & for their attendance at the safety training seminars, viewing required safety videos, learning Hazmat regulations, etc. She praised Fire Chief Sabo & VCFD members for offering excellent in-house programs, particularly defibrillator training & offered special thanks to Supt Tom Klein & Chief Sabo for the water rescue disks purchased from awarded safety monies which will be installed in every fire, police, public works vehicle as a reachable, instant aid to saving lives.

Other announcements: The 2010 Clean Ocean Action Beach Sweeps will be Saturday, April 24th & October 23rd and that May 1, 2010 is “Silver Star Banner Day” and the Citywide Yard Sale will be held on Saturday, August 14th & Sunday, August 15th.

Cmr Weintrob reiterated his concerns with the Citywide Yard Sale & his suggestion to have Ventnor & Ventnor Heights split up in 2 days with one held Saturday & the other Sunday using Margate as example noting last year’s enormous undertaking in one day & saying that some people were not able to get to all the sales in one day. City Clerk Biagi offered the sale’s history and stated why city-wide residents should continue to be afforded their own choice & convenience of either day, 2 days or not to hold a sale. The purpose of the Citywide Yard Sale is to offer residents the opportunity of joining, without cost & without the need to formally apply for a permit. Some list their addresses, others don’t. For the City to announce which area’s sale day is Saturday & which one is Sunday may preclude those whose Sabbath falls on the day declared or may simply be perceived as insensitive by others.

1) Cmr Weintrob reported vandalism to the fishing pier this past Tuesday when someone broke into the pier throwing two, possibly four, 750lb concrete benches into the water off the pier’s end -causing damage to the railings as a result. Wire cutters were used to cut the fencing to reach the lock & gain access. He referred to his continued request for surveillance cameras in the City’s public areas to monitor & record such activity - that not having cameras was a

March 18, 2010

major factor in someone having time to toss 750lb benches off the pier/damaging railings, unobserved. He also voiced concern that the pier might have to be closed to have the damaged railings repaired.

2) Cmr. Weintrob spoke of his request to increase the W&S rates to cover a approximate \$200,000 shortfall. Cmr Piatt interjected that when they discussed this originally, he had favored waiting for a time when all meters were installed and/or a time when the Finance Dept could make a recommendation re a minimum rate. At that time there were no recommendations & the meters were not installed. At this time the recommendation for the Finance Dept is an increase in the minimum bill of \$30. Other factors such as increased projections of storm water runoffs/infiltration due to recent storms were examined. Disputed & unresolved was the method collection (W&S rate vs. local budget). Cmr Piatt said he would check again with the Auditor but that was the last recommendation he had.

3) Cmr. Weintrob announced that after working on the Green Acres Trust for about 1½ year, the reimbursement for the pier has come to fruition. In October, when he met with the head of the Green Acres, he learned of a program that would allow a building to be placed on the pier with a 25% grant & a 75% loan. A portion of the loan could be volunteer time & money. It is conceivable that the City could put up a building on the pier next winter that would cost the city virtually nothing & have both a concession area for someone to sell fishing equipment, hamburgers, hot dogs, etc. and a locker room for pier members. He said he would be receiving everything from Green Acres on Monday or Tuesday – that there were contract laws & things we need to comply with that need to be reviewed. The head of the Green Acres program is coming down with contracts & reimbursement money in the amount of \$2,140,000 Ventnor spent on the pier. When the contracts come down this week, he will turn them over to Mayor Kelly & Solicitor Maguire for review. At the present time we have allocated \$730,000 in our previous Capital Funds, leaving \$1.4Million as something to possibly be used in our current budget if it comes in on time. Our pier bill will be paid.

The Mayor was glad that it finally came through but said she will feel better when she sees the check.

PUBLIC COMMENTS

DENNIS KELLY – 106 S Cambridge cautioned that the money that comes in from the Green Acres needs to be used to pay of the BAN where we borrowed the money to put the money back in the budget that we used to pay for it.

GEORGIEANNE ROSS, 123 N Swarthmore asked what the real purpose of the building on the pier was? CMR WEINTROB described a locker room for people to rent lockers to put their fishing equipment in and a concession where we could put coffee out there, rent and/or sell rods, someone could lease the property from us which could allow us to get rid of the Pier Master & allow the people who take over that rental to sell the pier passes, give the money to the City & pay them a stipend for each pier pass they sell - saving us \$18,000-20,000 in payroll that we're paying right now & by renting it, it would give us money to pay off all the other bonds & costs of the pier & possibly put some money into recreation. He added that he forgot to mention that all of the revenue that comes from the pier's Green Acres project must go into a recreation fund or a recreation line item It can't be used for anything else. In response to MS ROSS " So it must stay in that track?" CMR WEINTROB replied, "Yes, Ma'am." MS ROSS further reasoned that if we have people getting on the pier & dismantling 750 lb benches – don't we need to take care of that first? To have a building with lockers, etc. would serve as a beacon –it would be easy takings compared to these benches. The CMR felt it went hand in hand with security ... recalling that the previous building in the old pier had been broken into a number of times over the years & they did damage in there. MS ROSS questioned if the liability was worth that building being put there. CMR WEINTROB said he thought the pier was the center of the City & he felt we could make it secure. MS ROSS also congratulated the City of Ventnor for all their departments excellent handing of the three snow storms.

ADJOURNED: 7:41PM

Cmr Piatt moved, seconded by Cmr Weintrob, the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on April 15, 2010 at 7:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

Mayor Kelly announced that "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

Cmr Weintrob moved, seconded by Cmr Piatt, that the minutes of the 3-18-10 Regular Commission meeting be approved as written (oral reading waived).

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-02

The Deputy City Clerk read the Title of Ord 2010-02 'AN ORDINANCE REGULATING THE PLACEMENT AND USE OF DUMPSTERS & PORTABLE STORAGE UNITS WITHIN THE CITY OF VENTNOR CITY' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

There being no one wishing to be heard, it was moved by Mayor Kelly, seconded by Cmr Piatt the Public Hearing on Ordinance 2010-02 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-03

The Deputy City Clerk read the Title of Ord 2010-03 'ORDINANCE AMENDING CHAPTER 206-4 OF THE CODE OF THE CITY OF VENTNOR CITY TO INCREASE FEES FOR USE OF TENNIS COURTS' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

Mr. LOU TINEL, 20 S. Baton Rouge Ave spoke in opposition to the increase in tennis court fees, stating the \$7 was ample. When asked if a profit is made or just offering a service, Cmr Weintrob responded it is a service to residents and non residents. Mr. Tinel further questioned if different fees could be changed for resident and non residents to which the Cmr responded that state law does not permit the charging of different fees for residents and non residents only senior citizens/non seniors. When asked if fees were going to be charged for the use of the basketball courts, Cmr. Weintrob responded No – we man the tennis courts, 8am to 8pm and the fees pay salaries and operational costs of maintaining the bathrooms, i.e. cleaning up, painting, etc. and felt that the increase was not too high.

There being no one further wishing to be heard, it was moved by Mayor Kelly, seconded by Cmr Piatt the Public Hearing on Ordinance 2010-03 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-04

ESTABLISHING PROCEDURES TO ADOPT PERSONNEL PRACTICES & AUTHORIZING
CITY ADMINISTRATOR TO IMPLEMENT SAID PRACTICES WITH ALL OFFICIALS,
APPOINTEES, EMPLOYEES, PERSPECTIVE EMPLOYEES, VOLUNTEERS &
INDEPENDENT CONTRACTORS OF THE CITY OF VENTNOR

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-04 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-05

CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Cmr Weintrob moved, seconded by Cmr Piatt that Ordinance 2010-05 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-06

ORDINANCE AMENDING CHAPTER 98-3 OF THE CODE OF THE CITY OF VENTNOR
CITY TO INCREASE UNIFORM CONSTRUCTION CODE FEES

Mayor Kelly moved, seconded by Cmr Weintrob that Ordinance 2010-06 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-07

ORDINANCE AMENDING CHP 102-147 & CHP 102-160.4 OF THE VENTNOR CITY CODE
TO ESTABLISH CERTAIN ZONING PERMIT FEES

Cmr Weintrob moved, seconded by Cmr Piatt that Ordinance 2010-07 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2010-08

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214 (VEHICLES & TRAFFIC)
OF THE CODE OF THE CITY OF VENTNOR CITY TO REMOVE THE PARKING METERS
ON BATON ROUGE AVE BETWEEN VENTNOR & CALLENDER AVES & ON
VENTNOR AVE BETWEEN RICHARDS & BUFFALO AVE

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-08 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-02

AN ORDINANCE REGULATING THE PLACEMENT AND USE OF DUMPSTERS &
PORTABLE STORAGE UNITS WITHIN THE CITY OF VENTNOR CITY

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-02 be adopted.

Roll Call Vote:

Yeas: Commissioner Piatt and Mayor Kelly

No: Commissioner Weintrob

FINAL READING & ADOPTION OF ORDINANCE 2010-03

ORDINANCE AMENDING CHAPTER 206-4 OF THE CODE OF THE CITY OF
VENTNOR CITY TO INCREASE FEES FOR USE OF TENNIS COURTS

Cmr Weintrob moved, seconded by Cmr Piatt that Ordinance 2010-03 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

NEW BUSINESS

CONSENT AGENDA - PUBLIC INPUT BEFORE ADOPTION

Mayor Kelly asked if there were questions on Resolutions No 48 thru 54 of 2010 before they were voted by Consent.

There being no one wishing to speak, Mayor Kelly moved, seconded by Cmr Piatt that Resolutions No 48 thru 54 of 2010 be adopted by consent.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 48 OF 2010 – AUTHORIZING PARTICIPATION IN NJ CLICK IT OR TICKET SEAT BELT ENFORCEMENT GRANT PROGRAM

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety is presently sponsoring a Click It or Ticket Seat Belt Enforcement Grant Program; and

WHEREAS, under the program the Division of Highway Traffic Safety will pay up to \$4,000 in overtime enforcement grant funding, to be utilized during the two week Click It or Ticket campaign from May 24, 2010 to June 6, 2010; and

WHEREAS, the City of Ventnor City wishes to participate in this Click It or Ticket Seat Belt Enforcement Grant Program; and

WHEREAS, the Ventnor City Police Department has completed the required application and will adhere to all the components of the grant guidelines; and

WHEREAS, since this is a reimbursement grant the City of Ventnor will incur the costs of the program then submit the required documentation to the Division of Highway Traffic Safety for reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it herein authorizes the Police Department to participate in the State of New Jersey Click It or Ticket Seat Belt Enforcement Grant Program.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 48 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 49 OF 2010 - EMERGENCY APPROPRIATION OF FUNDS, SEWER EMERGENCY @ BURGHEY & WELLINGTON AVES

WHEREAS, a sewer emergency exists requiring the immediate repair at Burghley an Wellington Avenues; and

WHEREAS, the nature of the emergency repair makes is necessary to engage the services of a Utility company to safely perform such repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that WECO Construction Co. is herein and hereby authorized to perform the emergency sewer repair at Burghley and Wellington Avenues.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$36,422.66.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 49 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 50 OF 2010 – AUTHORIZING CHANGE ORDER #3, M.B. MARKLAND CO, ALTERATIONS TO PUBLIC WORKS BLDG

WHEREAS, the Board of Commissioners of the City of Ventnor City entered into a Contract with M.B. Markland Contracting Co on October 20, 2009 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING for the total amount bid of \$574,400.00; and

WHEREAS, it was necessary to include or adjust various contract work, all as necessary for the successful completion of the project as outlined in Change Order No. 3, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Change Order No. 3 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING, which Change Order will increase the Original Contract Amount by \$2,222.00 thus bring the Total Adjusted Contract Amount to \$659,298.74; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued from the Municipal Chief Financial Officer be attached to this Resolution.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No.50 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 51 OF 2010 – AUTHORIZING GREEN ACRES PROJECT AGREEMENT FOR REHABILITATION OF FISHING PIER

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provided loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Ventnor City desires to further the public interest by obtaining a loan for \$1,333,225 and/or a grant of \$806,775 from the State to fund the following projects(s): REHABILITATION OF VENTNOR FISHING PIER.

NOW, THEREFORE, the governing body resolved that the Mayor or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding awarded; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE VENTNOR CITY BOARD OF COMMISSIONERS

1. That the Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as Rehabilitation of Ventnor Fishing Pier, and;
2. that the applicant has its matching share of the project, if a match is required in the amount of \$1,087,100.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 51 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 52 OF 2010 – AUTHORIZING WATER/SEWER CREDIT, BILLING ERROR

WHEREAS, the property at 6004 Ventnor Ave, Ventnor, NJ known as Block 63, Lot 10 and assessed to John S Florin & Donna M Graham was previously used as a private residence and a doctor's office and billed for 2 water/sewer units; and

WHEREAS, the records in the Code Enforcement office show that this property is a single family dwelling, without a doctor's office; and

WHEREAS, they have been billed in error for 2 water/sewer units since the purchase of the property in December, 2006; and

WHEREAS, Mr Florin & Ms Graham have requested a credit in the amount of \$1,545.00 applied to their account.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Tax Collector of the City of Ventnor City is authorized to issue a credit as stated above.

BE IT FURTHER RESOLVED that the Tax Collector and the Chief Financial Officer of the City of Ventnor City are authorized to mark their books and records accordingly.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 52 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 53 OF 2010 – EMERGENCY APPROPRIATION OF FUNDS, WATER/SEWER EMERGENCY, WELL #8

WHEREAS, an emergency exists requiring the immediate repair of Ventnor City's Well #8; and

WHEREAS, the nature of the emergency repair makes is necessary to engage the services of a company specializing in wells and pumps to safely perform such repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Layne Christensen company is herein and hereby authorized to perform the emergency repairs to Well #8.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$60,000.00.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 53 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 54 OF 2010 – ADOPTING CHANGES TO EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO INTERNAL REVENUE CODE REGULATIONS & PROCEDURES

WHEREAS, the Ventnor City (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective December 19, 1997, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the Job Creation and Worker Assistance Act of 2002 amended Section 457 of the Internal Revenue Code (the "Code"); and

WHEREAS, the Internal Revenue Service ("IRS") issued final Code Section 457 regulations on July 11, 2003 and proposed Code Section 415 regulations issued May 31, 2005 that modified the Code Section 457 regulations; and

WHEREAS, the IRS has issued model amendments (Revenue Procedure 2004-56) and guidance regarding rollover contributions to eligible retirement plans (Revenue Procedure 2004-12) that apply to Section 457 Plans; and

WHEREAS, the IRS has set a deadline of December 31, 2005, for State and local governmental Section 457(b) plan sponsors to adopt or amend their plans to conform with the Code, regulations, and interpretative guidance; and

WHEREAS, the Employer desires its Plan to conform with the changes in the Code, regulations, and interpretative guidance; and

April 15, 2010

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code, regulations, and interpretative guidance; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 55-PD-VALIC-110305 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Governmental Services.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 54 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The Deputy City Clerk read bills in the amount of \$3,633,263.57 and payrolls from 3/13/10 to 3/26/10 in the amount of \$436,103.85 and from 3/27/10 to 4/09/10 in the amount of \$448,874.53 for approval. So ordered

ANNOUNCEMENTS/REMARKS

Before opening the public portion of the meeting, Mayor Kelly questioned an ad she saw in today's Current about the tennis courts and someone that is giving private lessons there. Cmr Piatt saw the ad but know nothing about it. Cmr. Weintrob did not see the ad but when informed the person who ran the ad was Lee Mendel, said that Mr. Mendel has been running this clinic annually and paying the City for the past 10 years approximately \$1500 for the use of the courts in the afternoons. The Mayor requested that the Solicitor contact Mr. Mendel to find out the detail of these clinics, how much he pays to Ventnor and insure that he has the proper insurance coverage with a copy of the policy being forwarded to Ventnor City. Solicitor Maguire said he will contact Mr. Mendel next week.

PUBLIC COMMENTS

Mayor Kelly asked if anyone from the public wished to address the Commission. There being no one wishing to be heard, the Mayor asked each Commissioner if he had anything to discuss.

REMARKS

Cmr. Piatt, spoke on the budget process which has been ongoing for several weeks. The various departments were asked to submit their budgets to finance department. These budget requests, along with increases in health care rates and about \$700,000 in health care premium payments (we are self-insured) amounted to a very severe deficit of \$2.5M. The Chief Financial Officer and Commissioners have been working with department heads and labor unions and the deficit has been decreased to a little over \$500,000. This deficit still remains therefore, the City has submitted a plan of layoffs and furloughs to the Department of Community Affairs. The specifics of the plan cannot be release since, like litigation, this is a negotiation in process. Meetings with the administrative staff were held today. With all the news about what is happening in other communities, the Cmr wanted the public to know that it is a similar situation here in Ventnor We are managing the situation well, getting cooperation from most of the organized groups and departments and understanding from the administrative staff. When the plan is approved by the State it will be made public.

Mayor Kelly interjected that at the Commission Meeting in May the budget will be introduced. Cmr. Piatt confirmed that the budget will be ready for introduction at the May meeting, calling it a fluid situation, a moving target - the longer you wait, the more expenses accumulate and the deficit grows. By waiting until May we should know about the State's plan and possibly have other alternatives.

Cmr Weintrob, referencing the discussion at last month's commission meeting regarding the 2010 Water/Sewer projected budget figures vs budget figures he submitted, questioned when he receive answers to the "detail questionnaire" he sent to the CFO (with copies to the Mayor and Cmr. Piatt) asking for explanations as to how certain figures were derived and clarification of errors, if any, in the budgets he prepared. Cmr. Piatt explained that adjustments were made to the budget requests to make up the \$2.5M deficit and figures for such items as health insurance premiums are not negotiated and cannot be adjusted. Cmr. Piatt said he will have the CFO compare what the figures presented by the Cmr to what she has, and explain the differences. When asked when he can expect to hear, Cmr. Piatt said he will speak to Ms. Aboderin and see if they can get it to him in a reasonable time.

ADJOURNED: 7:20PM

Cmr Piatt moved, seconded by Mayor Kelly, the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on May 20, 2010 at 7:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

Mayor Kelly announced that "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

Cmr Piatt moved, seconded by Cmr Weintrob, that the minutes of the 4-15-10 Regular Commission meeting be approved as written (oral reading waived).

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-04

The City Clerk read the Title of Ord 2010-04 'ESTABLISHING PROCEDURES TO ADOPT PERSONNEL PRACTICES & AUTHORIZING CITY ADMINISTRATOR TO IMPLEMENT SAID PRACTICES WITH ALL OFFICIALS, APPOINTEES, EMPLOYEES, PERSPECTIVE EMPLOYEES, VOLUNTEERS & INDEPENDENT CONTRACTORS OF THE CITY OF VENTNOR' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

There being no one wishing to be heard, it was moved by Cmr Piatt, seconded by Cmr Weintrob the Public Hearing on Ordinance 2010-04 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-05

The City Clerk read the Title of Ord 2010-05 'CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 45.14)' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

There being no one wishing to be heard, it was moved by Cmr Piatt seconded by Cmr Weintrob the Public Hearing on Ordinance 2010-05 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-06

The City Clerk read the Title of Ord 2010-06 'ORDINANCE AMENDING CHAPTER 98-3 OF THE CODE OF THE CITY OF VENTNOR CITY TO INCREASE UNIFORM CONSTRUCTION CODE FEES' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

Cmr Weintrob asked if engineer fees were included within the Ordinance. The Mayor responded in the affirmative.

There being no one further wishing to be heard, it was moved by Cmr Piatt, seconded by Cmr Weintrob the Public Hearing on Ordinance 2010-06 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-07

The City Clerk read the Title of Ord 2010-07 'ORDINANCE AMENDING CHP 102-147 & CHP 102-160.4 OF THE VENTNOR CITY CODE TO ESTABLISH CERTAIN ZONING PERMIT FEES' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

There being no one wishing to be heard, it was moved by Cmr Weintrob, seconded by Cmr Piatt the Public Hearing on Ordinance 2010-07 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2ND READING (PUBLIC HEARING) OF ORDINANCE 2010-08

The City Clerk read the Title of Ord 2010-08 'AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214 (VEHICLES & TRAFFIC) OF THE CODE OF THE CITY OF VENTNOR CITY TO REMOVE THE PARKING METERS ON BATON ROUGE AVE BETWEEN VENTNOR & CALLENDER AVES & ON VENTNOR AVE BETWEEN RICHARDS & BUFFALO AVE' after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

Cmr Weintrob repeated his objections to the removal of meters between Richards & Buffalo on Ventnor explaining he would rather see designated spots in front of doctor's offices throughout the City to allow that the senior citizens & handicapped persons going for medical care would not have to walk so far after parking their car. That at least the two meters restrict individuals working in the area from all day-parking leaving the better chance for those going

May 20, 2010

to the doctor's office. The Mayor restated her objections as offered at the workshop, that when people put money in the meter & don't get out of the doctor's in time, they receive a ticket as the police are only doing their job. She further explained that handicap signs allow anyone to park as long as they want at those meters - they don't have to be at the doctors. Having had requests from the residents, we are trying it without meters and if it doesn't work, we will try something else.

There being no one further wishing to be heard, it was moved by Cmr Piatt, seconded by Cmr Weintrob the Public Hearing on Ordinance 2010-08 be closed.

Roll Call Vote:

Yeas: Commissioners Piatt and Mayor Kelly

No: Commissioner Weintrob

INTRODUCTION OF ORDINANCE 2010-09

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214
(VEHICLES and TRAFFIC) OF THE CODE OF THE CITY OF VENTNOR CITY TO
REMOVE THE FIRE ZONE ON NEW HAVEN AVE AT THE BOARDWALK

The Mayor offered that the Fire Chief affirmed the zone was removed over a year ago & this just cleans that up.

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-09 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-04

ESTABLISHING PROCEDURES TO ADOPT PERSONNEL PRACTICES AND
AUTHORIZING THE CITY ADMINISTRATOR TO IMPLEMENT SAID PRACTICES
WITH ALL OFFICIALS, APPOINTEES, EMPLOYEES, PERSPECTIVE EMPLOYEES,
VOLUNTEERS AND INDEPENDENT CONTRACTORS OF THE CITY OF VENTNOR

Mayor Kelly moved, seconded by Cmr Weintrob that Ordinance 2010-04 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-05

CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-05 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-06

ORDINANCE AMENDING CHAPTER 98-3 OF THE CODE OF THE CITY OF
VENTNOR CITY TO INCREASE UNIFORM CONSTRUCTION CODE FEES

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-06 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-07

ORDINANCE AMENDING CHP 102-147 & CHP 102-160.4 OF THE VENTNOR
CITY CODE TO ESTABLISH CERTAIN ZONING PERMIT FEES

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-07 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2010-08

AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 214
(VEHICLES and TRAFFIC) OF THE CODE OF THE CITY OF VENTNOR CITY TO
REMOVE THE PARKING METERS ON BATON ROUGE AVE BETWEEN VENTNOR &
CALLENDER AVES & ON VENTNOR AVE BETWEEN RICHARDS & BUFFALO AVE

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2010-08 be adopted.

Roll Call Vote: Yeas: Commissioner Piatt and Mayor Kelly

No: Commissioner Weintrob

NEW BUSINESS

INTRODUCTION OF 2010 MUNICIPAL BUDGET

The Mayor announced the Introduction of Ventnor City's 2010 Municipal Budget with Total General Appropriations in the amount of \$ 25,995,321.00. The 2010 Municipal Budget Synopsis will be advertised pursuant to law in the June 1, 2010 issue of the Press of Atlantic City. The Public Hearing of the Ventnor City 2010 Municipal Budget will be held on June 17, 2010 at 7:00pm at the Regular Commission Meeting.

The 2010 Municipal Budget for the City of Ventnor appears on the following pages as introduced and transmitted to the State of NJ Division of Local Government Services.

Cmr Piatt moved, seconded by Cmr Weintrob the 2010 Municipal Budget be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

2010 MUNICIPAL BUDGET DISCUSSION

Cmr Weintrob asked if the budget included the general layoff plan for city hall employees, closing of city hall or other facilities, layoffs or non-layoffs of police. Mayor Kelly said he had received the same layoff at the time she & Cmr Piatt did - the plan submitted to the State when it was finalized – that the things in that plan are now in this budget. Cmr Piatt added that the plan was described in great detail at the Workshop meeting. The ‘not for public’ information Weintrob referred to, went directly to the Solicitor. The deficit which could not be recovered by any other cuts was identified & given to the administrator & finance dept who went through & attached the layoff plan which was submitted directly to the solicitor who entered everything in the format the state requires. Once that was done everyone was issued copies at the same time. Weintrob affirmed that to be true but felt they should have had executive session with input from legal counsel as to available options. Piatt explained how the total budget deficit was divided amongst departments that many came forward offering solutions & cuts to the deficits assigned to their depts. & where there was no solution or offer made to cut, that was where the layoff programs ended up, formulated - developed by law. He emphasized that no one on this Commission wants to layoff anybody. Weintrob said he had no problem with the process but felt as an elected official his ideas should have been heard. Piatt reminded him that his dept had submitted a corrective action. Weintrob said he should have had input into city hall closings in summer months. Piatt said he has every opportunity to voice his objections as he was tonight - but would like to hear what Weintrob’s remedy would be in terms of making up the revenue that would be lost by eliminating this proposal to reduce the budget deficit. Weintrob disagreed with cutting city services & personnel saying \$1.5B property needs Police/Fire/PW protection & services. Even with a diligent reduction of \$2.5M deficit down to a manageable level, with a cap limitation on taxes, Piatt asked where the money would come from without remedies coming forth. Weintrob’s response to increase taxes was met by a negative audience response. The Mayor reminded Weintrob he was aware the \$2.5M deficit had to be brought down & there had to be layoffs. She explained that, the only thing not supplied to police auditor Foti in March was the 2010 Budget - as it did not exist. Tonight the 2010 Budget was introduced & we will have until the June 17th public hearing to do amendments. She said Ptlm Fussner (PBA #97) told her yesterday that they would like to meet with her tomorrow. The introduced budget will be given to Fussner after the meeting & we will move on. Between now & June 17th you have the time to go through the budget with the understanding that although we are raising taxes – we do not want them raised enormously & cannot do that by law as it would put us over the cap limitation. Weintrob’s suggestion of a \$.06 tax increase & the chances of Trenton granting a cap waiver in this environment was debated. The Mayor spoke of the enormous amount of time she spent going over her departments, looking at the many people - of cuts that must be made - & hearing from residents who cannot afford enormous tax increases which we wouldn’t be allowed to do, anyway. Having been working hard on behalf of our residents & employees.. we are right there within \$720 to the cap. We have a month to look at it and hear more suggestions. The finance committee will go from there. Toro, Nancy & Auditor Ken Moore have been here working with us the past couple of weeks and everyone has had the opportunity to discuss where we are. She thanked the 3 officers who were nice enough to come in separately to meet with her & reminded the audience that any questions would be heard at the public portion & answered at that time.

Mayor Kelly requested & received affirmation that Resolutions #55-66 be read & voted upon individually.

RESOLUTION NO. 55 OF 2010 – SETTING 2010 WATER/SEWER RATES

WHEREAS, the Ventnor City Water and Sewer Utility has reviewed the projected operational costs of said Utility for 2010; and

WHEREAS, upon completion of such review, the 2010 schedule of Rates and Charges for the operation of the Ventnor City Water and Sewer Utility was determined and a schedule was prepared and is attached hereto and made a part hereof; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of approving said 2010 Schedule of Rates and Charges and recording same in the official minutes of the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that this Resolution be and the same is hereby adopted and that the City Clerk be directed to post the 2010 approved Schedule of Rates and Charges for the Ventnor City Water and Sewer Utility and record same within the official minutes of the City of Ventnor City, New Jersey, all in accordance with Chapter 186 and Chapter 220 of the Code of the City of Ventnor City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

**VENTNOR CITY WATER AND SEWER UTILITY
2010 RATES AND CHARGES**

OPERATIONAL COSTS (Bi-annual billing, March and September, due within 30 days of billing)

This cost per unit is computed by taking the Atlantic County Utilities Authority’s 2010 projected billing to Ventnor City and adding the 2010 projected operational cost of the Ventnor City Water and Sewer Utility Budget, plus a percentage allowance for uncollected funds. The total of these figures divided by the number of units within Ventnor City = \$640.00

Cmr. Piatt moved, seconded by Mayor Kelly that Resolution No. 55 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

Cmr. Weintrob questioned the amount of increase & how it would be collected in the September billing.

RESOLUTION NO. 56 OF 2010 - AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH ACUA FOR SOLID WASTE DISPOSAL

WHEREAS, the State of New Jersey through the Office of the Governor, encourages Municipalities and Boards to share services with the goal of reducing costs, improving services, and at the same time stabilizing tax rates for the benefit of taxpayers in the State of New Jersey; and

WHEREAS, the Interlocal Services Act, NJSA 40:8A-1 et seq. authorizes the City of Ventnor City in Atlantic County and the Atlantic County Utilities Authority to enter into a Contract for the sharing of services; and

WHEREAS, it is the desire of the Governing Body of the City of Ventnor City to authorize the execution of an Interlocal Governmental Services Agreement with the Atlantic County Utilities Authority for providing solid waste disposal.

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

- (1) The Preambles hereof are incorporated herein as though fully set forth at length.
- (2) The Mayor is hereby authorized to execute, and City Clerk to attest, to an Interlocal Government Services Agreement with the Atlantic County Utilities Authority for providing project solid waste disposal. A copy of said Agreement, in substantial form to be executed, is on file in the City Clerk's Office and available for inspection as a Public Document.
- (3) All Resolutions inconsistent with the provisions hereof are hereby immediately repealed upon adoption of this Resolution, which shall be effective immediately according to law.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 56 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 57 OF 2010 – AUTHORIZING PLACEMENT OF KENNY WAYLAND MEMORIAL PLAQUE ON OAKLAND AVE BOARDWALK PAVILION

WHEREAS, Kenny Wayland was a member of the Ventnor City Fire Department who tragically lost his life while fighting a fire at the high-rise building known as 5000 Boardwalk; and

WHEREAS, members of the Ventnor City Fire Department annually honor the memory of Kenny Wayland by holding the KENNY WAYLAND MEMORIAL RUN for the purpose of raising funds for the KENNY WAYLAND MEMORIAL SCHOLARSHIP FUND; and

WHEREAS, members of the Ventnor City Fire Department have requested permission to further honor Kenny Wayland by the placement of a Memorial Plaque on the Boardwalk pavilion at Oakland Ave; and

WHEREAS, the Ventnor City Board of Commissioners wishes to approve this request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby permits members of the Ventnor City Fire Department to place a Memorial Plaque on the Boardwalk pavilion at Oakland Ave in honor of Kenny Wayland.

Cmr Weintrob moved, seconded by Cmr. Piatt that Resolution No.57 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 58 OF 2010 – REFUND OF DEPOSIT FOR USE OF COMMUNITY BUILDING

WHEREAS, on February 25, 1999, the Ventnor City Board of Commissioners adopted Resolution No. 48 of 1999, which Resolution adopted the policy and fee schedule for use of the Community Building and other public premises owned by the City of Ventnor City; and

WHEREAS, under said Resolution, anyone applying for the use of the Community Building must pay a \$100.00 deposit along with the required fee, which deposit would be refunded after the building was inspected following such event and found to be left in satisfactory condition; and

WHEREAS, the following persons paid the required \$100.00 deposit and are eligible to receive such refund.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that the Chief Financial Officer is herein and hereby authorized to issue a refund check in the amount of \$100.00 to the following persons.

NAME & ADDRESS	DEPOSIT DATE	DATE USED	May 20, 2010
			REFUND AMOUNT
Jose Lugo 28 Coquille Beach Dr. Brigantine, NJ 08203	03-12-10	04-30-10	\$100.00

Cmr. Piatt moved, seconded by Cmr. Weintrob that Resolution No. 58 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 59 OF 2010 – APPROVING PARTICIPATION IN SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIV OF CRIMINAL JUSTICE, DEPT OF LAW & PUBLIC SAFETY

WHEREAS, the City of Ventnor City wishes to apply for funding for a project under the Safe and Secure Communities Program; and

WHEREAS, the Ventnor City Board of Commissioners has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Ventnor City for the purpose described in the application.

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

- 1) As a matter of public policy the City of Ventnor City wishes to participate to the fullest extent possible with the Department of Law and Public Safety
- 2) The Attorney General will receive funds on behalf of the applicant
- 3) The division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds
- 4) The division of Criminal Justice shall initiate allocations to each applicant as authorized by law.

Grant#P-4963

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 59 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

Cmr Weintrob asked for details of the grant. Mayor Kelly explained that we are still entitled by our maintaining 38 officers. If the number drops the \$60,000 is reduced proportionately.

RESOLUTION NO. 60 OF 2010 – TAX REFUNDS, OVERPAYMENTS

WHEREAS, the 2010 tax on Block 179, Lot 19 known as 112 N Wissahickon Ave, Ventnor, NJ assessed to Mahmuda Akhtar was overpaid in the amount of \$859.70 due to a Homestead Rebate and the mortgage company paying; and

WHEREAS, Mr. Akhtar has requested a refund in the above amount sent to him at 9 Equestrian Road, Egg Harbor Township, NJ 08234; and

WHEREAS, the 2010 tax on Block 169, Lot 51 known as 126 A & B N Portland Ave, Ventnor, NJ assessed to Khairul Mostofa was overpaid in the amount of \$732.52 due to a Homestead Rebate and the mortgage company paying; and

WHEREAS, Mr. Mostofa has requested a refund in the above amount sent to him at 126 N Portland Ave, Ventnor, NJ 08406; and

WHEREAS, the 2006 tax on Block 66, Lot 4 known as 9 S Harvard Ave, Ventnor, NJ assessed to Lance & Anna May Landgraf was overpaid in the amount of \$1,369.58 due to a duplicate payment; and

WHEREAS, Mr. & Mrs. Landgraf have requested a refund sent to them in the above amount; and

WHEREAS, the 2009 tax on Block 71, Lot 11 known as 5 S New Haven Ave, Ventnor, NJ assessed to Harris Fox & Joanne Steinberg was overpaid in the amount of \$1,303.49 due to a tax appeal; and

WHEREAS, Mr. Fox & Ms. Steinberg have requested a refund sent to them at 2401 Pennsylvania Ave #17, Philadelphia, PA 19130-3054.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Chief Financial Officer of the City of Ventnor City is authorized to issue refund checks as stated above.

BE IT FURTHER RESOLVED that the Tax Collector and the Chief Financial Officer of the City of Ventnor City are authorized to mark their books and records accordingly.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 60 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 61 OF 2010 – AMENDING TEMPORARY BUDGET

CURRENT FUND					
GENERAL GOVERNMENT FUNCTIONS	FCOA	2010 Temporary Budget	Amended Amount	Amended Temporary Appropriation	
Mayor's Office					
Salaries and Wages	20-110-010	15,691.20	14,196.80	29,888.00	
Other Expenses	20-110-020	2,387.70	5,612.30	8,000.00	
Police					
Salaries and Wages	25-240-010	976,747.28	883,723.72	1,860,471.00	
Other Expenses	25-210-020	31,368.75	55,631.25	87,000.00	
Uniform Fire Safety					
Other Expenses	25-265-020	2,326.54	2,105.46	4,432.00	
Fire Department					
Salaries and Wages	25-265-010	963,262.39	871,522.61	1,834,785.00	
Other Expenses	25-265-020	35,810.78	36,979.22	72,790.00	
Radio & Communication					
Salaries and Wages	25-250-010	110,771.06	100,220.94	210,992.00	
Other Expenses	25-250-020	4,784.06	17,909.94	22,694.00	
Office of Emergency Management					
Salaries and Wages	25-252-010	25,958.89	23,487.11	49,446.00	
Other Expenses	25-252-020	7,410.90	1,089.10	8,500.00	
Dog Control	27-340-020	2,100.00	2,100.00	4,200.00	
Electrical Division					
Salaries and Wages	26-300-010	29,732.85	26,901.15	56,634.00	
Other Expenses	26-300-020	5,721.98	5,177.02	10,899.00	
Celebration of Public Events	30-420-299	3,937.50	0.00	3,937.50	
Zoning Commission					
Salaries and Wages	21-185-010	656.25	593.75	1,250.00	
Other Expenses	21-185-020	5,444.25	4,555.75	10,000.00	
Beach Patrol					
Salaries and Wages	28-380-010	110,775.00	0.00	110,775.00	
Other Expenses	28-380-020	18,684.88	0.12	18,685.00	
Beach Control					
Salaries and Wages	28-381-010	4,462.50	0.00	4,462.50	
Other Expenses	28-381-020	5,000.00	0.00	5,000.00	
Public Works Commissioner					
Salaries and Wages	20-114-010	2,625.00	2,375.00	5,000.00	
Other Expenses	20-114-020	52.50	(7.50)	45.00	
Streets & Roads					
Salaries and Wages	26-290-010	119,742.53	108,338.47	228,081.00	
Other Expenses	26-290-020	19,207.13	17,422.87	36,630.00	
Motor Vehicle Maintenance					
Salaries and Wages	26-315-010	60,119.06	54,395.94	114,515.00	
Other Expenses	26-315-020	14,702.63	20,297.37	35,000.00	
Building & Grounds					
Salaries and Wages	26-310-010	43,188.60	56,171.40	99,360.00	
Other Expenses	26-310-020	51,157.05	46,284.95	97,442.00	
Beach & Boardwalk	26-310-303	52,681.65		52,681.65	
Recreation					
Salaries and Wages	28-370-010	35,112.00	40,637.00	75,749.00	
Other Expenses	28-370-020	32,983.13	29,591.87	62,575.00	
City Engineer					
Salaries and Wages	20-165-010	7,825.91	0.00	7,825.91	
Other Expenses	20-165-020	2,231.25	47,768.75	50,000.00	

Solid Waste/Recycling				
Salaries and Wages	26-305-010	12,364.80	22,635.20	35,000.00
Other Expenses	26-305-020	288,750.00	361,250.00	650,000.00
Finance Commissioner				
Salaries and Wages	20-112-010	2,625.00	2,375.00	5,000.00
Other Expenses	20-112-020	65.63	(20.63)	45.00
Legal Services Costs				
Salaries and Wages	20-155-010	9,843.75	(9,843.75)	0.00
Other Expenses	20-155-020	39,375.00	50,625.00	90,000.00
City Clerk				
Salaries and Wages	20-120-010	46,470.90	42,045.10	88,516.00
Other Expenses	20-120-020	10,425.45	14,574.55	25,000.00
Revision/Codification of Ordinances	20-120-320	1,916.25	1,733.75	3,650.00
Election Expenses	20-120-420	5,775.00	0.00	5,775.00
Planning Board				
Salaries and Wages	20-180-010	656.25	543.75	1,200.00
Other Expenses	20-180-020	5,610.94	(0.94)	5,610.00
Financial Management				
Salaries and Wages	20-130-010	59,186.93	53,550.07	112,737.00
Other Expenses	20-130-020	25,910.06	23,464.94	49,375.00
Auditing Fees	20-131-235	13,125.00	0.00	13,125.00
Assessment of Taxes				
Salaries and Wages	20-150-010	33,286.58	1,713.42	35,000.00
Other Expenses	20-150-020	6,564.34	3,435.66	10,000.00
Collection of Taxes				
Salaries and Wages	20-145-010	20,154.23	18,234.77	38,389.00
Other Expenses	20-145-020	3,453.19	3,174.81	6,628.00
Information Technology				
Salaries and Wages	20-140-010	11,355.75	10,274.25	21,630.00
Other Expenses	20-140-020	13,256.25	2,743.75	16,000.00
Municipal Court				
Salaries and Wages	43-490-010	52,582.95	47,575.05	100,158.00
Other Expenses	43-490-020	3,156.04	2,854.96	6,011.00
Prosecutor				
Salaries and Wages	43-492-010	8,137.50	7,362.50	15,500.00
Public Defender				
Salaries and Wages	43-495-010	2,362.50	2,037.50	4,400.00
INSURANCE				
Other Insurance Premiums	23-211-000	65,625.00	0.00	65,625.00
Worker Compensation Insurance	23-215-000	118,125.00	531,875.00	650,000.00
Health Insurance	23-220-000	525,000.00	900,153.00	1,425,153.00
Construction Code				
Salaries and Wages	22-195-010	62,766.11	56,788.39	119,554.50
Other Expenses	22-195-020	2,047.50	952.50	3,000.00
Housing Code				
Salaries and Wages	22-196-010	22,371.04	20,239.96	42,611.00
Other Expenses	22-196-020	1,707.30	1,544.70	3,252.00
Electrical & Plumbing Inspections				
Salaries and Wages	22-197-010	2,377.99	5,512.01	7,890.00
Other Expenses	22-197-020	65.63	(65.63)	0.00
Utility Expenses				
Gasoline	31-460-000	44,625.00	40,375.00	85,000.00
Electricity	31-430-000	128,625.00	116,375.00	245,000.00
Telephone	31-440-000	14,437.50	14,562.50	29,000.00
Natural Gas	31-446-000	28,875.00	71,125.00	100,000.00
STATUTORY EXPENDITURES				
Contribution to:				
Unemployment	36-473-000	15,750.00	4,250.00	20,000.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00	54,625.00	115,000.00
Consolidated P&FRS	36-474-000	10,086.30	(2,951.30)	7,135.00
Medicare Insurance	36-476-000	32,812.50	29,687.50	62,500.00
Lifeguard Pension Fund	36-477-000	0.00	0.00	0.00

May 20, 2010

Police & Firemens Retirement System NJ	36-475-000	441,724.24	1,144,995.76	1,586,720.00
Public Employees Retirement System of NJ	36-471-000	82,431.56	274,491.44	356,923.00
Defined Contribution Retirement Plan	36-478-000	0.00	500.00	500.00
Interlocal Municipal Service Agreements				
Borough of Longport-UCC				
Salaries & Wages	22-198-010	6,431.25	11,068.75	17,500.00
Other Expense	22-198-020	2,756.25	0.00	2,756.25
Borough of Longport-Engineering				
Salaries & Wages	22-165-010	15,435.00	(15,435.00)	0.00
Other Expense	22-165-020	5,250.00	(5,250.00)	0.00
CAPITAL IMPROVEMENTS				
Capital Improvement Fund	44-901-000	150,000.00	0.00	150,000.00
MUNICIPAL DEBT SERVICE				
Bond Principal - General	45-920-000	1,055,000.00	0.00	1,055,000.00
Bonds Interest - General	45-930-000	212,551.26	4,999.74	217,551.00
Bond Principal - School	48-920-000	1,020,000.00	0.00	1,020,000.00
Bond Interest - School	48-930-000	397,851.26	201,323.74	599,175.00
Interest on BAN	45-935-000	144,539.10	25,134.90	169,674.00
Green Trust Loan	45-940-000	31,091.60	0.00	31,091.60
		\$ 8,181,806.88	\$6,624,299.03	\$14,806,105.91
WATER/SEWER UTILITY FUND				
WATER/SEWER UTILITY FUND FCOA				
Operating				
Salaries and Wages	55-501-010	\$246,606.68	230,393.32	477,000.00
Other Expenses	55-502-020	\$252,510.52	449,933.16	702,443.68
ACUA Sewer Shared Costs	55-502-300	\$407,804.29	870,475.71	1,278,280.00
STATUTORY EXPENDITURES				
Contribution to:				
Unemployment	55-542-000	262.50	237.50	500.00
Social Security System (O.A.S.I.)	55-541-000	23,625.00	21,375.00	45,000.00
CAPITAL IMPROVEMENTS				
Capital Improvement Fund	55-512-000	75,000.00	0.00	75,000.00
MUNICIPAL DEBT SERVICE				
Bond Principal	55-520-000	155,000.00	0.00	155,000.00
Interest on Notes	55-522-000	19,745.00	0.00	19,745.00
Interest on Bonds	55-523-000	23,025.00	0.00	23,025.00
		\$1,203,578.99		\$2,775,993.68

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 61 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 62 OF 2010 – AMENDING R 37-10 TO AUTHORIZE LEASE/PURCHASE AGREEMENT WITH MUNICIPAL CAPITAL CORP ON BEHALF OF COMTEC COMMUNICATIONS (NEW PHONE SERVICE)

WHEREAS, by Resolution No. 37 of 2010 the City authorized a contract with Comtec Communications for the upgrading of the telephone system within the City of Ventnor City; and

WHEREAS, as part of the contract with Comtec Communications it is necessary to include a lease/purchase agreement with Municipal Capital Corp.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein and hereby authorizes the execution of a lease/purchase agreement with Municipal Capital Corp. for the upgrading of the telephone system.

Cmr. Piatt moved, seconded by Mayor Kelly that Resolution No.62 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 63 OF 2010 – AUTHORIZING EMERGENCY SEWER REPAIR AT FULTON & HARVARD TO ARTHUR R HENRY, INC IN AN AMOUNT NOT TO EXCEED \$12,000

WHEREAS, a sewer emergency exists requiring the immediate repair at Harvard and Fulton Avenues; and

WHEREAS, the nature of the emergency repair makes is necessary to engage the services of a Utility company to safely perform such repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Arthur R. Henry, Inc. is herein and hereby authorized to perform the emergency sewer repair at Harvard and Fulton Avenues.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$12,000.00.

Cmr Weintrob moved, seconded by Cmr. Piatt that Resolution No. 63 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 64 OF 2010 – AUTHORIZING CHANGE ORDER #4, M.B. MARKLAND CO , ALTERATIONS TO PUBLIC WORKS BLDG (\$4,419.00)

WHEREAS, the Board of Commissioners of the City of Ventnor City entered into a Contract with M.B. Markland Contracting Co on October 20, 2009 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING for the total amount bid of \$574,400.00; and

WHEREAS, it was necessary to include or adjust various contract work, all as necessary for the successful completion of the project as outlined in Change Order No. 4, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Change Order No. 4 for the TOWER & WALL RESTORATION, FLAT ROOF REPLACEMENT & TILE ROOF PATCHING AT THE VENTNOR CITY PUBLIC WORKS BUILDING, which Change Order will increase the Original Contract Amount by \$4,419.00 thus bring the Total Adjusted Contract Amount to \$663,717.74; and

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds issued from the Municipal Chief Financial Officer be attached to this Resolution.

Cmr Weintrob moved, seconded by Cmr. Piatt that Resolution No. 64 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 65 OF 2010 – APPROVAL OF EXTENSION OF CONTRACT COMPLETION TIME TO MARKLAND - UNFAVORABLE WEATHER CONDITIONS (TEMPS NOT ABOVE 40 DEGREES)

WHEREAS, by Resolution No. 10 of 2010, M.B. Markland Contracting Co was granted an extension to the contract completion time for repairs to the Ventnor City Public Works Building until May 1, 2010; and

WHEREAS, due to continued unfavorable weather conditions, the contractor requires an additional month to complete all repairs; and

WHEREAS, Martin Blumberg, Architect has recommended extending said contract until June 1, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter approves extending the completion time of the contract with M.B. Markland Contracting Co. to June 1, 2010.

Mayor Kelly moved, seconded by Cmr. Piatt that Resolution No. 65 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 66 OF 2010 – AUTHORIZING EMERGENCY WATER/SEWER REPAIR (COLLAPSED LATERAL & WYE BRANCH AT 7 N. NEWPORT AVE) TO ARTHUR R HENRY, INC

WHEREAS, a 6" lateral and wye branch at 7 N. Newport Avenue collapsed and required immediate repair; and

WHEREAS, the nature of the emergency repair makes is necessary to engage the services of a Utility company to safely perform such repair.

May 20, 2010

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Arthur R. Henry, Inc is herein and hereby authorized to perform the emergency repair of the collapsed lateral and wye branch at 7 N. Newport Avenue.

Cmr. Piatt moved, seconded by Cmr Weintrob that Resolution No. 66 of 2010 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$8,299,316.72 and payrolls from 4/10/10 to 4/23/10 in the amount of \$637,023.50, from 4/24/10 to 5/7/10 in the amount of \$450,322.80 and from 5/8/10 to 5/21/10 in the amount of \$416,052.28 for approval. So ordered

Cmr. Weintrob asked if the bill list he requested & received from the CFO today, contained every bill from every City department in the \$8,299,316.72 total. CFO Aboderin affirmed that it is the same list.

REAPPOINTMENT OF JOAN GLICK TO THE BOARD OF EDUCATION & REAPPOINTMENT OF PETER WEISS TO PLANNING BOARD Mayor Kelly announced the reappointment of Joan Glick to the Board of Education for a 3 yr term (5-16-10 to 5-15-13) & the reappointment Peter Weiss to the Planning Board for a 4 yr term (1-1-10 to 1-1-14).

ANNOUNCEMENTS

- Mayor Kelly announced that the BOARDWALK RUNNERS have offered a donation for purchase & installation of a water fountain at Cornwall Ave & Boardwalk in MEMORY of JIM LATZ.
- VCPD Bicycle Safety Rodeo will be held on Saturday, June 5, 2010 at the parking lot Titus Field playground

PUBLIC COMMENTS:

PBA#97 representative JOSEPH FUSSNER related that after they met in February with Cmr. Piatt, CFO Aboderin, & Business Admin. Biagi to discuss some of their options, they reported back & the membership voted to get a professional analysis done on the financial documents. The missing document was the 2010 Budget which appeared on the April Agenda but was pulled. He felt a deadline should have been given such as a week - for them to come back with an offer &, if that deadline was not met - then layoff notices would be given out. The opposite occurred & layoff notices were given out. The MAYOR reiterated that the budget was not given to them in February because there was no such document - it did not exist. She had done exactly as she said she would. & he would get a copy at the meeting's end, as promised. Budget changes were being made right up until now. Solicitor MAGUIRE explained that layoff notices were given out because of the 45 day requirement. Nancy Sbrolla added that State Aid figures hadn't been received earlier. FUSSNER blamed the City that the union turnout tonight was because 6 layoff notices occurred - 6 officers lives were put in turmoil before they had the budget in their hands. The Mayor had not done as she promised. MAYOR KELLY said she could say the same - that she had always been up front with him -that she wasn't part of the team he met with but had met with them a couple of times, told them each time & explained to Mr. Alterman (PBA atty) seen here tonight. The MAYOR said she was sorry they were at this juncture tonight but didn't know what else she could do, since they had no choice. Discussion as to what time of day State approval of the layoffs was sent/received. FUSSNER asked how you could devise a layoff plan without having a budget? The MAYOR said they knew the amount needed to get under the cap. Cmr PIATT said the answer is in the reverse in the City's case - that when there is a cap - how would you devise a budget without the layoff plan. Because there was a deficit, the layoff plan had to be part of the budget. In response to who formulated the budget, PIATT said the departments contributed their budget to the finance department. Then there was a first round of cuts after the \$2.5M deficit was identified - to reduce it which came from all departments. The MAYOR asked FUSSNER if he was coming in to meet with her tomorrow as he said yesterday. FUSSNER said 'absolutely he'd come in & speak with her, we're going to go over the budget'.

Cmr WEINTROB asked if a copy of all line items of all departments will be available to FUSSNER tomorrow -that with a zero based budget every line item shows what is approved & not approved. The MAYOR said that the people who will be looking at the budget will understand it - Mr. Foti will know what he is looking at. Cmr WEINTROB disagreed. Cmr PIATT assured FUSSNER that he will get answers to any questions asked. Other queries included the surplus left in 2008 - 2009 budgets; the increase vs holding the tax rate, why Cmr Weintrob wasn't afforded the same information that Mayor Kelly & Cmr Piatt had. PIATT assured Weintrob he has had access to the same information. WEINTROB asked how he had access. The MAYOR responded that all day long emails are coming, going from him asking for all sorts of things - that as far as she knows, he gets the information requested and has never seen him absolutely refused anything. WEINTROB said he asked the CFO if in the budget she handed out today had any relationship to police negotiations - if the budget that was going up 2.3 cents had any allocation for whether the PD settled or had lay offs. She told him she hadn't the slightest idea if it was included or not. The CFO suggested he read his emails aloud. His email asked: 'what role do the police play in the meeting tonight?'. If he read his emails out to the people they could hear what was asked for & asked him to please read her answers as well He asks for one thing and when it comes down to it - he comes up and says something different.

FUSSNER suggested the City ask for the cap waiver even if they're denied. That many municipalities are receiving waivers. The MAYOR said it was a point to look into but doubted those municipalities were getting the waiver believed ... perhaps the police would give her that list tomorrow. She noted that when the ladies recently went to a cap meeting, the main question repeated was 'what are you doing to cut taxes in your municipality'.

May 20, 2010

SONNY LOADENTHAL, 13 S Baton Rouge, spoke as a supporter, asking why every department but Weintrob's offered names for layoffs. WEINTROB said that PW negotiated/gave up \$300,00 to avoid layoffs. He repeated his adamant opposition to police layoffs, proposing a higher tax increase, instead. PIATT challenged deficit amounts & remarks Weintrob attributed to him.

MARIA MONTES, 106 Booker Av, EHT, spoke as the only remaining bilingual City Hall employee to be laid off - & complained of not getting heard. She angrily asked the City to lay her off this Monday not wait until July 2nd. The MAYOR reminded her that they have met & spoken several times - that the last few days she has been quite busy but had told MARIA she could meet the Solicitor & with her tomorrow. MS MONTES then directed her hostility to Cmr Piatt for his absence/unavailability & on to City Clerk/Admin/HR Biagi for having been given too many hats.

JOHN OLIVE 4919 Ventnor thanked the Commission for accomplishing a 'no tax increase' in 2009 unlike 5 yrs prior to their election when his taxes increased 63%. He handed in photos depicting 6" unsatisfactory repair to a curb broken during snow removal and a street long ignored now filled with potholes. He spoke of pride, investing 175' of new sidewalk around his property - hoping that others will follow. MAYOR KELLY thanked Mr. Olive & offered assurance that Cmr Weintrob would look into the situation tomorrow.

CHARLES COSTELLO, 417 Somerset asked for their personal opinions with the layoffs proposed, do you feel that we will still be safe? The MAYOR complimented our 'sage' older officers for the fine job they do & expressed her belief that as talks continue things will work themselves out - that we might still be able to negotiate to keep our younger officers. Responding to the budget deficit vs safety, PIATT reiterated his concerns with continued hope that the Police Department will rise to the occasion and help the City find the best solution. WEINTROB discussed the Boardwalk Specials & Bike Patrol - services performed by police - now gone. He compared stats of local police calls, response times, crime rates & manpower logistics with other communities. Agreeing that nobody wants higher taxes & nobody wants to lose police officers, COSTELLO asked who would sit in to negotiate the compromise - concerned with the unity factor of the Commission. The MAYOR explained that she would probably be the one.

GEORGIEANNE ROSS, 123 N Swarthmore offered dismay at attitudes shown tonight. She spoke of her love for all members of the Police Department and this Mayor & Commissioners. She noted the prior administration raised the taxes for everything & people can't afford it. You can't raise taxes all the time - there must be mediation to this.

SANDY VESPERTINO 5301 BURK Av spoke as a resident calling 'phenomenal' the job VCPD does - supporting whatever could be done to save the 6 officers. He noted the well-known reputation of our Police-Fire's 911 response time & extolled the virtues of the Code Enforcement personnel. In a 2nd issue, VESPERTINO asked re the sewer line in the bay - where we stand with completion of the process. The CITY ENGINEER stated his recommendation to proceed was a directional bore, a force main under West Canal & build a pump station underground at the end of Fulton & Harvard. Bids for drilling across will be received in June & while that is going on they'll start designing the pump station. VESPERTINO criticized the City for having paid \$10,300 for the last 22 months nearly \$.25M to rent a sewer pump & suggested that a pump could have been bought & resold for \$75,000. *Note:* Pump rental decision was determined by former City Engineer, Richard Carter who remained for 17 months of the 22 months in question. New City Engineer was appointed Jan 2010. CITY ENGINEER, MATT DORAN explained that there's a temporary force main that has a primary pump & a back-up pump (2 pumps, both of which are capable if one breaks down to continue the flow), fuel tanks, coffer, etc. The SOLICITOR added that the City had no plan since the pipe had been there since the 1920s. WEINTROB explained that on the 1st bid it was believed that there was a cradle in the ground that was satisfactory & could be used again. While doing a coffer dam, they found the cradle that we were going to put the pipe on wasn't there. That & problems with the contractor at the time, stopped the project right then & there & it had to be redesigned. VESPERTINO added that you really need to get the Engineer to check the rental prices - see if the City's really getting ripped off. He improperly added "\$.25M is a lot of police officers - I believe that would cover 6 of them". MAYOR KELLY quickly corrected him saying, "that's a bond, that isn't the current expense budget where their money would be, Sandy, as you know. VESPERTINO suggested more Commission meetings be scheduled to speed the project along if you're going to pay rental on the machine. WEINTROB explained the City had passed resolutions a couple of months ago that as soon as we get plan the plan in place, we can go out for bids & we don't need to come back before a Commission Meeting to do that.

JOE FUSSNER spoke, addressing the Mayor's comments about other officers coming to speak with her. He strongly suggested that unless it was he, Domenic Cappella or Steve Doyle, the MAYOR should not be speaking to anyone else - that would be an unfair labor practice.

DOMENIC CAPPELLA, SR, 526 Pacific, AC spoke as a Police Officer's father, a former Business Administrator and a resident who raised & educated his family in Ventnor City - appealed to both sides to please sit down & find a way to settle this without officers being laid off.

CASSANDRA SHOBER, 210 Newark presented a list of the things that PBA has done for the City above & beyond their working so diligently to keep us safe. They pay for our Barbecue, our National Night Out, for our movies & Special Events, one police officer teaches a class at the school, provide the Dare Program & have been generous sponsors of the local Cub Scout & Boy Scout Troop. She offered her opinion re the relevancy of school bussing, children walking, school crossing guards to police layoffs. The MAYOR spoke of the drives she had taken in September out of concern for the younger children - & her surprise at the small number of students who walk to school - perhaps due to car pools. She reiterated her hope that now, with the Police having their budget in hand, perhaps some of these things will change. MS SHOBER asked who was on the finance committee - what they do? The Mayor said she was unaware as they had nothing to do with our budget. Cmr PIATT said the finance committee that formed the original 2009 Budget where they developed the zero based budget process. In the 2010 process when it was known there would be a deficit, they felt it would be unfair to involve private citizens in a situation where there may be a layoff or furlough situation - so the finance committee has not met for a long time. They do exist but have

not met. MS SHOBER wished to know how someone might become part of that committee & if was by appointment.. MAYOR KELLY explained that these people were not a part of the Commission like the beautification committee, they were citizens who wanted to volunteer in the areas they were interested in – noting the sheets (signup forms) filled out at their 1st barbecue. PIATT suggested that since the finance chairman resigned anyone who is interested should give their letter to him & he would forward it. SHOBER noted that in the past, liquor licenses & city wage taxes were brought up and how much money is being generated from the Cultural Arts Center – and if that is offsetting any costs to the City.

TIM KREISCHER 117 N Somerset commented on the hour State approval of the Layoff plan was received last Thursday vs when Commission was notified. Regarding police in negotiations, he felt more figures should have been given. The MAYOR explained that everything we had was given but with the changing numbers, they felt they needed more –they wanted to see the Introduced Budget. He described police capabilities, multi-tasking & the logistics involved in response time. Reading of 80% increase in crime, KREISCHER questioned cutting police officers or forcing out older members making the big money. The MAYOR said he should know that Police doesn't have officers that old/near retirement. The Fire Dept package was developed by their members & she repeatedly received assurance that no one was being forced to retire. Now, with the Introduced Budget in hand, the Mayor was hopeful Police will work this out. When KREISCHER asked particulars of shift, manpower & operational numbers, Police Chief Cancelosi spoke out, cautioning that such information should not be put out for public consumption. Past and present contracts were discussed. Undisputed was that continued accelerated increases in contractual agreements, whether mandated by arbitration or negotiated in good faith, have brought us to this juncture. Cmr WEINTROB asked if the difference between the Feb document & the Introduced Budget was the amount the State is taking back & questioned the 4% cap figure. The CFO responded that the earlier document contained all the requests that came in from the departments & after that, cuts were made. Also noted was that the 4% cap was a State formula & a copy of the NJ worksheet was available. Also questioned and discussed was what effect Code Enforcement layoffs would have to the rental licensing program, revenues, etc. Other discussions were trash/recycling contracts, W/S Utility (% salaries that should/should not be included), comparison of health benefits costs, etc The CFO said City investigated the state plan, independents(self insured & not) & the 'equal or better' contractual clauses.

MIKE GLICKSTEIN, 437 Berkshire said a majority of people here have a problem with a \$125 increase (30%) over their present \$515 water bill. He asked if some sort of exemption could be made for duplexes that pay \$1,030 from being increased to \$1,280. He spoke of the inequity of everyone paying the same amount. The MAYOR said for a long time the meters were not read. Once the meters are read, the bills will be very different because you'll be billed based on your usage. Referring to 300 property tax appeals about to be heard, GLICKSTEIN asked how the City planned to cover the shortfall that will occur once they're brought down. The MAYOR said the loss is spread among all the taxpayers. With a 4 day work week happening on the administrative side, he asked if anything could be done on the Public Works side to stagger/massage them to work 4 days a week & operate on a 5 day basis. WEINTROB said that the fact the union has given up overtime for comp time will cause problems for the rest of the year as the willingness to come in for comp time instead of overtime presents its own problems & nightmares with staffing in emergencies. Recognizing that the \$20,000 cost per high school student may increase dramatically, GLICKSTEIN suggested that Ventnor consider changing its status as a high school sending district and combine downbeach with other sending district communities to form a charter school on the Margate property. The MAYOR explained that we are meeting with Margate re shared services as the new Commissioner of Education wants schools to look into shared services before consolidation. She reported that the Mayors feel legislation should be enacted to put a cap on ACHS spending –on how much they can charge us because it is hurting us in running our municipality. With a \$10M loss in revenue, AC wants to pass it on to the sending districts. MAYOR KELLY said she has passed this on to the Governor's Office through a representative with whom she communicates.

STEWART ALTERMAN, Attorney for PBA 97 accused Mayor Kelly of holding back budgetary information she should have provided to Police accountant, Foti. The MAYOR recited the 2008 Report of the Audit, 2008-2009 Adopted Budgets & the 2009 Annual Financial Statement Unaudited as documents he requested & received. The last thing was the 2010 Introduced Budget which did not exist. ALTERMAN reference his April 7, 2010 OPRA request & discussion ensued with CITY CLERK Biagi, CFO Aboderin & SOLICITOR Maguire responding as to documents requested, given & which were not made available due to ongoing negotiations. Re the Layoff Plan was sent to NJDOP on April 6th & State approval was received via FAX May 13th. On May 14th Notice was given to the employees effected, their union representatives & NJDOP (Civil Service). Notwithstanding procedures being followed, ALTERMAN felt that upon the afternoon receipt of the fax, the City should have immediately disclosed the State's approval then or at the 7PM Workshop – implying that the union or public should be told *before* the employees involved. The SOLICITOR adamantly disagreed, reciting procedures followed. The MAYOR offered a comprehensive explanation of the deficit & budgetary problems the City faced being \$2.5M *over* the 4% cap. As a union member, she felt the unions should be asked what they could do to help the City with the situation. Some did. PBA wanted to wait for the Introduced Budget. When she was advised that it couldn't be introduced at a workshop – only at a Commission Meeting, it was introduced tonight. The SOLICITOR asked why PBA hadn't submitted a plan as the others had. ALTERMAN reflected on the decrease in police staffing from a high 8 years ago, while violent & non violent crimes & call volumes increased. Donating levity relief, MAGUIRE asked if the figures can be verified. CANCELOSI affirmed they were taken from Annual Yearly Reports. ALTERMAN concluded saying if two things that drive property values are public safety & schools - when public safety is diminished, who is responsible?

KEN LYONS, NJ STATE PBA REP & 22 year active Law Enforcement Officer & LE student, explained the philosophy of crime displacement & how when pushed - moves away. That is done by proactive police work which requires more people out on the street & higher visibility. He referred to numerous examples where contracts have been reopened, a settlement has come to fruition when it is discovered more is needed. Last night in Jackson, \$1.5M shortfall turned into \$2.5M after they had reached concessions & later withdrew them. He commended VCPD for their professionalism shown, their willingness to open up their contract, sit down & talk,. He questioned statements heard tonight & touched upon frustrations Alterman faced tonight not having the documents he needed. Concluding,

he hoped no one would act in haste tomorrow. That Foti would be given the time to look over the documents so that educated commitments could be made. LYONS presented a letter addressed to the Board from the PBA Exec VP.

DOMENIC CAPPELLA, 5700 Edgewater PBA member & resident, said the Mayor knew there was a cash flow problem in 2008 & she didn't raise taxes. She told them it wasn't their fault nor their worry - but they're paying for it now and the citizens will be paying for it with their safety at risk. *Note:* Mayor Kelly was elected to Commission May 2008 & assumed the budget prepared by the prior Board of Commissioners who were not reelected to serve.

AMY WEINTROB, 819 Surrey, prefaced with full disclosure that she was Cmr Weintrob's daughter- asking the Solicitor if the comment he made in response to Stewart's (Alterman) comment about Cmr Weintrob not having information, seemed to allude to the fact that he is lying. He said, "No". She related her observations & perceptions of the constant battle her father has had during the past 2 years re his requests for & receipt of information. She quoted emails back & forth from the Commissioners & recent denials from the CFO. She referred to Cmr Piatt's response re prioritizing & his OPRA request to the City Clerk. She asked when it was disclosed to the Mayor & Cmr Piatt that the state had approved the Layoffs. Cmr PIATT said he did not know that evening. He also commented on the issue of Cmr Weintrob's request for documents from the finance dept. That while we were in the throes of the budget issues, we were inundated with requests from Cmr Weintrob - most of which seemed irrelevant to our mission of resolving the budget. He told Cmr Weintrob there were times he had to wait for his request to be filled and that as far as he knows, he has gotten everything he asks for - he just doesn't get it when he wants it. In response to why he requested that Cmr Weintrob come through him, Cmr Piatt said that was in response to his belief that Cmr Weintrob was harassing CFO Aboderin. She was feeling harassed & was inundated with those kind of requests. AMY asked if the City Clerk felt harassed when a sitting Commissioner asked for information. CLERK Biagi asked to be enlightened as to the OPRA request involved since copies of all formal requests are kept. Cmr WEINTROB said he asked for any information that Cmr Piatt had in relationship with the State of NJ or anybody asking about the forensic audit & was told by Cmr Piatt that he couldn't have that information - he had to make an OPRA request. The SOLICITOR again made clear that he was not calling Cmr WEINTROB a liar - that part of his duty is to represent Steve & he has a personal liking of Steve. He wasn't calling Steve a liar but did want to be very clear that there are definitely times when Steve is confused & what he says is 'I requested this and they didn't give it to me'. As Toro said, 'show me the email that you sent'.... when you see what you actually said, it turns out it different. Cmr WEINTROB read aloud the entire email of his questions & the responses from the CFO and the Mayor after which a lengthy discussion ensued.

PRISCILLA BEURET 15 S Richards offered her appreciation of all the views expressed tonight but felt that a time limit of 10-12 minutes would cut-off some of the dissertations that went way beyond. She hoped that solutions could be found.

MIKE WEISEN 326 Dorset asked if there was a ratio for the number of officers for this city for the number of people who live in it and the number of calls they make and the type of crimes they are attending to. MIKE felt that 38 seemed low but was the number that should at least be maintained. He described two past incidences involving his bike shop and a recent personal experience with a verbal abuse situation near his home- which required police response. In expressing his reactions to the officers prompt & professional handling of the situations and the follow-up courtesy call he received from Lt Biagi in the aftermath, he felt he could not say enough in praise of our Police. He added his belief that if you put this to a vote of the taxpayers of Ventnor and ask them if they would pay a little bit more money to keep 6 extra police officers on duty, he firmly believed most of them would say, yes.

SANDY VESPERTINO asked if Commission could rescind the ACUA Resolution tonight & if the answer is no, could an appeal be put into place. The Solicitor explained that they could rescind the Resolution if they wanted to. but did remember that the City & ACUA was receiving many complaints regarding the previous hauler. The MAYOR said the people are enjoying having their trash & recycling together on the same day. She also said that the first thing we have to do is have our meeting with police before I would do anything. VESPERTINO said that as it is our 3rd highest item of expense - if we saved 10% of that cost we could probably save a police officer.

LEE SIROTA, 14 N Wyoming referred to a newspaper list of Atlantic County's highest property taxes that appeared a few months ago which showing Ventnor is #3 in taxes - and without concessions we would be shooting for #1. Having been in real estate for years Ms SIROTA understood the true effect of skyrocketing taxes. With more foreclosures come more vacancies. People cannot afford any more taxes. 2nd home buyers will stop buying - Look around & see the For Sale signs. It will get even worse if the taxes continue to go up. What she hoped to see was a balance between services & fiscal responsibility. She asked what the City pays into the pension for City Hall employees, Police & Fire etc, The ability to cut the City's contribution to the employees pension was touched upon with the MAYOR not wanting to do that. The CFO said the pension check due April 1st were PERS, \$356,923.00 and PFRS \$1,586,720.00. & explained that was the City's share and the employees contribute their share.

DOMENIC CAPPELLA addressed his comments to Ms SIROTA noting the added expenditures for the Boardwalk, beaches, trash pickups, as the price to be paid for living at the shore. MS SIROTA explained her 50 year residency including the years when her taxes were \$400 - including water & sewerage. DOMENIC argued that you're paying for what you get here - you have luxuries here - maybe a little bit higher than the surrounding communities & it should be. He also complained of the State & municipal past practices re borrowing from the pensions. Cmr WEINTROB also responded to Ms SIROTA naming EHT, & Galloway Twp as examples of not having a fire department, a boardwalk or beach & offered comparisons of properties paying more in EHT than a property assessed the same in Ventnor.

JOHN OLIVE called the meeting the worse he has ever seen in Ventnor .. the fragmented, squabbling, in-fighting - it's a terrible thing to see. As to the Police Department - it's the finest there is. Absolutely the best. I know this. This administration, the best. He complimented the 0% tax increase in 2009 & minimal increase this year. He offered

May 20, 2010

hope that some kind of a compromise – there has to be a give & take. There's a risk in losing jobs but there's a risk in losing houses when people can't afford the taxes. He spoke of the unbridled spending & powerful interest groups that have had their way with politicians & the result is – taxes increase. He again hoped that an agreement can be met – with the understanding the what is given to Police comes from the taxpayers who have about had it. NJ has the highest tax burden in the entire nation.

TIM KREISCHER asked the Solicitor a legal question re Alterman's OPRA request. A discussion ensued re PBA's concern with the validity of a draft document and their reluctance to rely on a document with possible changing numbers. TIM voiced his opinion that the State Layoff Approval should have been made public on Thursday night before the individuals received their Layoff Notice on Friday. Cmr PIATT again responded it wasn't a big issue with him but that he did not know. KREISCHER also questioned the amount of emails being sent between WEINTROB & the CFO when they were just down the hall from each other.

ADJOURNED: 10:46 PM

Cmr Piatt moved, seconded by Mayor Kelly, the meeting be adjourned. So ordered.