



*Ventnor City Board of Commissioners*

*Mayor J. Michael Bagnell  
Commissioner Frank Sarno  
Commissioner Theresa Kelly*

*~ 2014 ~*

*Commission Meetings  
Minutes*

**Explanation of Contents:**

This volume of the Official Minutes of the Ventnor City Board of Commissioners begins on January 16<sup>th</sup>, 2014. 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:

**2014 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.

*Janice K. Callaghan, RMC  
City Clerk*

***Office of the City Clerk***

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

Monday – Friday  
8:30am-4:00pm

The meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on January 16, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had any questions on Items to be voted on tonight.

LINDA KAPLAN, 12 N Wissahickon, referring to R09-14 (Appoint Professional Benefit Consultants, Inc. to administer employee health benefits) asked why a broker was necessary if the City was going with the State Health Benefits plans for its employees. Mayor Bagnell explained the City would not be entering the State Health Benefits program until March 1<sup>st</sup> so a broker is needed to administer the present AmeriHealth plan until that date. When asked by MS KAPLAN if the position was advertised and what was the salary and term of appointment, MAYOR BAGNELL responded the position was not advertised and they are still researching the term of contract and working on the salary. Since there are so many unanswered questions regarding this appointment, the City Clerk asked Solicitor Weintrob if the Resolution should be tabled. The Solicitor recommended tabling resolution No. 09 of 2014 until specifics of contract were finalized.

#### **MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 12-19-13 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **INTRODUCTION OF ORDINANCE 2014-01**

##### **AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE CITY OF VENTNOR AS THE SAME RELATES TO WATER USAGE**

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-01 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **INTRODUCTION OF ORDINANCE 2014-02**

##### **AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE CITY OF VENTNOR AS THE SAME RELATES TO SEWERS**

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-02 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **NEW BUSINESS**

#### **CONSENT AGENDA**

The City Clerk asked the Commission if they had any comments on the items under consent agenda.

Cmr Kelly moved, seconded by Cmr Sarno Resolutions No. 01 thru 08 and No.10 thru 16 of 2014 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **RESOLUTION NO. 1 OF 2014 - ADOPT 2014 TEMPORARY BUDGET**

##### **CURRENT FUND**

<b>GENERAL GOVERNMENT FUNCTIONS</b>	<b>FCOA</b>	
Mayor's Office		
Salaries and Wages	20-110-010	15,430.00
Other Expenses	20-110-020	4,000.00
Police		
Salaries and Wages	25-240-010	871,190.00
Other Expenses	25-240-020	26,380.00
Fire Department		
Salaries and Wages	25-255-010	1,012,750.00
Other Expenses	25-255-020	22,700.00
Uniform Fire Safety		
Other Expenses	25-265-020	1,560.00
Radio & Communication		
Salaries and Wages	25-250-010	116,190.00
Other Expenses	25-250-020	6,530.00
City Administrator		
Salaries and Wages	20-100-010	19,050.00
Office of Emergency Management		
Salaries and Wages	25-252-010	21,720.00
Other Expenses	25-252-020	2,730.00
Dog Control	27-340-020	2,100.00
Electrical Division		
Salaries and Wages	26-300-010	30,770.00
Other Expenses	26-300-020	5,160.00

Celebration of Public Events	30-420-299	
Zoning Commission		
Salaries and Wages	21-185-010	800.00
Other Expenses	21-185-020	4,000.00
Beach Patrol		
Salaries and Wages	28-380-010	105,500.00
Other Expenses	28-380-020	5,000.00
Beach Control		
Salaries and Wages	28-381-010	0.00
Other Expenses	28-381-020	5,000.00
Public Works Commissioner		
Salaries and Wages	20-114-010	2,700.00
Other Expenses	20-114-020	0.00
Streets & Roads		
Salaries and Wages	26-290-010	105,000.00
Other Expenses	26-290-020	13,600.00
Motor Vehicle Maintenance		
Salaries and Wages	26-315-010	64,000.00
Other Expenses	26-315-020	12,600.00
Building & Grounds		
Salaries and Wages	26-310-010	44,000.00
Other Expenses	26-310-020	41,500.00
Beach & Boardwalk	26-310-303	0.00
Recreation		
Salaries and Wages	28-370-010	43,000.00
Other Expenses	28-370-020	45,000.00
Solid Waste/Recycling		
Salaries and Wages	26-305-010	10,000.00
Other Expenses	26-305-020	300,000.00
Finance Commissioner		
Salaries and Wages	20-112-010	2,700.00
Other Expenses	20-112-020	0.00
Legal Services Costs		
Salaries and Wages	20-155-010	0.00
Other Expenses	20-155-020	54,500.00
City Clerk		
Salaries and Wages	20-120-010	20,000.00
Other Expenses	20-120-020	11,800.00
Revision/Codification of Ordinances	20-120-300	2,300.00
Election Expenses	20-120-400	2,200.00
Auditing Fees	20-131-020	13,000.00
Planning Board		
Salaries and Wages	20-180-010	700.00
Other Expenses	21-180-020	2,200.00
Financial Management		
Salaries and Wages	20-130-010	65,000.00
Other Expenses	20-130-020	14,500.00
Assessment of Taxes		
Salaries and Wages	20-150-010	20,000.00
Other Expenses	20-150-020	3,800.00
Collection of Taxes		
Salaries and Wages	20-145-010	21,000.00
Other Expenses	20-145-020	3,600.00
Information Technology		
Salaries and Wages	20-140-010	11,400.00
Other Expenses	20-140-020	10,000.00
Municipal Court		
Salaries and Wages	43-490-010	48,000.00
Other Expenses	43-490-020	2,000.00
Prosecutor		
Salaries and Wages	43-492-010	8,200.00
Public Defender		
Salaries and Wages	43-495-010	2,400.00
INSURANCE		
Other Insurance Premiums	23-211-000	66,000.00

January 16, 2014

Worker Compensation Insurance	23-215-000	200,000.00
Health Insurance	23-220-000	570,000.00
Construction Code		
Salaries and Wages	22-195-010	62,000.00
Other Expenses	22-195-020	1,000.00
Housing Code		
Salaries and Wages	22-196-010	16,000.00
Other Expenses	22-196-020	1,000.00
Electrical & Plumbing Inspections		
Salaries and Wages	22-197-010	2,300.00
Other Expenses	22-197-020	0.00
Utility Expenses		
Gasoline	31-460-000	23,700.00
Electricity	31-430-000	147,000.00
Telephone	31-440-000	15,000.00
Natural Gas	31-446-000	30,000.00
STATUTORY EXPENDITURES		
Contribution to:		
Unemployment	36-473-000	31,500.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00
Consolidated P&FRS	36-474-000	2,000.00
Medicare Insurance	36-476-000	36,750.00
Lifeguard Pension Fund	36-477-000	
Police & Firemens Retirement System NJ	36-475-000	400,000.00
Public Employees Retirement System of NJ	36-471-000	85,000.00
Defined Contribution Retirement Plan	36-480-000	2,100.00
Interlocal Municipal Service Agreements		
Borough of Longport-UCC		
Salaries & Wages	22-198-010	8,500.00
Other Expense	22-198-020	1,300.00
Borough of Longport-Engineering		
Salaries & Wages	22-165-010	0.00
Bonds Interest - General	45-930-000	212,000.00
Bond Principal - School	48-920-000	500,000.00
Bond Interest - School	48-930-000	200,000.00
Interest on BAN	45-935-000	0.00
Green Trust Loan	45-940-000	31,000.00
		<b>\$ 6,233,785.00</b>

WATER/SEWER UTILITY FUND

WATER/SEWER UTILITY FUND	FCOA	
Operating		
Salaries and Wages	55-501-010	\$292,000.00
Other Expenses	55-502-020	\$300,000.00
ACUA Sewer Shared Costs	55-502-300	\$400,000.00
STATUTORY EXPENDITURES		
Contribution to:		
Unemployment	55-542-000	265.00
Social Security System (O.A.S.I.)	55-541-000	20,000.00
CAPITAL IMPROVEMENTS		
Capital Improvement Fund	55-512-000	75,000.00
MUNICIPAL DEBT SERVICE		
Bond Principal	55-520-000	155,000.00
Interest on Notes	55-522-000	19,745.00
Interest on Bonds	55-523-000	23,025.00
		<b>\$1,285,035.00</b>

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 1 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 2 OF 2014 – DESIGNATE BANK DEPOSITORIES**

WHEREAS, the City of Ventnor City is desirous of designating certain local banks as depositories for City funds for the year 2014.

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

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

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 2 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 3 OF 2014 – EMPLOYEE BONDS**

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

WHEREAS, it is the direction of the Board of Commissioners that said faithful performance bonds be supplied for the year 2014 by said public officials.

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

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

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

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

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 3 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 4 OF 2014 - ADOPT 2014 CASH MANAGEMENT PLAN**

BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Cash Management Plan for the City of Ventnor City, as outlined in the attached document, is adopted for the 2014 fiscal year.

Cash Management Plan of Ventnor City in the County of Atlantic

I STATEMENT OF PURPOSE

This Cash Management Plan (CMP) is prepared pursuant to provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits and investments of public funds of the City of Ventnor. The CMP is intended to assure that public funds identified herein are deposited in interest bearing accounts or otherwise safeguarded, in permitted investments to insure safety, liquidity and a maximum investment rate of return. The CMP is intended to insure that the any deposits and permitted investments mature within the time period that approximates the prospective need for the funds, deposited or invested so that there is a risk to the market value of Ventnor cash resources.

II CASH MANAGEMENT POLICY

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

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

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

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

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

III IDENTIFIED FUNDS AND ACCOUNTS TO BE COVERED BY THIS PLAN

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

- Current Fund
- Ambulance Fee Account
- Bail Account
- Clerk of the Municipal Court Account
- Dog Dedicated Trust Account
- Evidence Trust Account
- Water/Sewer Utility Operating Fund
- Water/Sewer Utility Capital Fund
- Developer's Escrow
- Lifeguard Pension
- Other Trust Fund
- General Capital Fund
- Unemployment Trust Fund
- Fidelity Investment Account
- Green Acres Account
- Law Enforcement Trust Account
- Merchant Court Fees Account
- Payroll Account
- Petty Cash Account
- Premium Account
- Small Cities Account
- Tax Lien Redemption Account
- Federal Forfeiture Account
- Payroll Agency Account
- Penalties Collected Under Uniform Fire Code Account

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

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

V DESIGNATION OF DEPOSITORIES.

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

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

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

VI DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

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

VII AUTHORIZED INVESTMENT.

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

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

- the United States of America.
- (2) Government money market mutual funds.
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
- (4) Bond or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located.
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
- (6) Local government investment pools.
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section I of P.L. 1977, c. 281 (C.52:18A-90.4); or
- (8) Agreement for the repurchase of fully collateralized securities if
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section I of P.L. 1970, C.236(C.17:9-41); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For the purpose of the above language, the terms Agovernment money market mutual fund@ and Alocal government investment pool@ shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the AInvestment Company Act of 1940" 15 U.S.C. sec 80a-1 et seq, and operated in accordance with 17 C.F.R. sec 270.2a-7
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270. 2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
  - (1) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (2) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the AInvestment Advisors Act of 1940" 15 U.S.C. sec 80B-1 et seq., with experience investing in US Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

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

VIII SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

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

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

IX REPORTING REQUIREMENTS:

January 16, 2014

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

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

X **TERM OF PLAN:**

This CMP shall be in effect from January 1, 2014 to December 31, 2014. Attached to this CMP is a resolution of the governing body of the City approving this CMP is a resolution of the governing body of the City approving this CMP for such period of time. The CMP may be amended from time to time. To the extent that any amendment is adopted by the Board of Commissioners, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved CMP, which amendment shall be acknowledged in writing in the same manner as the original CMP was so acknowledged.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 4 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 5 OF 2014 - AUTHORIZE ST OPENING MORATORIUM RELIEF, FREDERICKSBURG AV**

WHEREAS, Atlantic City Electric must provide electric service to the premises known as 26 N. Fredericksburg Ave in the City of Margate; and

WHEREAS in order to provide such service it is necessary to cross Fredericksburg Ave from Margate to Ventnor by cutting into the roadway in specific locations to complete a directional bore; and

WHEREAS, Fredericksburg Ave was reconstructed in 2012 and therefore is under a 5 year street opening moratorium; and

WHEREAS, Section 197-1B of the Ventnor City Code allows the Board of Commissioners to grant a waiver of the moratorium if an emergency situation is declared; and

WHEREAS, the City Engineer inspected the site and recommends a waiver be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the City Clerk is herein and hereby authorized to issue a street opening permit to Atlantic City Electric for the service location at 26 N Fredericksburg Ave in Margate City.

BE IT FURTHER RESOLVED that Atlantic City Electric shall use infrared patching technology for said roadway restoration and all bonds or deposit monies shall be retained by the City of Ventnor City until such time as it is determined the street is satisfactorily and permanently restored.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No5 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 6 OF 2014 - AUTHORIZE ST OPENING MORATORIUM RELIEF, MONMOUTH @ WYOMING**

WHEREAS, Ben Chapman received a subdivision to construct 2 homes on the corner of Wyoming and Monmouth Avenues; and

WHEREAS, one house, known as 7002 Monmouth has been constructed and utilized the existing water/sewer lateral however, the second house, to be known as 7000 Monmouth Ave will require the installation of a new lateral for its water/sewer connection; and

WHEREAS, Monmouth Ave was reconstructed in 2012 and therefore is under a 5 year street opening moratorium; and

WHEREAS, Section 197-1B of the Ventnor City Code allows the Board of Commissioners to grant a waiver of the moratorium if an emergency situation is declared; and

WHEREAS, the Ventnor City Board of Commissioners wishes to grant said waiver to allow for construction of a new single family dwelling at 7000 Monmouth Ave.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the City Clerk is herein and hereby authorized to issue a street opening permit to Ben Chapman for the purpose installing a new lateral for a water/sewer connection at 7000 Monmouth Ave.

BE IT FURTHER RESOLVED that deposit monies shall be retained by the City of Ventnor City until such time as it is determined the street is satisfactorily and permanently restored.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 6 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 7 OF 2014 - AUTHORIZE CO, REPLACEMENT OF CH WINDOWS**

WHEREAS, the City of Ventnor City did award a contract for "Replacement of City Hall Windows" and did enter into a contract with Peter V. Pirozzi General Contracting, LLC in the amount of \$293,683.67; and

January 16, 2014

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as "Replacement of City Hall Windows" be amended from \$293,683.67 to \$328,793.17 for a net increase of \$35,109.50.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 7 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 8 OF 2014 - AUTHORIZE CO. WELL #10 UPGRADES**

WHEREAS, the City of Ventnor City did award a contract for "Well #10 Upgrades" and did enter into a contract with R. Maxwell Construction Co., Inc in the amount of \$298,412.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as "Well #10 Upgrades" be amended from \$298,412.00 to \$334,875.00 for a net increase of \$36,463.00.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 8 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 9 OF 2014 - APPOINT PROFESSIONAL BENEFIT CONSULTANTS, INC AS BROKER OF RECORD TO ADMINISTER EMPLOYEE HEALTH BENEFITS - TABLED**

**RESOLUTION NO. 10 OF 2014 – TAX REFUND, DUPLICATE PAYMENTS**

WHEREAS, the 2013 tax on Block 22, Lot 6 known as 102 S Cambridge Ave, Ventnor, NJ and assessed to Stanley & Ruth Beloff was overpaid due to a duplicate payment by Josh Beloff and the mortgage company; and

WHEREAS, Josh Beloff did request a refund in the amount of \$14,002.41 sent to him at 1815 90th Place, NE, Clyde Hill, WA 98004; and

WHEREAS, the 2013 tax on Block 156, Lot 4 known as 109 N Surrey Ave, Ventnor, NJ and assessed to Stephen J Miller, Sr was overpaid due to a duplicate payment by the taxpayer and the mortgage company; and

WHEREAS, Leretta, LLC, Attn: Central Refunds, 1123 Park View Drive, Covina, CA 91724 have requested a refund in the above amount sent to them; and

WHEREAS, the 2013 tax on Block 276, Lot 74 known as 324-326 N Wissahickon Ave, Ventnor, NJ and assessed to Yury, Kislaya & Tatsiana Strakovich was overpaid due to a duplicate payment by the Lereta and Caliber Home Loans; and

WHEREAS, Leretta, LLC, Attn: Central Refunds, 1123 Park View Drive, Covina, CA 91724 have requested a refund in the above amount sent to them; and

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

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 10 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 11 OF 2014 - AUTHORIZE ROBERT J BISHOP, JERSEY NATIONAL TITLE, INC TO PERFORM TITLE SEARCH (BLK 172, L 21)**

WHEREAS, the Board of Commissioners desires to have a title search done the City owned property known as on Block 172, Lot 21 ; and

WHEREAS, the Board of Commissioners has agreed to appoint Robert J. Bishop of Jersey National Title, Inc to perform such title search; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that Robert J. Bishop is herein and hereby appointed to do a title search on the City owned property known as Block 172, Lot 21 for an amount not to exceed \$2,500.00.

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 11 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 12 OF 2014 AUTHORIZE PLANS & SPECS, INCREASE CHLORINE CONTACT TIME AT MAIN WATER PLANT**

WHEREAS, there is a need to increase the chlorine contact time at the main water plant within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "Increase Chlorine Contact Time at the Main Water Plant" to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 12 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

January 16, 2014

**RESOLUTION NO. 13 OF 2014 - AUTHORIZE INTERLOCAL AGREEMENT WITH MARGATE, ATLANTIC CO & ACUA FOR VENTNOR PLAZA PUMP STATION PROJECT**

WHEREAS, the City of Ventnor City in cooperation with the County of Atlantic, the City of Margate City and the Atlantic County Utilities Authority desires to enter into an Interlocal Services Agreement which will provide for the refurbishment of the Ventnor Gardens Storm Water Station so as to provide a storm water pump station which will beneficially impact storm water management for portions of Ventnor, Margate and the Atlantic County roadway, Ventnor Avenue; and

WHEREAS, pursuant to *N.J.S.A. 40:8A-1 et seq.* commonly known as “The Interlocal Services Act”, legislation has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, an Interlocal Services Agreement has been prepared on behalf of the County of Atlantic, City of Ventnor City, Atlantic Utilities Authority and the City of Margate City, which Agreement provides, among other things, for the expenditure of funds not to exceed 1.5 million dollars, and for which the County and each of the Municipalities shall be responsible for one-third of the cost, so as to restore the Ventnor Gardens Storm Water Station to operational status; and

WHEREAS, an application is being processed with the New Jersey Department of Environmental Protection, Environmental Infrastructure Trust, for an aid package which would consist of 18% grant, 57% interest free loan and 25% market rate loan which would help finance the project in whole or in part; and

WHEREAS, Atlantic County Utilities Authority has agreed to undertake the construction of the improvements either directly or by way of third-party contractor and to manage all aspects of engineering plans, specifications and permitting; and

WHEREAS, the Governing Body of the City of Ventnor City desires to implement the aforesaid Interlocal Services Agreement and in the event funding is not obtained from third parties, to commit the City of Ventnor City, subject to appropriation, for up to one-third or a maximum of \$500,000.00 to pay Ventnor’s proportionate share of the project.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute, on behalf of the City of Ventnor City, the aforesaid Interlocal Services Agreement.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 13 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 14 OF 2014 - AUTHORIZE PLANS & SPECS, REPAIR VARIOUS CEILINGS, 2ND FLOOR CITY HALL**

WHEREAS, there is a need to repair various ceilings on the 2nd floor of City Hall within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Repair of Various Ceilings, 2nd floor, City Hall” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 14 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 15 OF 2014 - AUTHORIZE PLANS & SPECS, REPAIR FLOORING, AMERICAN LEGION RM, 2ND FLOOR CITY HALL**

WHEREAS, there is a need to repair the floor in the American Legion Room in City Hall within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Repair of Floor in American Legion Room, City Hall” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 15 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 16 OF 2014 - AUTHORIZE CREATION OF GREEN TEAM**

WHEREAS, the Mayor and Governing Body of the City of Ventnor strives to save tax dollars, assure clean air and water, build on its strong ecotourism base, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the next century; and

WHEREAS, the Mayor and Governing Body of the City of Ventnor wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Mayor and Governing Body wishes to establish The Ventnor Green Team; and

WHEREAS, the Mayor and Governing Body of the City of Ventnor has begun the process of making its operations greener and more environmentally friendly by securing NJBPU Direct Install funds to make municipal building more energy efficient, applying for NJDOT funding to promote biking in the community, adopting a Complete Streets Policy and participating in the Army Corps coastal protection program; and

WHEREAS, solar power, geothermal, wind power, high efficiency buildings, changes to fleet purchasing and maintenance, waste reduction, buy local programs, water quality improvements, green purchasing and operational changes will all be considered as the City moves to do their share to lessen the environmental impact of its operations.

January 16, 2014

NOW THEREFORE BE IT RESOLVED, by Governing Body of the City of Ventnor that we do hereby establish The Ventnor Green Team consisting of the following members, appointed annually, but whose initial term of appointment shall be through December 31, 2014.

BE IT FURTHER RESOLVED, by Governing Body of the City of Ventnor that the following persons are hereby appointed to the Green Team:

FIRST NAME - LAST NAME	POSITION	REPRESENTATIVE
J. Michael Bagnell	Mayor	Elected Official
Ray Lamb	Member	Private Citizen
Diane Birkbeck	Member	Bd of Recreation Commissioners
Matt Steinen	Member	Environmentalist

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 16 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$2,790,408.38 and payrolls from 12-14-13 to 12-27-13 in the amount of \$468,899.47 and from 12-28-13-13 to 1-10-14 in the amount of \$600,882.44 for approval.

Cmr Sarno moved, seconded by Mayor Bagnell the bills & payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPOINTMENT TO PLANNING BD**

Mayor Bagnell moved, seconded by Cmr Sarno the appointments DONALD SIGLAN to replace PETER WEISS (1-1-14 to 12-31-17) & ROBERT LANDAU to replace DONALD SIGLAN, ALT #1 (until 3-7-15) be confirmed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee report for January 2014: "Safety Committee met on Jan 7th. All departments represented. Accident review portion had 2 workers comp involving police officers, requiring only minor treatment. There were 2 "hit and runs", 1 involving a parked city vehicle hit during the night with no witnesses or parties accepting responsibility & only minor damage. The 2nd involved a fire truck parked at an accident scene with emergency lights activated. An incident at Wyoming & Monmouth caused damage to a stop sign. Vision impairment due to a fence on private property was claimed. Chief Hazlett indicated he knew of other accidents at this location and stated more were likely due to this visual impairment. It was deferred to further research as to handling. 2014 safety incentive program was reviewed & signed by safety committee members. It will be signed by the mayor & forwarded to JIF with 2014 schedule of meetings".

Referring to the JIF Safety Committee Report, CMR SARNO asked if anything could be done about the fence. Cmr Kelly reported she checked and the fence is correctly placed on the property. She asked Police Chief Miller what progress has been made regarding putting a stop sign on Monmouth Ave at Wyoming. Chief Miller reported before the sign can be placed, the State requires a traffic study (car counts, speed, frequency) and research on the number of accidents at that location.

**PUBLIC PORTION**

PRISCILLA BEURET, 15 S Richards asked the reason for changing the times of meetings and workshops. MAYOR BAGNELL explained the Commission was asked to change meeting times and reiterated since we live in a 24hr society the change was done to accommodate shift workers. By moving one meeting to the afternoon, those residents working evenings would have the opportunity to attend and participate. MS BEURET voiced her concern the different hours for meetings will add to confusion. MS BEURET concluded by suggesting the use of red fluorescent stripe on stop signs for added visibility.

LEE SIROTA, 14 N Wyoming offered the following: 1) Residents did not request afternoon workshops, they suggested later evening meeting times. 2) Because of beach goers, parking for 2pm meetings in summer will be difficult. 3) Traffic on Monmouth & Wyoming got worse when bussing of school students stopped.

GEORGEANN ROSS, 123 N Swarthmore addressed the following: 1) are monies available to continue water/sewer repairs and for bulkhead repairs/replacement so we can get lower FEMA rates MAYOR'S response: Yes, there is bond money and we are awaiting response on grant applications for bulkhead repair, storm water drainage projects and back flow prevention valves. 2) She thanked PD for the recent "robocalls" seeking information on the missing boy. 3) She thanked the City for not using blinking lights on Atlantic Ave. 4) She suggested all City Board meetings (Commission, Planning, Zoning, Recreation, etc.) be at the same 6:30pm time.

LINDA KAPLAN, 12 N Wissahickon voiced her pleasure with the 2pm Workshop. With all department heads present, she found it helpful in getting questions answered. MS KAPLAN questioned amount of money spent on temporary heat for City Hall (this year \$37,000 for boiler & \$8700/mo maintenance) and sought information through OPRA on total costs to replace system and FEMA reimbursement. ENGINEER SABATINI explained temporary heating costs are same as last year and City is awaiting Insurance Co response regarding reimbursement of system redesign cost (amount still not determined). The Mayor and CFO reported \$800,000 for all claims has been reimbursed by FEMA (they covered all but 10% of last year's heating costs). Referencing a report in the Community newsletter regarding a possible reassessment of properties, Ms KAPLAN asked if it would affect the 2% budget CAP. CFO ABODERIN assured her it could not.

**6:30PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Kelly moved, seconded by Mayor Bagnell 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 20, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

**SWEARING IN OF POLICE SERGEANT LAWRENCE J HOFF AS POLICE LIEUTENANT**

Mayor Bagnell explaining that Police Sergeant Lawrence J Hoff has been acting in the capacity of Police Lieutenant for several months, invited him along with his wife and 2 sons to the dais to be formally sworn in to the position of Police Lieutenant. The Mayor administered the Oath of Office as Lt. Hoff's family, friends and fellow Officers looked on.

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had questions on any items to be voted on tonight. FANUTI VALENTINO, 105 S Victoria Av asked if the City had a fair idea of the overhead of the Water/Sewer Utility as well as the total City usage before setting the Rates. The Mayor indicated they had a fair idea of overhead and amount of usage until the effects of Super Storm Sandy were felt. The Mayor stated that the Ordinances setting the water and sewer rates were being tabled after which Mr Valentino had no further questions.

**MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Cmr Kelly the Minutes of the 1-16-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-01**

Ordinance Tabled for further study

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-02**

Ordinance Tabled for further study

**INTRODUCTION OF ORDINANCE 2014-03**

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR THE ACQUISITION OF VEHICLES FOR PUBLIC WORKS AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR ACQUISITION OF VARIOUS EQUIPMENT FOR PUBLIC WORKS

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-03 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-04**

AN ORDINANCE AMENDING CHAPTER 61 (ALCOHOLIC BEVERAGES)  
OF THE CODE OF THE CITY OF VENTNOR

Cmr Kelly moved, seconded by Cmr Sarno that Ordinance 2014-04 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-05**

AN ORDINANCE AMENDING CHAPTER 81 (BOATING)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-05 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-06**

AN ORDINANCE AMENDING SECTION 105-2 (DOGS AND OTHER ANIMALS)  
OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-06 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-07**

AN ORDINANCE AMENDING CHAPTER 181 (RENTAL PROPERTY)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-07 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-08**

AN ORDINANCE AMENDING CHAPTER 94 (CERTIFICATE OF LAND USE COMPLIANCE)  
OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-08 be introduced.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-09**

AN ORDINANCE AMENDING CHAPTER 149 (MERCANTILE LICENSING)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-09 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-10**

AN ORDINANCE AMENDING CHAPTER 173 (SALES ON PUBLIC BEACHES  
AND BOARDWALK) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-10 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-11**

ESTABLISHING 2014 SALARIES, COMPENSATION AND SALARY RANGES  
OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND  
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE  
ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-11 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - REPLACE SEWER MAIN, BALFOUR AV FROM HARVARD TO CAMBRIDGE**

Bid Opening: January 23, 2014 @ 11:00 AM

- |    |   |              |
|----|---|--------------|
| 1. | Kline Construction<br>Galloway, NJ 08205<br>Bid Bond Attached                     | \$95,387.50  |
| 2. | WECO Construction, Inc.<br>Egg Harbor Twp., NJ 08234<br>Bid Bond Attached         | \$97,971.00  |
| 3. | Mathis Construction Co., Inc.<br>Little Egg Harbor, NJ 08087<br>Bid Bond Attached | \$111,225.00 |
| 4. | West Bay Construction, Inc<br>Absecon, NJ 08201<br>Bid Bond Attached              | \$119,550.00 |

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - REPAIR FLOORING, AMERICAN LEGION RM, 2ND FLOOR CITY HALL**

Bid Opening: January 23, 2014 @ 11:30 AM

- |    |   |             |
|----|---|-------------|
| 1. | Stone Concrete, Inc.<br>Pleasantville, NJ 08232<br>Certified Check Attached | \$35,750.00 |
| 2. | R. Maxell Construction Co<br>Pleasantville, NJ 08232<br>Bid Bond Attached   | \$55,596.00 |
| 3. | Coastal Land Contractors, Inc.<br>Pittsgrove, NJ 08318<br>Bid Bond Attached | \$66,646.00 |

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - REPAIR VARIOUS CEILINGS, 2ND FLOOR CITY HALL**

Bid Opening: January 31, 2014 @ 11:00 AM

- |    |  |              |
|----|--|--------------|
| 1. | Coastal Land Contractors, Inc.<br>Pittsgrove, NJ 08318<br>Bid Bond Attached      | \$ 67,839.00 |
| 2. | Archetto Construction, Inc.<br>Vineland, NJ 08362<br>Bid Bond Attached           | \$128,065.00 |
| 3. | R Maxwell Construction Co., Inc.<br>Pleasantville, NJ 08232<br>Bid Bond Attached | \$179,977.00 |
| 4. | Levy Construction Co., Inc.  | \$193,600.00 |

Audubon, NJ 08106  
 Bid Bond Attached

- 5. MJJ Construction, LLC \$227,900.00  
 Atco, NJ 08004  
 Bid Bond Attached

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - IT OFFICE RELOCATION & RENOVATIONS**

Bid Opening: February 7, 2014@ 11:30 AM

- 1. Coastal Land Contractors, Inc. \$ 142,300.00  
 Pittsgrove, NJ 08318  
 Bid Bond Attached
- 2. R Maxwell Construction Co., Inc. \$149,875.00  
 Pleasantville, NJ 08232 \$149,675.00\*  
 Bid Bond Attached
- 3. Peter V. Pirozzi General Contracting, LLC \$190,180.00  
 Pittsgrove, NJ 08318  
 Bid Bond Attached
- 4. Archetto Construction, Inc. \$202,500.00  
 Vineland, NJ 08362  
 Bid Bond Attached
- 5. MJJ Construction, LLC \$206,000.00  
 Atco, NJ 08004  
 Bid Bond Attached
- 6. Levy Construction Co., Inc. \$220,600.00  
 Audubon, NJ 08106  
 Bid Bond Attached

\*Corrected Bid Amount

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-01** (TABLED)

**FINAL READING AND ADOPTION OF ORDINANCE 2014-02** (TABLED)

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they had any comments on the items under consent agenda.

Cmr Kelly moved, seconded by Cmr Sarno Resolutions No. 17 thru 29 of 2014 be adopted by consent.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 17 OF 2014 – AUTHORIZE PLANS & SPECS, RECONSTRUCT CAMBRIDGE AV, ATLANTIC TO VENTNOR**

WHEREAS, there is a need to reconstruct Cambridge Ave from Atlantic Ave to Ventnor Ave; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Reconstruction of Cambridge Ave from Atlantic to Ventnor” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 17 of 2014 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 18 OF 2014 – AWARD CONTRACT, REPLACE SEWER MAIN, BALFOUR AV FROM HARVARD TO CAMBRIDGE**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on January 23, 2014, at 11:00 AM, did receive four (4) bids for “REPLACEMENT OF SEWER MAIN BALFOUR AVE., HARVARD TO CAMBRIDGE”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THERFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for the REPLACEMENT OF SEWER MAIN BALFOUR AVE., HARVARD TO CAMBRIDGE to Kline Construction, 240 Waveland Ave., Galloway, NJ 08205 in the total Amount of \$95,387.50

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 18 of 2014 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

February 20, 2014

**RESOLUTION NO. 19 OF 2014 – AWARD CONTRACT, REPAIR VARIOUS CEILINGS, 2ND FL CITY HALL**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on January 31, 2014, at 11:00 AM, did receive five (5) bids for “REPAIR OF CEILINGS, 2ND FLOOR OF CITY HALL”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for the REPAIR OF CEILINGS, 2ND FLOOR OF CITY HALL to Coastal Land Contractors, Inc. 133 McKishen Rd., Pittsgrove, NJ 08318 in the total Amount of \$67,839.00

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 19 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 20 OF 2014 – AWARD CONTRACT, IT OFFICE RELOCATION & RENOVATIONS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on February 7, 2014, at 11:30 AM, did receive six (6) bids for “AMERICAN LEGION ROOM RENOVATIONS & IT ROOM RELOCATION ”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for the AMERICAN LEGION ROOM RENOVATIONS & IT ROOM RELOCAITON to Coastal Land Contractors, Inc. 133 McKishen Rd., Pittsgrove, NJ 08318 in the total Amount of \$142,300.00

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 20 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 21 OF 2014 – REAPPOINT MUNICIPAL COURT JUDGE**

WHEREAS, by Resolution No. 33 of 2011, Mary Siracusa was reappointed to the position of Judge of the Municipal Court of Ventnor City; and

WHEREAS, said appointment was for a term of 3 years, which term expired on March 7, 2014; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing Mary Siracusa to the position of Judge of the Municipal Court.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that pursuant to NJSA 2B:12-4, Mary Siracusa is herein and hereby reappointed to the position of Judge of the Municipal Court of Ventnor City for a three (3) year term effective from March 7, 2014 until March 7, 2017.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 21 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 22 OF 2014 – AUTHORIZE PLANS & SPECS, INSTALL CHECK VALVES**

WHEREAS, there is a need to install check valves within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Installation of Check Valves” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 22 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 23 OF 2014 – AUTHORIZE PLANS & SPECS, DRAINAGE IMPROVEMENTS, CALVERT AVE**

WHEREAS, there is a need for Drainage Improvements in Calvert Ave within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Drainage Improvements, Calvert Ave” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 23 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 24 OF 2014 – AUTHORIZE PLANS & SPECS, BULKHEAD INSTALLATION, VARIOUS LOCATIONS**

WHEREAS, there is a need for the Installation of Bulkheads at Various locations within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Installation of Bulkheads at Various Locations” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 24 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 25 OF 2014 – WATER/SEWER OVERPAYMENT REFUND**

WHEREAS, the 2013 water/sewer was overpaid on Block 22, Lot 6 known as 102 S Cambridge Ave, Ventnor, NJ 08406 and assessed to Stanley & Ruth Beloff was overpaid due to a duplicate payment by Josh Beloff and the mortgage company; and

WHEREAS, Josh Beloff did request a refund in the amount of \$368.49 sent to him at 1815 90th Place, NE, Clyde Hill, WA 98004.

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

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 25 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 26 OF 2014 - AUTHORIZE APPLICATION TO NJDEP & NJEIT FOR VARIOUS INFRASTRUCTURE PROJECTS**

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust are accepting applications for the SFY2015 Environmental Infrastructure Trust Financing Program; and

WHEREAS, this program is intended to fund water, sewer and stormwater projects; and

WHEREAS, the City of Ventnor carefully considers funding programs that assist the City in achieving projects that are priorities for the community; and

WHEREAS, the City of Ventnor intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the following projects:

- Ventnor Gardens Pump Station Project
- Ventnor Heights Stormwater Pump Station Project
- Flood Walls Project
- Check Values Project

NOW, THEREFORE, BE IT RESOLVED that Charles Sabatini, City Engineer, be authorized to act as the Authorized Representative to represent Ventnor in all matters relating to the projects undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted by mail at City Hall, South Cambridge & Atlantic Avenue, Ventnor, New Jersey 08406 or by phone at 609.823.7900.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to make applications to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust on behalf of the City of Ventnor.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 26 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 27 OF 2014 - REAPPOINT JAMES RUTALA PLANNING & GRANT ASSISTANCE**

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

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

WHEREAS, funds are available for this purpose; and

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

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

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

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

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

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 27 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 28 OF 2014 – REJECTION OF BIDS & AUTHORIZE REBID, REPAIR FLOORING, AMERICAN LEGION RM, 2ND FLOOR CITY HALL**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on January 23, 2014, at 11:30 AM, did receive three (3) bids for "REPAIR OF AMERICAN LEGION ROOM FLOOR"; and

WHEREAS, the bids have been reviewed and found the bid submitted by the low bidder was deficient in that it did not contain a valid and current Public Works Contractor Registration Form nor the required Consent of Surety; and

WHEREAS, the remaining two (2) bids exceeded the available funds for said project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter rejects all bids for the REPAIR OF AMERICAN LEGION ROOM FLOOR.

February 20, 2014

BE IT FURTHER RESOLVED that the City Engineer is herein and hereby authorized to prepare new specifications and rebid the project known as REPAIR OF AMERICAN LEGION ROOM FLOOR.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 28 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 29 OF 2014 – AMEND PAYMENT IN LIEU OF TAXES AGREEMENT WITH SHALOM TOWERS**

WHEREAS, Shalom Towers, Inc. is a private non-profit corporation organized under the laws of the State of New Jersey; and

WHEREAS, Shalom Towers, Inc. owns Shalom House, a non-profit rental housing project for elderly persons organized pursuant to Section 202 of the Federal Housing Act of 1959 as amended, known as “Shalom Towers,” which constitutes a “housing project” as defined by Section 3 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”); and

WHEREAS, Shalom House is a significant housing project and development within the Ventnor West Redevelopment Area and provides a valuable and beneficial service to the senior citizen community Ventnor; and

WHEREAS, N.J.S.A. 40A:12A-40 authorizes a public body to accept payments in lieu of taxes pursuant to an agreement for any period of years between a housing project and a public body, and

WHEREAS, the City of Ventnor City and Shalom Towers, Inc. previously entered into an agreement on February 21, 2002, that established a payment in lieu of taxes, which agreement was authorized pursuant to a December 6, 2001, resolution of the Commissioners of the City of Ventnor City and the agreement was extended by Resolution 123 of 2012 for a period of ten (10) years and whereas Shalom Towers has recently refinanced the their mortgage and thereby extended the term of financing which requires an extension to the payment in lieu of taxes agreement; and

WHEREAS, the ongoing decline in federal subsidies continues threaten the project's viability as a source of affordable rental housing for the City of Ventnor City's senior citizen community of moderate and low income; and

WHEREAS, the City of Ventnor City and Shalom Towers, Inc. have determined it is in their mutual best interest to revise the agreement in place between the parties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the City of Ventnor City is hereby authorized to enter into an agreement with Shalom Towers, Inc. for a payment in lieu of taxes in the annual amount of \$130,000.00, as permitted by law, effective immediately and continuing through January 1, 2049.

Cmr Kelly moved, seconded by Cmr Sarno that Resolution No 29 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$6,560,987.06 and payrolls from 1-11-14 to 1-24-14 in the amount of \$495,335.16, from 1-25-14 to 2-7-14 in the amount of \$481,905.98 and from 2-8-14 to 2-21-14 in the amount of \$485,719.83 for approval.

Cmr Sarno moved, seconded by Mayor Bagnell the bills & payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee report for February 2014: the Safety Committee met February 4th. 3 snow storm related incidents were reviewed: 1) a snow plow did minor damage to a vehicle 2) a police officer slipped and fell 3) a public works employee suffered a lower leg fracture attempting to connect a snow plow to a vehicle. The MEL safety institute classes for February and March were reviewed. A driving simulation program for fire, ems, and police responders is being used by the Fire dept. Public works held required training seminars in early January. A revised meeting schedule was distributed & will be sent to the safety director's office. The annual ACMJIF safety breakfast will take place February 13th.

MAYOR BAGNELL announced that due to ongoing city hall renovations, beginning March 13<sup>th</sup>, all commission workshops & meetings will be held in the auditorium at the VECC, 400 N Lafayette Ave. Workshops will begin at 4:00pm & commission meetings will begin at 6:00pm. These changes will continue until further notice. Please check the Ventnor City website for updates. The Mayor announced the Planning and Zoning Board meetings would also be moving the VECC.

**PUBLIC PORTION**

REV RONALD BRETHERICK, 6 S Sacramento referencing a letter sent to the Commission asking for a review of the sign ordinance as it relates to churches, asked what is the next step to get approval for a LED sign. Code Official JIMMIE AGNESINO responded their next step would be the Planning Bd who would review the Ordinance and make a recommendation to the Commission. A discussion of LED signs, what are they, possible hazards to motorists from flashing/changing messages, church signs vs commercial establishments, etc. ensued. The Mayor invited Rev Bretherick to call his office in the morning and set an appointment to discuss the topic in more detail.

ROBERT KONDROSKY, 228 N Suffolk asked when the City's flood insurance rating would decrease from a 7 to a 6 so the residents can get a larger discount on the flood insurance rates. The Mayor thought a review is due this spring, explained that ratings are based on accumulated credits and asked property owners to give the city copies of their elevation certificates to help the city attain additional credits. He further explained credit ratings are based on other factors such as raising bulkhead requirement, adoption of BFE Ordinance and adoption of a house raising Ordinance. Code Official Agnesino interjected the City should be reevaluated in April or May with another evaluation before the end of the year.

WAYNE COLEMAN, 604 N Somerset wished to address 2 subjects: 1) speaking on behalf of St John's By the Sea, he explained that different Congregations use the Church building and the LED sign would be used to show meeting times of each congregation. 2) Mr Coleman suggested using the area of the boardwalk adjacent to the Fishing Pier for the vending of food and beverages with the proceeds going to offset the cost of the Fishing Pier reconstruction bonds.

**6:30PM PUBLIC PORTION CLOSED**

There being no one further wishing to speak, Cmr Kelly moved, seconded by Cmr Sarno the Public Portion be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**6:30PM EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: *“The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matters to be discussed are: possible litigation and personnel matters.*

**7:30PM EXECUTIVE SESSION CONCLUDED**

Mayor Bagnell moved, seconded by Cmr Kelly the Board return to Regular Session.

Roll Call: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

Solicitor Weintrob reported that discussed in Executive Session were 1) an update on the contract for the Am Legion Room concrete floor leveling that was not award. The Commission has already voted to rebid that contract. 2) Potential litigation relating to Employee Health Insurance. More information must be gathered. 3) Personnel issues, particularly dividing some duties from the CFO to appropriate departments; revision of Personnel Policies Manual for uniformity in all areas; who will deal with the FMLA and insurance issues.

**MEETING ADJOURNED 7:32PM**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on March 20, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

**PRESENTATION BY AMERICAN RED CROSS**

BRITTANY MCDONALD, representing the Atlantic County Chapter of the American Red Cross gave a brief presentation explaining the importance of donating blood and asked those in attendance to sign up for the Ventnor Community Blood Drive to be held at the Community Building on Monday, March 24, 2014 from 3PM to 8PM.

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. No one wished to speak.

**MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Cmr Kelly the Minutes of the 2-20-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-01**

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE  
CITY OF VENTNOR AS THE SAME RELATES TO WATER USAGE

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-02**

AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE  
CITY OF VENTNOR AS THE SAME RELATES TO SEWERS

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-03**

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING  
CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR THE ACQUISITION  
OF VEHICLES FOR PUBLIC WORKS AND REAPPROPRIATING SUCH FUNDED APPROPRIATION  
BALANCES FOR ACQUISITION OF VARIOUS EQUIPMENT FOR PUBLIC WORKS

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-04**

AN ORDINANCE AMENDING CHAPTER 61 (ALCOHOLIC BEVERAGES)  
OF THE CODE OF THE CITY OF VENTNOR

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-05**

AN ORDINANCE AMENDING CHAPTER 81 (BOATING)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-06**

AN ORDINANCE AMENDING SECTION 105-2 (DOGS AND OTHER ANIMALS)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-07**

AN ORDINANCE AMENDING CHAPTER 181 (RENTAL PROPERTY)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-08**

AN ORDINANCE AMENDING CHAPTER 94 (CERTIFICATE OF LAND USE COMPLIANCE)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-09**

AN ORDINANCE AMENDING CHAPTER 149 (MERCANTILE LICENSING)  
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-10**

AN ORDINANCE AMENDING CHAPTER 173 (SALES ON PUBLIC BEACHES  
AND BOARDWALK) OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-11**

ESTABLISHING 2014 SALARIES, COMPENSATION & SALARY RANGES OF OFFICERS & EMPLOYEES  
OF THE CITY OF VENTNOR CITY & REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES  
HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HERewith

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - REPAIR FLOORING, AMERICAN LEGION RM, 2ND FLOOR CITY HALL**

Bid Opening: March 13, 2014 @ 11:00 AM

- 1. Coastal Land Contractors, Inc. \$54,756.00  
Pittsgrove, NJ 08318  
Bid Bond Attached  
Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - PART-TIME CONSTRUCTION INSPECTOR**

Date of Bid Opening: February 27, 2014 @ 11:00 AM

	Hourly Rate
1. Dull Enterprise, LLC Estell Manor, NJ 08319	\$ 40.00
2. Doran Engineering, PA Pleasantville, NJ 08232	\$ 44.00
3. Polistina Assoc., LLC Egg Harbor Twp., NJ 03234	\$ 60.00 - \$90.00
4. Remington Vernick & Walberg Engineers Pleasantville, NJ 08232	\$ 85.00
5. Fralinger Engineering, PA Bridgeton, NJ 08302	\$ 85.00
6. Morgan Construction Management, LLC Phila., PA 19144	\$105.00

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-12**

AN ORDINANCE AMENDING SECTION 115 FEES; FISHING PIER  
REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-12 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-13**

AN ORDINANCE AMENDING CHAPTER 72 "BEACHES" §72-3.  
"BADGE REQUIRED" OF THE CODE OF THE CITY OF VENTNOR CITY

CMR KELLY asked if Margate passed this Ordinance. The City Clerk reported that Margate was scheduled to introduce the same Ordinance this evening.

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-13 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-14**

CALENDAR YEAR 2014 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-14 be introduced.

CMR KELLY asked CFO ABODERIN to explain this Ordinance. The CFO explained this is a 2 in 1 ordinance introduced with the budget establishing a CAP bank and also allowing to exceed the allowable appropriation limit. She further explained Ventnor is not exceeding the 2% CAP and we will "bank" the difference.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-01**

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE CITY OF VENTNOR AS THE SAME RELATES TO WATER USAGE

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-01 be adopted.

Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

No: Commissioner Kelly

**FINAL READING AND ADOPTION OF ORDINANCE 2014-02**

AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE CITY OF VENTNOR AS THE SAME RELATES TO SEWERS

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-02 be adopted.

Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

No: Commissioner Kelly

**FINAL READING & ADOPTION OF ORDINANCE 2014-03**

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR THE ACQUISITION OF VEHICLES FOR PUBLIC WORKS AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR ACQUISITION OF VARIOUS EQUIPMENT FOR PUBLIC WORKS

Cmr Kelly moved, seconded by Cmr Sarno that Ordinance 2014-03 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-04**

AN ORDINANCE AMENDING CHAPTER 61 (ALCOHOLIC BEVERAGES) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-04 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-05**

AN ORDINANCE AMENDING CHAPTER 81 (BOATING) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-05 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-06**

AN ORDINANCE AMENDING SECTION 105-2 (DOGS AND OTHER ANIMALS) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-06 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-07**

AN ORDINANCE AMENDING CHAPTER 181 (RENTAL PROPERTY) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-07 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-08**

AN ORDINANCE AMENDING CHAPTER 94 (CERTIFICATE OF LAND USE COMPLIANCE) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-08 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-09**

AN ORDINANCE AMENDING CHAPTER 149 (MERCANTILE LICENSING) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-09 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-10**

AN ORDINANCE AMENDING CHAPTER 173 (SALES ON PUBLIC BEACHES AND BOARDWALK) OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-10 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-11**

ESTABLISHING 2014 SALARIES, COMPENSATION & SALARY RANGES OF OFFICERS & EMPLOYEES OF THE CITY OF VENTNOR CITY & REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH ESTABLISHING 2014 SALARIES, COMPENSATION AND SALARY RANGES

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-11 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly (with reservations) and Mayor Bagnell

**NEW BUSINESS**

**INTRODUCTION OF 2014 MUNICIPAL BUDGET**

The City Clerk read the Introduction of Ventnor City’s 2014 Municipal Budget with Total General Appropriations in the amount of \$30,934,239.00. The 2014 Municipal Budget Revenues and Appropriations Summaries will be advertised pursuant to law in the April 1, 2014 issue of the Press of Atlantic City. The Public Hearing of the Ventnor City 2014 Municipal Budget will be held on April 17, 2014 at 6:00pm at the Regular Commission Meeting.

The 2014 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.

Mayor Bagnell moved, seconded by Cmr Sarno the 2014 Municipal Budget be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**CONSENT AGENDA**

The City Clerk announced that Resolution No. 39 of 2014 was pulled from the agenda then asked the Commission if they had any comments on the items under consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 30 thru 38 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 30 OF 2014 – AUTHORIZE COOPERATIVE PURCHASING AGREEMENT WITH CRANFORD PD**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on March 20, 2014 the governing body of the City of Ventnor City, County of Atlantic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the CITY OF VENTNOR CITY.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the MAYOR is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 30 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 31 OF 2014 – AUTHORIZE COOPERATIVE PURCHASING AGREEMENT WITH SOMERSET CO**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Somerset County Cooperative Pricing System, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on March 20, 2014 the governing body of the City of Ventnor City, County of Atlantic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the CITY OF VENTNOR CITY.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the MAYOR is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

March 20, 2014

The Lead Agency shall be responsible for complying with the provisions of the., Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 31 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 32 OF 2014 – NAME STATE CONTRACT VENDORS**

WHEREAS, the City of Ventnor City, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the City of Ventnor City has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the City of Ventnor City intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED that the City of Ventnor City authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED that the governing body of the City of Ventnor City pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the City of Ventnor City and the Referenced State Contract Vendors shall be from January 1, 2014 to December 31, 2014.

<u>Vendor</u>	<u>Referenced State Contract Vendors</u> <u>State Contract #</u>	<u>Expiration Date</u>
A.E. Stone	82251 (Asphalt Concrete – Std HP Cold Patch)	08/31/2014
A E Stone	T-0142/80202 (Road & Highway Building Materials: Crushed Stone Sand & Gravel)	04/30/2014
	T-0155/79984 (Hot Mix Asphalt9 (HMA) Pick-Up, DOT)	03/31/2014
Battery Zone Inc.	83910 (Radio Communication Equipment & Accessories)	04/30/2018
Cargill	Atlantic County Cooperative	12/13/2014
CDW-G	70262 WSCA Contract (Data Comm. & Network Equipment)	08/31/2014
Chapman	79166/T-2760 (OEM Auto Parts & Accessories -Light Duty Vehicles)	06/25/2014
Central Jersey Equipment Inc.	76914/T-2187 (Parts & Repair of lawn & ground equip)	06/28/2014
Celebrity Ford	83013 (Vehicles & SUVs)	10/29/2014
Dell Marketing	70256/M-0483 (WSCA Computer Contract)	08/31/2014
	77033/M-0003 (Software License, Support, Maintenance & Related Services)	06/30/2015
Delaware Office Equipment	T-0109 (Radio Communication Equipment & Accessories)	04/30/2018
DFFLM	83557/T-2101 (Vehicles, Trucks, Class 3, Pick-up, Utility etc.)	02/18/2014
EB Fence LLC	74880/T-0640	05/31/2014
First Due Emergency	78931/T-0046 (Firefighter Protective Clothing & Equipment)	05/31/2014
Fastenal Company	79873/M-0002 (Industrial/MRO Supplies & Equipments)	02/28/2014
Garden State Highway Products	76835 (Breakaway U-Post Sign Support)	06/30/2014
	T0136 / 76455 Sign Blanks-Aluminum	04/30/2014
	T0120 / 81444 Sheeting-Reflective	04/30/2014
General Highway Products	78022/T-1529  (Traffic Devises: Signals, Poles, Controls & Parts etc)	11/30/2013

March 20, 2014

Giles and Ransome	69706 (Parts & Repairs: Road Maintenance Equipment)	10/28/2013
Goodyear	82527 / M-8000 (Tires & Tubes)	03/31/2015
Grainger	79875/M-0002 (Industrial/MRO Supplies & Equipments)	02/28/2014
Genuine Parts Company	73759 (Automotive Parts & Accessories)	03/17/2014
H A DeHart	73771 (Auto Parts & Accessories - Heavy Duty Vehicles)	03/17/2014
Jasper Engines & Transmissions	73735 (Auto Parts & Accessories -Heavy Duty Vehicles)	03/17/2014
JC Miller AKA:NAPA	73739 (Auto Parts & Accessories - Heavy Duty Vehicles)	03/17/2014
Kovatch Mobile Equipment	83151/G-8035 (Firefighting Vehicles)	12/10/2017
Kyocera Mita	64048/T-437A (Copiers – Cost/Copy)	08/31/2014
Lawman Supply	82100 81295 81325 (Police & Homeland Security Equipment & Supplies)	04/30/2015 04/30/2015 04/30/2015
Liberty Parks & Playgrounds	81432/T-0103 (Park & Playground Equipment, Parts & Install)	05/14/2015
Nat Alexander & Co, Inc.	T-0790 (Firefighter Protective Clothing & Equipment)	03/31/2015
Motorola Solutions	T-0109/83909 (Radio Communication Equipment & Accessories)	04/30/2018
Municipal Equipment & Enterprises	81332/T-0106 (Police & Homeland Security Equipment & Supplies)	04/30/2015
Orchards	85851 (Parts & Repairs: Road Maintenance Equipment)	01/29/2017
Pedroni Fuel	80910/T-0083 (Gasoline, Automotive)	02/28/2015
Quality Communications	83904	04/30/2018
Sherwin Williams Co. Inc	82236/T-0927 (Paint & Related Supplies)	07/31/2014
Sprint	76482/T2380 (Telecom & Relay Services)	03/31/2014
Staples	77249/M0052 (Office Supplies) M-9802 (WSCA Contract)	07/31/2014 01/04/2015
Tactical Public Safety	T-0109 (Emergency Radio/Telephone Systems)	04/30/2018
Trico	76917 (Repair & Parts for Lawn & Ground Equipments)	06/28/2014
Tri County Pest Control	T2095/81119 (Pest Control Services Non Residential Statewide)	04/30/2015
Vineland Auto Electric	73720 (Auto Parts & Accessories -Heavy Duty Vehicles)	03/17/2014
Winner Ford	83012/T-2007 (Vehicles SUVs)	10/29/2014
	82925/T-2776 (Police Vehicles: Sedans & SUVs)	10/24/2014
Work Area Protection Corp	82543 (Traffic Safety Products)	02/29/2016

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 32 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 33 OF 2014 – AWARD CONTRACT, REPAIR FLOOR, AM LEGION RM, 2ND FL CH**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on March 13, 2014, at 11:00 AM, did receive one (1) bid for “REPAIR OF AMERICAN LEGION ROOM FLOORING”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for the REPAIR OF AMERICAN LEGION ROOM FLOORING to Coastal Land Contractors, Inc. in the total Amount of \$54,756.00.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 33 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 34 OF 2014 – AMEND TEMPORARY BUDGET**

GENERAL GOVERNMENT FUNCTIONS	CURRENT FUND			
	FCOA	2014 Temporary Budget	Amended Amount	Amended Temporary Budget
City Administrator				
Salaries and Wages	20-100-010	19,050.00	12,908.00	31,958.00
Mayor's Office				
Salaries and Wages	20-110-010	15,430.00	14,570.00	30,000.00
Other Expenses	20-110-020	4,000.00	3,000.00	7,000.00
Finance Commissioner				
Salaries and Wages	20-112-010	2,700.00	2,300.00	5,000.00
Other Expenses	20-112-020	0.00	0.00	0.00
Public Works Commissioner				
Salaries and Wages	20-114-010	2,700.00	2,300.00	5,000.00
Other Expenses	20-114-020	0.00	0.00	0.00
City Clerk				
Salaries and Wages	20-120-010	20,000.00	19,000.00	39,000.00
Other Expenses	20-120-020	11,800.00	2,200.00	14,000.00
Revision/Codification of Ordinances	20-120-300	2,300.00	0.00	2,300.00
Election Expenses	20-120-400	2,200.00	0.00	2,200.00
Financial Management				
Salaries and Wages	20-130-010	65,000.00	52,565.00	117,565.00
Other Expenses	20-130-020	14,500.00	9,000.00	23,500.00
Auditing Fees	20-131-020	13,000.00	17,000.00	30,000.00
Information Technology				
Salaries and Wages	20-140-010	11,400.00	19,600.00	31,000.00
Other Expenses	20-140-020	10,000.00	30,000.00	40,000.00
Collection of Taxes				
Salaries and Wages	20-145-010	21,000.00	19,000.00	40,000.00
Other Expenses	20-145-020	3,600.00	3,400.00	7,000.00
Assessment of Taxes				
Salaries and Wages	20-150-010	20,000.00	15,000.00	35,000.00
Other Expenses	20-150-020	3,800.00	2,700.00	6,500.00
Legal Services Costs				
Salaries and Wages	20-155-010	0.00	0.00	0.00
Other Expenses	20-155-020	54,500.00	45,500.00	100,000.00
City Engineer				
Salaries and Wages	20-165-010	0.00	50,000.00	50,000.00
Other Expenses	20-165-020	0.00	32,000.00	32,000.00
Planning Board				
Salaries and Wages	20-180-010	700.00	400.00	1,100.00
Other Expenses	20-180-020	2,200.00	7,660.00	9,860.00
Zoning Commission				
Salaries and Wages	21-185-010	800.00	450.00	1,250.00
Other Expenses	21-185-020	4,000.00	3,950.00	7,950.00
Construction Code				
Salaries and Wages	22-195-010	62,000.00	58,000.00	120,000.00
Other Expenses	22-195-020	1,000.00	2,000.00	3,000.00
Housing Code				
Salaries and Wages	22-196-010	16,000.00	11,000.00	27,000.00
Other Expenses	22-196-020	1,000.00	2,000.00	3,000.00
Electrical & Plumbing Inspections				
Salaries and Wages	22-197-010	2,300.00	4,700.00	7,000.00
Other Expenses	22-197-020	0.00	0.00	0.00
Borough of Longport-UCC				
Salaries & Wages	22-198-010	8,500.00	6,500.00	15,000.00
Other Expense	22-198-020	1,300.00	1,700.00	3,000.00
INSURANCE			0.00	
Other Insurance Premiums	23-211-000	66,000.00	0.00	66,000.00
Worker Compensation Insurance	23-215-000	200,000.00	259,312.00	459,312.00
Health Insurance	23-220-000	570,000.00	930,000.00	1,500,000.00
Health Insurance Waiver	23-221-000	0.00	46,812.00	46,812.00
Police				
Salaries and Wages	25-240-010	871,190.00	1,108,080.00	1,979,270.00
Other Expenses	25-240-020	26,380.00	95,075.00	121,455.00
Radio & Communication				
Salaries and Wages	25-250-010	116,190.00	124,810.00	241,000.00
Other Expenses	25-250-020	6,530.00	9,470.00	16,000.00
Office of Emergency Management				
Salaries and Wages	25-252-010	21,720.00	20,280.00	42,000.00
Other Expenses	25-252-020	2,730.00	3,270.00	6,000.00

March 20, 2014

Fire Department				
Salaries and Wages	25-255-010	1,012,750.00	987,250.00	2,000,000.00
Other Expenses	25-255-020	22,700.00	49,300.00	72,000.00
Uniform Fire Safety				
Other Expenses	25-265-020	1,560.00	1,440.00	3,000.00
Streets & Roads				
Salaries and Wages	26-290-010	105,000.00	115,000.00	220,000.00
Other Expenses	26-290-020	13,600.00	13,400.00	27,000.00
Electrical Division				
Salaries and Wages	26-300-010	30,770.00	25,230.00	56,000.00
Other Expenses	26-300-020	5,160.00	2,340.00	7,500.00
Solid Waste/Recycling				
Salaries and Wages	26-305-010	10,000.00	10,000.00	20,000.00
Other Expenses	26-305-020	300,000.00	250,000.00	550,000.00
Building & Grounds				
Salaries and Wages	26-310-010	44,000.00	55,000.00	99,000.00
Other Expenses	26-310-020	41,500.00	9,657.00	51,157.00
Beach & Boardwalk	26-310-303	0.00	0.00	0.00
Motor Vehicle Maintenance				
Salaries and Wages	26-315-010	64,000.00	30,000.00	94,000.00
Other Expenses	26-315-020	12,600.00	14,400.00	27,000.00
Dog Control	27-340-020	2,100.00	2,100.00	4,200.00
Recreation				
Salaries and Wages	28-370-010	43,000.00	32,000.00	75,000.00
Other Expenses	28-370-020	45,000.00	19,079.00	64,079.00
Beach Patrol				
Salaries and Wages	28-380-010	105,500.00	0.00	105,500.00
Other Expenses	28-380-020	5,000.00	24,250.00	29,250.00
Beach Control				
Salaries and Wages	28-381-010	0.00	20,000.00	20,000.00
Other Expenses	28-381-020	5,000.00	0.00	5,000.00
Celebration of Public Events	30-420-299	0.00	5,000.00	5,000.00
Utility Expenses				
Electricity	31-430-000	147,000.00	153,000.00	300,000.00
Telephone	31-440-000	15,000.00	35,000.00	50,000.00
Natural Gas	31-446-000	30,000.00	30,000.00	60,000.00
Gasoline	31-460-000	23,700.00	56,300.00	80,000.00
Terminal Leave	32-400-011	0.00	200,000.00	200,000.00
STATUTORY EXPENDITURES				
Contribution to:				
Public Employees Retirement System of NJ	36-471-000	85,000.00	341,189.00	426,189.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00	54,625.00	115,000.00
Unemployment	36-473-000	31,500.00	8,500.00	40,000.00
Consolidated P&FRS	36-474-000	2,000.00	19,861.00	21,861.00
Police & Firemens Retirement System NJ	36-475-000	400,000.00	1,447,983.00	1,847,983.00
Medicare Insurance	36-476-000	36,750.00	25,750.00	62,500.00
Lifeguard Pension Fund	36-477-000	0.00	0.00	0.00
Defined Contribution Retirement Plan	36-480-000	2,100.00	(1,600.00)	500.00
Municipal Court				
Salaries and Wages	43-490-010	48,000.00	22,000.00	70,000.00
Other Expenses	43-490-020	2,000.00	10,700.00	12,700.00
Prosecutor				
Salaries and Wages	43-492-010	8,200.00	7,300.00	15,500.00
Public Defender				
Salaries and Wages	43-495-010	2,400.00	2,000.00	4,400.00
MUNICIPAL DEBT SERVICE				
Bond Principal - General	45-920-000	250,000.00	1,025,000.00	1,275,000.00
Bonds Interest - General	45-930-000	212,000.00	236,667.00	448,667.00
Special Emergency Bonds		0.00	0.00	0.00
Green Trust Loan	45-940-000	31,000.00	92.00	31,092.00
Bond Principal - School	48-920-000	500,000.00	600,000.00	1,100,000.00
Bond Interest - School	48-930-000	200,000.00	165,833.00	365,833.00
Interest on BAN	45-935-000	0.00	29,920.00	29,920.00
		\$6,233,785.00	\$9,183,078.00	\$15,416,863.00

WATER/SEWER UTILITY FUND

GENERAL GOVERNMENT FUNCTIONS	FCOA	2014 Temporary Budget	Amended Amount	Amended Temporary Budget
Operating				
Salaries and Wages	55-501-010	\$292,000.00	\$233,000.00	525,000.00
Other Expenses	55-502-020	\$300,000.00	\$313,000.00	613,000.00
ACUA Sewer Shared Costs	55-502-300	\$400,000.00	\$400,000.00	800,000.00
STATUTORY EXPENDITURES				
Contribution to:				
Unemployment	55-542-000	265.00	\$485.00	750.00

				March 20, 2014	
Social Security System (O.A.S.I.)	55-541-000	20,000.00	\$20,000.00	40,000.00	
Defined Contribution Retirement	55-543-000	0.00	\$1,500.00	1,500.00	
Plan					
<b>CAPITAL IMPROVEMENTS</b>					
Capital Improvement Fund	55-512-000	75,000.00	(\$75,000.00)	0.00	
<b>MUNICIPAL DEBT SERVICE</b>					
Bond Principal	55-520-000	155,000.00	\$545,000.00	700,000.00	
Interest on Notes	55-522-000	19,745.00	(\$19,745.00)	0.00	
Interest on Bonds	55-523-000	23,025.00	\$494,110.00	517,135.00	
		\$1,285,035.00	\$1,912,350.00	\$3,197,385.00	

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 34 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 35 OF 2014 – AWARD CONTRACT, PART-TIME CONSTRUCTION INSPECTOR**

WHEREAS, the City of Ventnor has determined that has determined that a part time construction inspector is needed to assist the city engineer in administering the City’s construction projects; and

WHEREAS, the City of Ventnor approved Resolution 198 of 2013 which allowed for City to publish and advertisement for Qualifications for the part time construction inspector and;

WHEREAS, the City of Ventnor did publish said advertisement the official paper, the Atlantic City Press on February 6, 2014 and;

WHEREAS, the Municipal Clerk of the City of Ventnor received in her office on February 27, 2014 at 11:00 AM did receive six (6) responses to the Request for Proposal and;

WHEREAS, the qualifications have been reviewed by the city engineer and found to be complete and in compliance with the City’s request for qualifications;

WHEREAS, the City of Ventnor having carefully considered that matter and relying substantially on the recommendations of Charles Sabatini, City Engineer, finds that Doran Engineering, 840 N. Main Street, Pleasantville, New Jersey, 08232 has the necessary expertise, training and proven reputation in the field of building inspection and construction management that is critical and essential to assisting the City Engineer in administering the City of Ventnor’s construction projects; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor that it hereinafter award the Contract for a part-time construction inspector to Doran Engineering, 840 N. Main Street, Pleasantville, New Jersey, 08232 for a two (2) year contract at an hourly rate of \$44.00 per hour, not to exceed \$20,000 per year.

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

BE IT FURTHER RESOLVED that a Certification by Thomas Russo, Business Administrator of the City of Ventnor shall be attached hereto setting forth the reasons supporting the extraordinary unspecifiable services exceptions to the bidding requirements as set forth in N.J.S.A.40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED that a copy of this Resolution shall be posted in the City of Ventnor’s official newspaper which shall include language that the resolution, certification and contract shall be on file in the City of Ventnor’s Clerk’s office for review.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 35 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 36 OF 2014 – AUTHORIZE EXTENSION OF ATL CO NUTRITION SITE LEASE**

WHEREAS, Atlantic County presently leases a portion of the Ventnor City Community Building located at Newport and Atlantic Aves for their Nutrition Program for senior adults; and

WHEREAS, Atlantic County and the City of Ventnor City desire to renew said lease for an additional two year period.

NOW, THERFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the Mayor to sign the lease agreement with the County of Atlantic for an additional two year term beginning January 1, 2014 until December 31, 2015.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 36 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 37 OF 2014 – AUTHORIZE RECYCLING TONNAGE GRANT APPLICATION**

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

March 20, 2014

Ventnor City to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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 2014 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 Bagnell moved, seconded by Cmr Kelly Resolution No 37 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 38 OF 2014 – AUTHORIZE APPLICATION FOR 2014 MUNICIPAL ALLIANCE GRANT**

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

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

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

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

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

1. The City of Ventnor Board of Commissioners does hereby authorize submission of a strategic plan for the Ventnor City Municipal Alliance grant for the calendar year 2014 in the amount of:

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

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 38 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$2,256,115.76 and payrolls from 2-22-14 to 3-7-14 in the amount of \$479,332.82 and from 3-8-14 to 3-21-14 in the amount of \$506,456.47 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills & payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following announcements:

- A) The Safety Committee met on March 4th. No claims were reported in February. Informational cd’s were distributed at the recent safety meeting. Highlights were discussed & copies will be distributed to all depts. One objective of the JIF safety director’s office is to have no PEOSHA citations for not having written safety programs. Templates are on this disk & can be completed & centralized by the designated PEOSHA officer. Another initiative is “root cause analysis” of claims utilizing standardized forms also on the disks. Also discussed was additional training available on line at the NJMEL site, with elected officials training being added. ACMJIF & NJMEL websites are being updated constantly & provide information on insurance programs. Due to city hall construction, our next meeting (April) will be held at the public works garage.
- b) Thanks to efforts of JIF fund Cmr Jim Goos, Safety Coordinator Tom Klein, Claims Coordinator Julie Harron & all employees who played a role in the 2013 safety incentive program, the City earned \$1500 to be used for recognition of the employees’ safety accomplishments.

**PUBLIC PORTION**

LINDA KAPLAN, 12 N Wissahickon 1) referenced discussion at last workshop regarding charging fee for fire dept to shut off water but also fee when fire equipment goes out on fire calls. SOLICITOR WEINTROB explained while researching question of water shut off fee, they found trend in fire depts. throughout country is to charge fee when heavy equipment is sent to fires. The city is definitely considering water shut off fee but will be discussing with the Mayor and Fire Chief other charges. 2) said she spoke with CFO and was told tax rate is increasing \$.05.3/\$100, not including school and county taxes - sounds like a lot of money. 3) Asked if the City decided not to hire the Health Insurance consultant. SOLICITOR WEINRTOB explained proposal was received yesterday (3.19.14) afternoon at 3:45pm. Commission and Solicitor did no have time to review prior to meeting therefore not right to vote on appointment. It will be on for vote once proposal has been reviewed. In response to Ms. Kaplan’s query on the need for the consultant, the Mayor stated the vision and dental plans are not part of the State Health Benefits program.

JOAN GLICK, 906 N Cornwall and LEE METZMAN, 109 S Harvard spoke on behalf of sailboat licensees. They extolled the presence of sailboats on the beach stressing safety as well a beauty. They emphasized the risks of taking boats on and off beach in high winds and explained measures taken by the sailboat operators to secure boats. They encouraged the Commission to consult boat operators, in particular Joe Tosh if amendments to boating ordinances are proposed. In response, CMR

March 20, 2014

SARNO reported he met with Joe Tosh, beach patrol and public works. The biggest concerns occur during storms with high tides. When beach equipment is removed, the entire beach should be cleared. The Cmr admitted the wind thresholds are low and will be reexamined. He invited sailboat owners to give their concerns and ideas to Joe Tosh and assured all they would be included in any discussions.

CAROLYN DUGAN, 213 N Fredericksburg asked for the time period for fixing the Ventnor Gardens Pump Station. MAYOR BAGNELL reported ACUA engineers are presently designing the project then the bidding process would begin. He could not give a definite time for completion. MS DUGAN then asked the status of the Fishing Pier Green Acres funds. The Solicitor reported Mr Applegate (NJ Green Acres) sent correspondence to the City Engineer last week requesting an extensive list of additional information. She has been trying to reach Mr Applegate for further direction but so far has been unsuccessful.

#### **6:36PM PUBLIC PORTION CLOSED**

There being no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed and the Commission go into Executive Session.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: *"The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matters to be discussed are: personnel issues.*

#### **6:41PM NEGOTIATIONS WITH EMPLOYEE UNIONS REGARDING HEALTH BENEFITS**

Present: Mayor Bagnell, Cmr Sarno and Kelly, City Clerk Callaghan, Adm Russo and Solicitor Weintrob  
The Solicitor reported on the meeting held 3.18.14 with Mr. Terrence Flynn attended by Cmr Kelly, Mngt Specialist Quirk, Adm Russo, CFO Aboderin and herself relating to the new Employee Health Benefits Program and the grievance filed by the employee unions relative to such. She explained that she would be taking over all negotiating with the unions regarding their requests since Mr Flynn has not yet been named as broker. A report of such negotiations will be presented at an executive session to be held after the 4.10.14 Commission Workshop.

#### **6:45PM REPORT FROM INDEPENDENT COUNSEL REGARDING EVENTS SURROUNDING CITY'S INVOLVEMENT WITH SANDSTOCK, INC. AND/OR LATIN FREESTYLE BEACH FESTIVAL**

Present: Mayor Bagnell, Cmr Sarno & Kelly, City Clerk Callaghan, Adm Russo, Solicitor Weintrob and Frank Corrado, Esq. Solicitor Weintrob introduced Mr. Frank Corrado, Esq who clarified his report is not a statement of how the facts are - it is a statement of what he believes the facts support if a claim was made or there was a hearing before a hearing officer. He asked the Commissioners if they had anything to say about the report. MAYOR BAGNELL explained his reason for appointing a Management Specialist, i.e. deal with public and answer their questions, do "footwork" for various projects then described some programs handled by the Management Specialist, i.e. Memorial Bench program, Intern program, Coastal Coalition. The Mayor gave a summary of the events that brought the festival organizer to him.

MR CORRADO explained the inappropriateness of the Mayor voting on any disciplinary action in this matter or for Solicitor Weintrob to be in the room incase this matter comes to a hearing since she would be called as a witness. He continued by saying the report says nothing about the extent of disciplinary action to be taken - this is a decision of Cmr Sarno and Kelly after considering the seriousness of the issue, if the actions were deliberate or not and whether there was misleading on part of event coordinator. The Mayor concluded by saying the Management Specialist acted on his directive in this matter.

Mayor Bagnell and Solicitor Weintrob left the room and discussion continued. MR. CORRADO reiterated his finding and recommendations, explained the differences between Major and Minor discipline and directed Cmr Sarno and Kelly that it is their decision to determine what discipline, if any is appropriate. CMR SARNO requested additional time to re-read the report before discussing any disciplinary action. MR CORRADO cautioned that a decision should be made timely. It was decided a special executive session would be held following the 4.10.14 workshop meeting at which time Cmr Sarno and Kelly would make a decision. The Cmr Sarno requested Mr Corrado be present on 4.10.14. The City Clerk will post and send a Sunshine notice to the newspapers notifying the public a special executive session will be held indicating that formal action may be taken. Before returning to Open Session, MR CORRADO reminded the Cmr Sarno his Report is still confidential and will remain so at least until their decision is rendered. Cmr Kelly moved, seconded by Cmr Sarno the Board return to Regular Session.

#### **7:35PM EXECUTIVE SESSION CONCLUDED**

SOLICITOR WEINTROB reported that discussed in Executive Session was a personnel issues related to health insurance which she will be looking into. The second issue discussed related to the report prepared by Mr Corrado dealing with the Latin Festival. She noted that she and Mayor Bagnell were not present for this discussion and deferred to Mr Corrado. MR CORRADO reported no official action was taken and the Commission wished to further review the Report and will discuss it again at an executive session immediately following the 4.10.14 workshop at which time action may be taken.

#### **7:40 PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Kelly moved, seconded by Mayor Bagnell the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on April 17, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. No one spoke.

**MOTION TO APPROVE MINUTES**

Comr Kelly moved, seconded by Comr Sarno the Minutes of the 3-20-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**PUBLIC HEARING – 2014 MUNICIPAL BUDGET**

Mayor Bagnell announced the public hearing was open and asked if anyone had any questions or comments on the Budget.

There being no one wishing to be heard, Mayor Bagnell moved, seconded by Comr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-12**

AN ORDINANCE AMENDING SECTION 115 FEES; FISHING PIER  
REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Comr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-13**

AN ORDINANCE AMENDING CHAPTER 72 "BEACHES" §72-3.  
"BADGE REQUIRED" OF THE CODE OF THE CITY OF VENTNOR CITY

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Comr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-14**

CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Comr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING - CITY HALL ASBESTOS & MASTIC REMEDIATION**

Date of Bid Opening: April 8, 2014 @11:00 AM

Bid Opened By: Janice K. Callaghan, RMC, City Clerk

1. Mid-Atlantic Abatement, LLC	Base: \$ 63,700.00
Cherry Hill, NJ 08003	Alt 1: \$200,400.00
Bid Bond Attached	

2. AbateTech, Inc	Base: \$168,000.00
Lumberton, NJ 08048	Alt 1: \$254,000.00
Bid Bond Attached	

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Mayor Bagnell moved, seconded by Comr Sarno the Report be received and filed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-15**

AN ORDINANCE AMENDING CHAPTER 214 VEHICLES AND TRAFFIC,  
PART 1 TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

Mayor Bagnell moved, seconded by Comr Kelly that Ordinance 2014-15 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-16**

AN ORDINANCE AMENDING CHAPTER 217 PARKING OF VEHICLES, ARTICLE V,  
ON-STREET HANDICAPPED PARKING OF THE CODE OF THE CITY OF VENTNOR

Comr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-16 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-12**

AN ORDINANCE AMENDING SECTION 115 FEES; FISHING PIER REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-12 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014- 13**

AN ORDINANCE AMENDING CHAPTER 72 “BEACHES” §72-3. “BADGE REQUIRED” OF THE CODE OF THE CITY OF VENTNOR CITY

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-13 be adopted.  
Roll Call Vote: Yeas: Commissionersr Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2014-14**

CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-14 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RECEIPT OF 2013 MUNICIPAL AUDIT REPORT**

Mayor Bagnell moved, seconded by Cmr Kelly, the 2013 Municipal Audit Report be received and filed according to law.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 40 OF 2014 – AUTHORIZE READING OF BUDGET BY TITLE ONLY**

WHEREAS, NJSA 40A:4-8 as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 40 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 49 OF 2014 – AMENDING 2014 MUNICIPAL BUDGET**

WHEREAS, the local municipal budget for the year 2014 was approved on the 20th day of March, 2014 and  
WHEREAS, the public hearing on said budget has been held as advertised, and  
WHEREAS, it is desired to amend said approved budget, now  
THEREFORE BE IT RESOLVED, by the City Commissioners of the City of Ventnor City, County of Atlantic that the following amendments to the approved budget of 2014 be made:

	<u>From</u>	<u>TO</u>
<b>Current Fund</b>		
Anticipated Revenues		
6. Amount ot be Raised by Taxes for Support of Municipal Budget		
a) Local Tax for Municipal Purposes including Reseerve for Uncollected Taxes	20,685,494	20,598,725
Total Amount to be Raised by Taxes for Support of Municipal Budget	22,151,327	22,064,558
7. Total General Revenues	<u>30,934,239</u>	<u>30,847,470</u>
8. General Appropriations		
Deferred Charge and Statutory Expenditures		
Deficit in Law Enforcement Trust	0	2,355
Contribution to:		
Police and Firemen's Retirement System of NJ	1,847,983	1,764,074
	<u>2,771,499</u>	<u>2,689,945</u>
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	22,980,845	22,899,291
(L) Subtotal General Appropriations	<u>27,829,994</u>	<u>27,748,440</u>
(M) Reserve for Uncollected Taxes	3,104,245	3,099,030
9. Total General Appropriations	<u>30,934,239</u>	<u>30,847,470</u>

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 49 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ADOPTION OF 2014 MUNICIPAL BUDGET**

The 2014 Municipal Budget as introduced on March 20, 2014 and amended on April 17, 2014 appears on the following pages.

Mayor Bagnell moved, seconded by Cmr Sarno the 2014 Municipal Budget be adopted.  
Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell  
No: Commissioner Kelly

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 41 thru 48 of 2014 by consent agenda.

Regarding Res.48-14, CMR KELLY asked for confirmation of the following: 1) will this Health Benefits Administrator be doing everything the previous administrators did and can the employees call them with any health benefits related problems? 2) Will he be paid \$25,000 this year? Solicitor Weintrob confirmed both.

Regarding Res 44-14, Solicitor Weintrob advised the Commission their vote is contingent upon receiving the revised exhibit (8' license area). The Hold Harmless Agreement will not be signed until said exhibit is received.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 41 thru 48 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 41 OF 2014 – AUTHORIZE PARTICIPATION IN SAFE AND SECURE COMMUNITIES PROGRAM**

WHEREAS, the City of Ventnor City wishes to apply for funding of approximately \$60,000 with a match of \$60,000 for an approximate project total cost of \$120,000 for a project under the State of New Jersey 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.

Grant#P-6163-14

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 41 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 42 OF 2014 – AUTHORIZE EMERGENCY RFP'S FOR CITY HALL ASBESTOS & MASTIC REMEDIATION**

WHEREAS, a need has arisen for Asbestos Abatement in Ventnor City Hall within the City of Ventnor;

WHEREAS, the need for same was deemed an emergency by the Municipal Engineer wherein the health, welfare and safety of citizens of Ventnor City could be jeopardized without the Asbestos Abatement;

WHEREAS, N.J.S.A. 40A:11-6 allows for proposals to be received based on a declared emergency; and

WHEREAS, the Chief Financial Officer has determined that funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED, that the Board of Commissioners of the City of Ventnor authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "City Hall Asbestos Abatement" to be awarded to the lowest responsible bidder.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 42 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 43 OF 2014 – CLOSE PLANNING/ZONING ESCROW ACCOUNT**

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

WHEREAS, the following developers have paid said fees, and

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

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

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

<u>Name</u>	<u>Property Address</u>	<u>Block/Lot</u>	<u>Remaining Balance</u>
Bruce Lesser	102 S. Melbourne Ave	10/8	\$808.44

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 43 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

April 17, 2014

**RESOLUTION NO. 44 OF 2014 – AUTHORIZE LICENSE & HOLD HARMLESS AGREEMENT, 7311 VENTNOR**

WHEREAS, Caroline Till is the contract purchaser of Lot 6 in Block 135, known as 7311 Ventnor Ave, Ventnor City, Atlantic County, New Jersey; and

WHEREAS, Caroline Till has requested permission to use and maintain an area of air space above City owned property adjacent to 7311 Ventnor Ave which area is not currently utilized by the City; and

WHEREAS, The City has evaluated this request and determined that the license area is not currently utilized, the request for use of the License area is reasonable, it will not impact the City's use of any of its other property or negatively impact the public at large and will help promote new commercial activity in the City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City, Atlantic County, New Jersey, herein grants a License to maintain the License area subject to the terms and condition as set forth in the agreement attached hereto and made a part hereof.

BE IT FURTHER RESOLVED Caroline Till will indemnify and hold harmless the City of Ventnor City as specified in said agreement and shall deliver to the City certificates evidencing general liability insurance naming the City as an additional insured in amounts not less than One Million (\$1,000,000) Dollars .

This resolution shall take effect immediately upon passage.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 44 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 45 OF 2014 – AMEND CONTRACT WITH JAMES RUTALA TO INCLUDE PREPARATION OF REPORT TO DETERMINE AREAS IN NEED OF REHABILITATION PURSUANT TO NJSA 40A:12A-14**

WHEREAS, the City of Ventnor City entered into a contract (hereinafter "Contract") with James M. Rutala Associates, LLC (hereinafter "Rutala") on March 20, 2014, to provide planning and grant services;

WHEREAS, it is the desire of the City of Ventnor City Board of Commissioners and Rutala that the Contract be and is hereby amended:

1. To expand the scope of work to include planning and redevelopment, specifically the preparation of a report determining areas of the City in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14;
2. All provisions of the Contract which are not expressly modified in this Rider shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the Mayor to execute a Rider to the Contract with James M. Rutala Associates, LLC, so as to expand the scope of work to include planning and redevelopment services for the City.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 45 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 46 OF 2014 – TAX OVERPAYMENT REFUND**

WHEREAS, the 2014 tax on Block 187, Lot 2 assessed to Robert and Colleen Boselli and known as 205 N Melbourne Ave, Ventnor, NJ was overpaid in the amount of \$1,988.66 due to a 100% Veteran Exemption for the year 2014; and

WHEREAS, Ocwen Loan Servicing, PO Box 961219, Fort Worth, Texas 76161-0219 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 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 Bagnell moved, seconded by Cmr Sarno Resolution No 46 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 47 OF 2014 – AWARD CONTRACT, CITY HALL ASBESTOS & MASTIC REMEDIATION**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on April 8, 2014, at 11:00 AM, did receive bids for "CITY HALL ASBESTOS & MASTIC REMEDIATION"; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for CITY HALL ASBESTOS & MASTIC REMEDIATION to Mid-Atlantic Abatement, LLC for the Alternate Bid No. 1 in the total Amount of \$200,400.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 47 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 48 OF 2014 – APPOINT PROFESSIONAL BENEFIT CONSULTANTS, INC AS BROKER OF RECORD TO ADMINISTER EMPLOYEE HEALTH BENEFITS**

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City") has a need to engage a professional specializing in health insurance coverage to assist it to provide health insurance coverage to its employees; and

WHEREAS, the firm Professional Benefit Consultants, Inc., of Northfield, New Jersey is a recognized firm specializing in health insurance coverage and is able to assist the City in such matters; and

April 17, 2014

WHEREAS, Public Law 2005, Chapter 51 authorizes the City to appoint Professional Benefit Consultants, Inc. as Health Insurance Broker without advertising for bids since the services to be provided are professional in nature.

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

- (1) The preamble hereof is incorporated herein as though fully set forth at length.
- (2) Professional Benefit Consultants, Inc of Northfield, New Jersey is hereby appointed as Health Insurance Broker for the City.
- (3) The Mayor and the City Clerk are hereby authorized and directed to execute, on behalf of the City, an agreement with Professional Benefit Consultants, Inc. to engage the firm for the provision of said health insurance broker services.
- (4) The City Clerk is hereby authorized and directed to have a notice satisfying the requirements of the Local Public Contracts Law, published in a newspaper authorized by law to publish the legal advertisements of the City.
- (5) All resolutions, or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.
- (6) This resolution shall take effect immediately upon adoption.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 48 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$5,191,118.24 and payrolls from 3-22-14 to 4-04-14 in the amount of \$567,668.50 and from 4-05-14 to 4-18-14 in the amount of \$496,775.23 for approval.

Cmr Kelly moved, seconded by Mayor Bagnell the bills & payrolls be approved.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report:

“The Safety Committee met on April 1st with all departments represented. 9 claims were reported: 7 workers comp claims 2 of which resulted in time lost & 2 minor auto liability incidents. Mel training was clarified. 1) MSI courses offered at various sites requiring employee travel or via videos, which can be viewed on site without travel; 2) “regional” training courses must be attended for participation in the safety incentive program; 3) njmel.org has on line training courses. Copies of safety disks were distributed. These include accident review formats & PEOSHA templates. Lastly, the public officials liability and employment practices liability policy requires a completed check off sheet prior to May 1st to maintain coverage deductibles and co insurance limits, retroactive to January 1. The required “offer” for available training on NJMEL web site will appear on employee paychecks”.

#### **PUBLIC PORTION**

Mayor Bagnell asked if anyone from the Public wished to speak.

There being no one wishing to be heard, Cmr Kelly moved, seconded by Cmr Sarno the Public Portion be closed and the Commission go into Executive Session.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **6:15PM EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: *“The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matter to be discussed is Modification to Collective Bargaining Agreements. Action may be taken.*

SOLICITOR WEINTROB explained the need to amend the collective bargaining agreements and meetings she and Terry Flynn (Health Benefits Administrator) had with representatives of the various unions. Certain coverage under AmeriHealth is not included under the State Plan and since the agreements state the City must provide “similar” coverage, the amendment is needed. A “Matching Letter” was drafted and accepted by all Unions. The Solicitor went over all points of the agreement. After discussing the various issues, the Commission agreed the “Matching Letter” was acceptable.

Cmr Kelly moved, seconded by Mayor Bagnell the Executive Session be closed and they return to Open Session.

#### **6:52PM EXECUTIVE SESSION CONCLUDED**

MAYOR BAGNELL reported that discussed during Executive Session were modifications to the Collective Bargaining Agreements with the various City employee unions regarding changes in health benefits coverage and the agreement to reimburse out of pocket expenses previously covered.

Mayor Bagnell moved, seconded by Cmr Kelly to adopt the addendum to the Collective Bargaining Agreements.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **6:54 PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Kelly moved, seconded by Mayor Bagnell the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on May 13, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. No one spoke.

**MOTION TO APPROVE MINUTES**

Cmr Kelly moved, seconded by Cmr Sarno the Minutes of the 4-17-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-15**

AN ORDINANCE AMENDING CHAPTER 214 VEHICLES AND TRAFFIC,  
PART 1 TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-16**

AN ORDINANCE AMENDING CHAPTER 217 PARKING OF VEHICLES, ARTICLE V,  
ON-STREET HANDICAPPED PARKING OF THE CODE OF THE CITY OF VENTNOR

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RECEIPT OF SUPPLEMENTAL DEBT STATEMENT**

Mayor Bagnell moved, seconded by Cmr Sarno the Supplemental Debt Statement be received and filed according to law.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-17**

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL REFUNDING BONDS, SERIES 2004C, DATED AUGUST 1, 2004; AUTHORIZING THE ISSUANCE OF UP TO \$4,100,000 OF SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2014-17 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-18**

AMEND ORDINANCE 2014-11 TO ESTABLISH COMPENSATION REQUIRED TO BE PAID TO MEMBERS OF VENTNOR CITY POLICE DEPARTMENT ASSIGNED TO CARE FOR AND HANDLE A K9 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HERewith.

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-18 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-19**

AMENDING CHAPTER 214 VEHICLES AND TRAFFIC, PART 1  
TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-19 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-15**

AN ORDINANCE AMENDING CHAPTER 214 VEHICLES AND TRAFFIC,  
PART 1 TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2014-15 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-16**

AN ORDINANCE AMENDING CHAPTER 217 PARKING OF VEHICLES, ARTICLE V,  
ON-STREET HANDICAPPED PARKING OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-16 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 50 thru 61 of 2014 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 50 thru 61 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 50 OF 2014 – RESOLUTION OF COMPLIANCE, 2013 AUDIT REPORT**

WHEREAS, NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Ventnor City Municipal Clerk as per the requirements of NJSA40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S.52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated NJAC 5:30-6.5, a regulation requiring that the governing body of each municipality shall be resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Findings and Questioned Costs” or “Findings and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Findings and Questioned Costs” or “Findings and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to NJAC 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S.52:27BB—52 — to wit:

R.S.52:27BB—52 — “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office.”

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor City, hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 50 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 51 OF 2014 – CO #1 (FINAL) CH WATER PROOFING REPAIRS**

WHEREAS, the City of Ventnor City did award a contract for “City Hall Water Proofing and Roof Repair” and did enter into a contract with Laurant Construction Co., Inc.in the amount of \$151,461.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “City Hall Water Proofing and Roof Repair” be amended from \$151,461.00 to \$151,161.00 for a net decrease of \$300.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 51 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 52 OF 2014 – REFUND OF ZONING BD APPLICATION & ESCROW FEES**

WHEREAS, on April 11, 2014, Christel Andersen did submit an application along with the required \$200 application fee and \$900 escrow fee to appear before the Zoning Board of Adjustment for her property known as 6907 Monmouth Ave., Ventnor, NJ, and

WHEREAS , upon review of the application by the Ventnor City Zoning Official it was determined the proposed single family home meets all developmental regulations of the City of Ventnor thus making appearance before the Zoning Board unnecessary; and

WHEREAS, the Zoning Official has requested the application and escrow fees be refunded to Christel Andersen.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City that the Chief Finance Officer of the City of Ventnor City is hereby authorized to issue a refund check in the total amount of \$1,100 to Christel Andersen, 105 N Thurlow Ave., Margate, NJ.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 52 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 53 OF 2014 – AGREEMENT WITH JAMES DICKERSON FOR SERVICES AS COLLECTION SYSTEM C-3 LICENSED OPERATOR**

WHEREAS the City of Ventnor, Water & Sewer Utility, is the owner and operator of the municipal sewer system; and

WHEREAS, New Jersey Department of Environmental Protection (DEP) requires a C-3 collection system license holder to oversee said sewer system during the months of June through September; and

WHEREAS, the City of Ventnor City, specifically the Water & Sewer Utility, desires to secure the services of James Dickerson to provide same as a licensed operator during this period.

NOW, THEREFORE, BE IT RESOLVED the James Dickerson is herein and hereby authorized to act as the Collection System C-3 Licensed Operator for the City of Ventnor City, Water & Sewer Utility for the months of June through September.

BE IT FURTHER RESOLVED that Mr Dickerson shall be compensated at the rate of \$350.00 per month for said services for a total compensation of \$1,400.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 53 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 54 OF 2014 – APPROVE PLANS & SPECS, CITY HALL FLOOR LEVELING**

WHEREAS, there is a need to repair/level various floor in the City Hall within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Repair of Various Floors Within Ventnor City Hall” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 54 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 55 OF 2014 – AUTHORIZE GRANT APPLICATION & AGREEMENT WITH NJDOT FOR TRANSPORTATION ALTERNATIVES PROGRAM**

WHEREAS, the New Jersey Department of Transportation offers federal Transportation Alternatives Program (TAP) funding to projects that foster more livable communities and promote alternative modes of transportation such as biking and walking; and

WHEREAS, special consideration is given to communities that are municipalities that have adopted Complete Streets policies;

WHEREAS, this program is available to all counties and municipalities in the State of New Jersey; and

WHEREAS, this grant program does not require matching funds; and

WHEREAS, the City of Ventnor carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor formally supports this Transportation Alternatives Program application TA-2014-Ventnor - 00015.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation for the Transportation Alternatives Program on behalf of the City of Ventnor.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Ventnor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 55 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 56 OF 2014 – AUTHORIZE GRANT APPLICATION, NJDOT SAFE ROUTES TO SCHOOL PROGRAM**

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Safe Routes to School Grant Program; and

WHEREAS, the federally funded Safe Routes to School Program strives to empower communities to make walking and bicycling to school a safe and routine activity; and

WHEREAS, this Program is available to all municipalities and school districts in the State of New Jersey; and

WHEREAS, this grant program does not require a local match; and

WHEREAS, the City of Ventnor carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

WHEREAS, children are encouraged to walk and bicycle to school and the City wishes to work with the Board of Education to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy, active lifestyle from an early age; and

WHEREAS, the City of Ventnor is committed to promote activities that encourage walking and biking to school including: Public awareness campaigns and outreach to media and community leaders;

- Traffic education and enforcement in the vicinity of schools;
- Student sessions on bicycle and pedestrian safety, health and the environment; and

May 13, 2014

WHEREAS, the Safe Routes to School Program facilitates the planning, development and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools;

NOW, THEREFORE, BE IT RESOLVED that the City of Ventnor formally supports a grant application SRS-I-2014 – Ventnor City-00018 for the Safe Routes to School Program.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 56 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 57 OF 2014 – APPROVE PLANS & SPECS, FURNISH & REPLACE FIRE HYDRANTS**

WHEREAS, the City of Ventnor City has a need to replace fire hydrants at various locations throughout the City; and

WHEREAS, the City of Ventnor City has secured funds for the acquisition of the fire hydrants and wishes to request Public Bids for the project:

THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and authorizes the project to be publicly bid as required.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 57 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 58 OF 2014 – AUTHORIZE RELEASE OF PERFORMANCE BOND, 5215 WELLINGTON AV**

WHEREAS, Wellington Plaza LLC posted a performance bond in the amount of \$53,025.00 for site inspections at the property known as 5215 Wellington Avenue within the City of Ventnor City; and

WHEREAS, an inspection of the site by the City Engineer has found all improvements completed as required by the Ventnor City Planning Board; and

WHEREAS, the applicant has requested release of said performance bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the release the \$53,025.00 performance bond for improvements at the site known as 5215 Wellington Ave.

BE IT FRUTHER RESOLVED that as a condition of said release Wellington Plaza, LLC shall post a tow (2) year maintenance guarantee in the amount of \$6,628.12 pursuant to the Municipal Land Use Law Chapter 291 Section C.40:55D-53.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 58 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 59 OF 2014 – AUTHORIZE ADDENDUM TO PBA COLLECTIVE BARGAINING AGREEMENT TO ADD K-9 OFFICER COMPENSATION**

WHEREAS, the City of Ventnor City has acquired a K9 for service with the Ventnor City Police Department; and

WHEREAS, the Fair Labor Standards Act requires that members of the Ventnor City Police Department charged with the care and handling of a K9 be compensated for the time required to care for and handle a K9; and

WHEREAS, the City of Ventnor City's police department members are employed by the City of Ventnor City under the terms of a collective bargaining agreement between the City of Ventnor City and the New Jersey Policemen's Benevolent Association Local Union No. 97 ("PBA #97"); and

WHEREAS, on April 15, 2014, the City of Ventnor City and PBA #97 reached an Agreement regarding compensation of PBA #97 members assigned to care and handle a K9 and assigning the responsibilities for costs associated with the K9, which agreement is attached to this Resolution as Appendix A and is made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor City hereby formally approves and ratifies the Agreement.

BE IT FURTHER RESOLVED that the Agreement shall be an addendum to the existing collective bargaining agreement between the City of Ventnor City and PBA #97.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 59 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 60 OF 2014 – AUTHORIZE ADDEMDUM TO COLLECTIVE BARGAINING AGREEMENTS RELATING TO EMPLOYEE HEALTH PLANS**

WHEREAS, the City of Ventnor City has determined to switch from its current employee health insurance plan provider to the State of New Jersey Health Benefit Program; and

WHEREAS, the City of Ventnor City's clerical employees, public works employees, and communications operators are employed by the City of Ventnor City under the terms of collective bargaining agreements between the City of Ventnor City and Teamsters Local Union No. 929; and

WHEREAS, the City of Ventnor City's police department members are employed by the City of Ventnor City under the terms of a collective bargaining agreement between the City of Ventnor City and the New Jersey Policemen's Benevolent Association Local Union No. 97; and

WHEREAS, the City of Ventnor City's fire department members are employed by the City of Ventnor City under the terms of a collective bargaining agreement between the City of Ventnor City and the Firemen's Mutual Benevolent Association Local Union No. 38; and

WHEREAS, the above mentioned Unions have agreed to accept the change in health insurance plans subject to certain amendments to their respective collective bargaining agreements; and

WHEREAS, those amendments are set-forth in the Agreements attached to this Resolution as Appendices A, B, C, D, and E, which are made part of this Resolution.

May 13, 2014

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor City hereby formally approves these Agreements and authorizes Mayor Michael Bagnell and City Clerk Janice K. Callaghan to execute these Agreements on behalf of the City of Ventnor City.

BE IT FURTHER RESOLVED that each Agreement shall constitute an amendment to the collective bargaining agreement to which it refers.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 60 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 61 OF 2014 – AUTHORIZE PLANS & SPECS, UPGRADES TO CH FIRE ALARM SYSTEM**

WHEREAS, there is a need to upgrade the Fire Alarm System within the Ventnor City Municipal Building; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “City Hall Fire Alarm System Upgrades” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 61 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$2,656,476.07 and payrolls from 4-18-14 to 5-02-14 in the amount of \$500,311.97 and from 5-03-14 to 5-16-14 in the amount of \$488,962.16 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills & payrolls be approved.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPOINTMENTS/REAPPOINTMENTS TO BOARD OF EDUCATION**

Mayor Bagnell moved, seconded by Cmr Sarno the reappointment of Kim Bassford and the appointments of Shaukat Ali Azad (to replace Lisa Martinelli) and Albert J Battaglia, Jr. (to replace Julie Rice) for 3 yr terms (5-16-14 to 5-15-17) to the Board of Education be confirmed.

Cmr Kelly moved, seconded by Mayor Bagnell the appointments be confirmed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report: The Safety Committee met on May 6th. PD & Rec Depts were not present due to conflicts. 6 incidents were discussed. Claims involving police officers were not discussed thoroughly due to this absence. Also discussed were: 1) training sessions regarding post-traumatic stress disorder geared to police, 2) life guard symposium, 3) safety bulletins for playground inspection & maintenance, & tool box topics, 4) training efforts & workers compensation patterns. Resident property owners using city depts for items beyond the city’s responsibility was addressed & legal activity mentioned with property owner trying to fabricate blame in some other direction.

**PUBLIC PORTION**

Mayor Bagnell asked if anyone from the Public wished to speak.

STEPHEN DICHT, 16 N Martindale inquired if the Commission planned to implement recommendations made by counsel hired to study incidents surrounding the Latino Festival. SOLICITOR WEINTROB responded the recommendation to rewrite the Special Events Ordinance “is being worked on” but any recommendations regarding personnel matters are private and by law, cannot be discussed. MR. DICHT insisted this is not a personnel issue but rather a procedural matter since the Mayor & Mr Quirk acted without the input of the other Commissioners, authority not given under the Commission form of government and asked why his questions could not be answered by the Mayor. The Solicitor responded these defects were addressed in the report. With Mr Dicht’s persistence, the Mayor admitted he as well as others made mistakes, as acknowledged in the report. (Mr Dicht stated he had not read the report).

JOHN SEWELL, 22 West Dr, Margate suggested Ventnor did not need to spend money for internal investigation and proposed the Commission call for an external investigation by the NJ Attorney General and the Assistant US Attorney. He advocated Mr Quirk “should be relieved of his duties” after reading excerpts from Attorney Corrado’s report. MR SEWELL concluded by emphasizing the need for good government and reiterating his past remarks calling for a wage & hiring freeze.

CASSANDRA SHOBER, 210 N Newark wished to address the Commission on 2 topics. 1) Regarding Sandy recovery, she asked for an update on a) getting funds from state b) mitigation plans throughout the City c) steps City is taking to reduce City’s flood rating d) number of homes damaged, how City arrived at that number and is City utilizing that number to get additional State money. NOTE: responses were offered later in the Public Portion.

2) Regarding the reported law suit filed by Mr Quirk a) is the City prepared to file a frivolous law suit against Mr Quirk to protect the City and b) are any steps in place to “get him out of his position” while the City is waiting for the lawsuit to conclude. SOLICITOR WEINTROB explained there is no lawsuit only a Tort Claim notice (an intention to file a lawsuit) has been received. She gave the legal explanation of a Tort Claim Notice, told MS SHOBER the Notice was forwarded to the City’s insurance co. and explained nothing is done until a complaint is filed. The Solicitor assured MS SHOBER the City will take whatever action is necessary to defend against any lawsuit and also informed her suits filed against the City are routinely handled by an attorney assigned by the insurance co. In response to the second questions, the Solicitor explained you cannot discipline or demote an employee because they chose to take a legal route and trying to move someone from their job could actually add to additional litigation. In response to questioning concerning Mr Quirk’s access to email, the Solicitor add Mr Quirk does not have email and MAYOR BAGNELL responded he does not have access to his email. When MS SHOBER persisted with her questions, MAYOR BAGNELL informed her time was up.

MIKE ADVENA, 6410 Monmouth continued the discussion relative to Mr Quirk stating a lot of people are very upset with the way Mr Quirk got the position with the experience he has, how he was brought in, how a Civil Service position was created at a low salary than doubled or tripled after the appointment. He stated this has caused a hostile environment at City Hall and how the events surrounding the Latin Fest have caused Ventnor to become the “joke” throughout other counties and municipalities. He suggested the position of Management Specialist should be eliminated. MAYOR BAGNELL clarified the position of

May 13, 2014

Management Specialist was added to salary ordinance prior to him taking office to which MR ADVENA agreed but explained the position was not intended to be the position it was turned it into and not at a salary that has gone from \$20,000 to \$46,800.

LEE SIROTA, 14 N Wyoming voiced her disturbance and asked "where do we go from here" (referring to Latin Festival Report). SOLICITOR WEINTROB, reiterating she was not the attorney who handled the investigation or made the recommendations, stated she could only speak on recommendations made in the report. Regarding the recommendation to revamp the entire special events ordinance since it was the cause of many problems with the handling of the Latin Festival, the Solicitor explained: 1) special events ordinances have not changed since the 70s or 80s 2) it does not address how events are held now 3) more safe guards must be in place 4) it must make sure City never puts itself in a position to allow an event at a location where individuals could be injured or without having our police and fire on board to make sure then could deal with such issues as traffic and safety. MS SIROTA concluded by asking the Mayor to allow individuals more time to speak since tonight's concerns were very important.

LINDA KAPLAN, 12 N Wissahickon (also referring to the Latin Festival Report) suggested the Mayor include an explanation and apology in the next Ventnor newsletter.

#### RESPONSES TO MS SHOBER'S SANDY RECOVERY QUESTIONS:

Regarding mitigation plans throughout the City, MAYOR BAGNELL responded the City is raising bulkhead height requirements (8' min-9' max); working on storm water drainage (joint venture with Margate & County @ Ventnor Gardens Plaza); installing/upgrading generators at sewer pumping stations and City buildings. ENGINEER SABATINI added bulkheads along bay will be 8' min-9' max and along beach will be 12'; new pump stations in Ventnor Heights are being designed and check valves will be placed on all outfalls throughout City. City has applied for funding for sewer related damages (20yr at 0% interest for 75% of cost and low interest rate for the remaining 25%) but he does not believe Ventnor will receive funding since other areas were more highly impacted. MS SHOBER responded by saying it was her understanding funding is based on amount of homes and individual impacted within a community. Discussions ensued between the Engineer, Governing Body and members of the public with the Engineer reporting 640 homes applied for FEMA funds to raise homes while building dept estimated, based on flood maps, 4000 homes needed to be raised; the MAYOR adding many damaged homes were second homes or rental properties and not eligible for FEMA funding; CMR SARNO offering the City should know the number affected but cannot if people do not fill out paperwork/get permits. Discussions continued regarding getting additional funding from State without resolve. MS SHOBER concluded by imploring with the Commission to call the Governor and State Legislators and plead for additional funds for Ventnor homeowners.

MS SHOBER asked for an account of work accomplished by the Coastal Coalition. MAYOR BAGNELL stated the Coalition was instrumental in getting V zones eliminated from the flood maps and is addressing flood insurance rates. CMR SARNO added the City presently has a Rating of 7 based on an 18-checkpoint system. It is his opinion Ventnor can never get below 5 since we are on a barrier island. Flood insurance rates decrease 5% with each descending number rating. Checkpoint list includes raising bulkhead heights and adopting flood prevention ordinance. City's compliance with checkpoint items is responsibility of the Flood Plain Manager. (Formerly Wm Melfi, now Dino Cavaleri taking the courses)

Cmr Kelly moved, seconded by Mayor Bagnell the Public Portion be closed and the Commission go into Executive Session.

#### **7:08PM EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: *"The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matter to be discussed is an update by Timothy Maguire, Esq on the KG Marine Litigation. Action may be taken.*

TIMOTHY MAGUIRE, ESQ explained KG Marine was the contractor who put in the new bulkhead at the Public Works yard. When the contract concluded, the contractor made certain claims, some concerning extras, some concerning items in contract he felt he was not paid enough for and another was a "loss of productivity claim" because there was debris under the sand where the bulkhead was to be placed causing he to be on the job longer. MR MAGUIRE confirmed there was debris on the waterward side of the bulkhead. The contractor wanted \$90,000 including \$13,800 retainage, which he was entitled to be paid. After going to mediation, he agreed to \$37,500, including retainage. MR MAGUIRE indicated he felt comfortable recommending settlement because there are some amounts contractor would be due and if you add the amount it would cost to go to trial it would exceed the \$37,500 and leave the spectrum open for a judge or jury to give more. If the Commission approves, a motion would be made on the record and a resolution adopted at the next Commission Meeting. MR MAGUIRE offered his assistance in preparing such resolution. The Commission had no questions.

Cmr Sarno moved, seconded by Mayor Bagnell the Executive Session be closed and they return to Open Session.

#### **7:15PM EXECUTIVE SESSION CONCLUDED**

TIMOTHY MAGUIRE,ESQ reported during Executive Session he gave an update on pending litigation involving KG Marine, the contractor who installed the bulkhead at Public Works and asked Commission for approval to resolve that case.

Mayor Bagnell moved, seconded by Cmr Sarno to follow the advice of counsel and resolve the case.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **7:17 PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The special meeting of the Ventnor City Board of Commissioners was called to order in the Mayor's Office, City Hall on May 23, 2014 at 10:00 AM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

Mayor Bagnell announced, "This special meeting of the Ventnor City Board of Commissioners is being held for the express purpose of accepting the bid opening report and adopting the resolution awarding the contract for concrete and leveling of various City Hall floors. Notice of this meeting was sent to the Press, Downbeach Current and posted on the City Hall bulletin board and official website as required by law.

**BID OPENING REPORT, CONCRETE & LEVELING OF VARIOUS CITY HALL FLOORS**

Date of Bid Opening: May 20, 2014 @11:30 AM

Bid Opened By: Janice K. Callaghan, RMC, City Clerk

- |                                   |               |
|-----------------------------------|---------------|
| 1. Coastal Land Contractors, Inc. | \$ 190,938.84 |
| Pittsgrove, NJ 08318              |               |
| Bid Bond Attached                 |               |

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Kelly moved, seconded by Mayor Bagnell, the report be received and filed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 62 OF 2014 – AWARD OF CONTRACT, CONCRETE & LEVELING OF VARIOUS CITY HALL FLOORS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on May 20, 2014, at 11:30 AM, bids for "CONCRETE & LEVELING OF VARIOUS CITY HALL FLOORS"; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for CONCRETE & LEVELING OF VARIOUS CITY HALL FLOORS to Coastal Land Contractors, Inc. for their bid in the total Amount of \$190,938.84.

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

Cmr Kelly moved, seconded by Mayor Bagnell, that Resolution No. 62 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**MEETING ADJOURNED 10:04 AM**

There being no further business to conduct, Cmr Kelly moved, seconded by Mayor Bagnell the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on June 19, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

MAYOR BAGNELL made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. No one spoke.

**MOTION TO APPROVE MINUTES**

Cmr Kelly moved, seconded by Mayor Bagnell the Minutes of the 5-13-14 Regular and 5-23-14 Special Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-17**

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL REFUNDING BONDS, SERIES 2004C, DATED AUGUST 1, 2004; AUTHORIZING THE ISSUANCE OF UP TO \$4,100,000 OF SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

LINDA KAPLAN, 12 N Wissahickon asked if these were "bearer" bonds that were being called in because the interest was too high. CFO Aboderin answered in the negative.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-18**

AMEND ORDINANCE 2014-11 TO ESTABLISH COMPENSATION REQUIRED TO BE PAID TO MEMBERS OF VENTNOR CITY POLICE DEPARTMENT ASSIGNED TO CARE FOR AND HANDLE A K9 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-19**

AMENDING CHAPTER 214 VEHICLES AND TRAFFIC, PART 1  
TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-20**

AN ORDINANCE AMENDING CHAPTER 214-32  
VEHICLES AND TRAFFIC, TIME LIMIT PARKING

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2014-20 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-17**

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL REFUNDING BONDS, SERIES 2004C, DATED AUGUST 1, 2004; AUTHORIZING THE ISSUANCE OF UP TO \$4,100,000 OF SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-17 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014- 18**

AMEND ORDINANCE 2014-11 TO ESTABLISH COMPENSATION REQUIRED TO BE PAID TO MEMBERS OF VENTNOR CITY POLICE DEPARTMENT ASSIGNED TO CARE FOR AND HANDLE A K9 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-18 be adopted.  
Roll Call Vote: Yeas: Commissionersr Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014- 19**

AMENDING CHAPTER 214 VEHICLES AND TRAFFIC, PART 1  
TRAFFIC AND PARKING, ARTICLE XI SCHEDULES

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2014-19 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 63 thru 83 of 2014 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 63 thru 83 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 63 OF 2014 – RENEWAL OF 2014-15 LIQUOR LICENSES**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS of the City of Ventnor City, New Jersey, that Plenary Retail Distribution Licenses as set forth below heretofore issued by the City of Ventnor City shall be and hereby are renewed from the period of July 1, 2014 to June 30, 2015 to the persons and locations as set forth below.

BE IT FURTHER RESOLVED that the licensees having paid their annual renewal fee of \$430.00 and the required fee to the Division of Alcoholic Beverage Control of \$200.00, that the City Clerk is designated to issue, sign and deliver the license renewal on behalf of the City of Ventnor City to the following premises:

NAME OF LICENSEE	LICENSED PREMISES	LICENSE NUMBER
Parekh Corp. T/A Bloom’s Liquor Store	6500 Ventnor Ave	0122-44-001-008
Sulochanba, LLC T/A Moonlight Liquor	5216 Atlantic Ave	0122-44-002-011
Famcamp, Inc. T/A White Star Liquors	6812-14 Ventnor Ave	0122-44-003-004
Shaiva, LLC T/A HAG Liquors	5113 Ventnor Ave	0122-44-004-007
V&R, Inc. T/A Florida Cold Cuts of Ventnor	7301 Ventnor Ave	0122-44-005-003
Jay Sikotar, LLC T/A Community Liquors	137 N. Dorset Ave	0122-44-006-007
Basia’s Inc. T/A Basia’s Deli & Liquor	4825 Atlantic Ave	0122-44-009-005
Ventnor City Liquor & Wines Inc T/A Plaza Liquors or Plaza Discount Liquors	5215 Wellington Ave	0122-44-012-004
GR8 Liquors Corp T/A Roger Wilco	5026 Wellington Ave	0122-44-013-006

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 63 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 64 OF 2014 – APPROVE CHANGE ORDER, BALFOUR AVE SEWER REPAIR**

WHEREAS, the City of Ventnor City did award a contract for “Balfour Av Emergency Sewer Repair” and did enter into a contract with Kline Construction Co., Inc.in the amount of \$95,387.50; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “Balfour Av Emergency Sewer Repair” be amended from \$95,387.50 to \$88,796.35 for a net decrease of \$6,591.25.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 64 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 65 OF 2014 – APPROVE CHANGE ORDER, TEMPORARY HEAT FOR CITY HALL**

WHEREAS, the City of Ventnor City did award a contract for “City Hall Temporary Heat” and did enter into a contract with Greenlife Energy Solutions.in the amount of \$98,250.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “City Hall Temporary Heat” be amended from \$98,250.00 to \$89,500.00 for a net decrease of \$8,750.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 65 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 66 OF 2014 – AUTHORIZE TIMOTHY MAGUIRE, ESQ TO SETTLE KG MARINE LITIGATION**

WHEREAS, KG Marine Contract, Inc. (“KG Marine”) filed a complaint in the Superior Court of New Jersey, Law Division, Atlantic County against the City of Ventnor City (“Ventnor”), under Docket No. L-6460-12, regarding a contract for the installation of a new bulkhead at public works; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, a settlement has been reached between KG Marine and Ventnor to resolve the pending litigation, on the recommendation and concurrence of Timothy Maguire, Esquire, ; and

WHEREAS, Ventnor has acknowledged that KG Marine is owed \$13,800 in retainage as well as an additional \$23,700 for change orders, for a total payment due and owing from Ventnor to KG Marine in the amount of \$37,500.00; and

WHEREAS, Ventnor and KG Marine shall circulate a stipulation of dismissal and release; and

WHEREAS, the Board of Commissioners has determined that the settlement reflects an agreement that is fair, equitable, and beneficial for Ventnor;

WHEREAS, the Chief Financial Officer has certified that funds are available to pay the settlement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that settlement of the pending litigation with KG Marine be and is hereby approved and authorized in the total amount of \$37,500;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 66 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 67 OF 2014 – CHP 159, SPECIAL ITEM OF REVENUE, EMERGENCY MANAGEMENT GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$5,000.00, which item is now available from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- with Prior Written Consent of the Director of the
- Division of Local Government Services – Public and
- Private Revenues Offset with Appropriations:
- Emergency Management Grant

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
- Public and Private Programs Offset by
- Revenues:
- Emergency Management Grant

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 67 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 68 OF 2014 – CHP 159, SPECIAL ITEM OF REVENUE, STATE HOUSING INSPECTION PROGRAM**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$4,983.00, which item is now available from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- with Prior Written Consent of the Director of the
- Division of Local Government Services – Public and
- Private Revenues Offset with Appropriations:
- FY 2014 State Housing Inspection Program

BE IT FURTHER RESOLVED that a like sum of \$4,983.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
FY 2014 State Housing Inspection Program

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 68 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 69 OF 2014 – SUPPORTING INCREASED FUNDING FOR DEDICATED SHORE PROTECTION FUND**

WHEREAS, the \$25 million Shore Protection Fund financed by the Realty Transfer Tax receipts has a 20-year successful track record in protecting life and property along the coast of New Jersey, preserving vital coastal resources and maintaining safe and navigable waterways throughout the State; and

WHEREAS, the need for coastal improvements and more resilient coastal infrastructure is more important than ever in the aftermath of Superstorm Sandy since many communities are struggling to secure adequate funding to repair and enhance bulkheads, seawalls and other storm protection systems; and

WHEREAS, in light of more frequent severe storms, the realities of sea level rise and climate change, \$25 million is no longer adequate to protect and preserve our fragile coast areas that has contributed \$38 billion to the culture and economy of our State; and

WHEREAS, New Jersey, working with the Army Corps of Engineers and others, must develop a more comprehensive plan that includes inland waterways that increasingly flood coastal and urban communities including the back bays and barrier islands; and

WHEREAS, New Jersey must be prepared to share increasing costs of more complex storm remediation projects.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor City, County of Atlantic, State of New Jersey, hereby expresses support to increase the funding for the dedicated Shore Protection Fund to be used for future coastal protection projects and provide a further incentive for federal matching funds.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Governor Chris Christie, Lt. Governor Kim Guadagno, Senate Present Steven M. Sweeney, Assembly Speaker Sheila Y. Oliver, Senator Jim Whelan, Assemblyman Chris A. Brown, Assemblyman Vince Mazzeo, County Executive Dennis Levinson and Freeholder Chairman Frank Formica.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 69 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 70 OF 2014 – AWARD CONTRACT FOR LEAK DETECTION AT CITY HALL**

WHEREAS, leaks in portions of the masonry of City Hall have been detected and the City of Ventnor has determined these leaks must be addressed immediately; and

WHEREAS, the City Engineer did solicit bids and received three proposals; and

WHEREAS, the proposals have been reviewed by the city engineer and found to be complete and in compliance,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor that it hereinafter award the Contract for Leak Detection at City Hall to J.A. Frezza & Associates, LLC in the amount of \$6,650.00.

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

BE IT FURTHER RESOLVED that a Certification by Thomas Russo, Business Administrator of the City of Ventnor shall be attached hereto setting forth the reasons supporting the extraordinary unspecifiable services exceptions to the bidding requirements as set forth in N.J.S.A.40A:11-5(1)(a)(ii).

BE IT FURTHER RESOLVED that a copy of this Resolution shall be posted in the City of Ventnor's official newspaper which shall include language that the resolution, certification and contract shall be on file in the City of Ventnor's Clerk's office for review.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 70 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 71 OF 2014 – CHP 159, SPECIAL ITEM OF REVENUE, CLEAN COMMUNITIES**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$27,642.61, which item is now available from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:

FY 2014 Clean Communities

BE IT FURTHER RESOLVED that a like sum of \$27,642.61 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
  - Public and Private Programs Offset by Revenues:
  - FY 2014 Clean Communities

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 71 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 72 OF 2014 – COMMUNITY BUILDING DEPOSIT REFUND**

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 ins 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	REFUND AMOUNT
F.A.C.E.S. – Autism Support Group c/o Isabelle Mosca 209 N Lafayette Ave Ventnor, NJ 08406	5-28-14	5-30-14	#100.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 72 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 73 OF 2014 – AUTHORIZE SUPERSTORM SANDY DISASTER RELIEF GRANT FOR HISTORIC PROPERTIES APPLICATION**

WHEREAS, the purpose of the Sandy Disaster Relief Grants for Historic Properties is to provide technical assistance and repairs to historic and archaeological resources that were impacted by Superstorm Sandy, only storm-related damage is eligible for grant assistance; and

WHEREAS, grants will be awarded based on funding availability, scoring criteria and a review by program staff and an evaluation committee, with a maximum award of up to \$500,000; and

WHEREAS, the City of Ventnor strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, no local match is required for these grant funds;

WHEREAS, the City of Ventnor qualifies for this grant program; and

THEREFORE, the Governing Body of the City of Ventnor has determined that the City of Ventnor should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Ventnor, State of New Jersey, authorizes the Mayor to sign assurances and acknowledges the certifications above.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 73 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 74 OF 2014 – AUTHORIZE CLOSING PLANNING/ZONING ESCROW ACCOUNT**

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

WHEREAS, the following developers have paid said fees, and

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

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

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

<u>Name</u>	<u>Property Address</u>	<u>Block/Lot</u>	<u>Remaining Balance</u>
Lighthouse Construction	6311 Monmouth Ave	168/1	\$320.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 74 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 75 OF 2014 – REFUND TAX OVERPAYMENT**

WHEREAS, the 2014 tax on Block 5, Lot 1 C0310 assessed to Audrey Gaul, 345 W 145<sup>th</sup> Street, Apt #11A6A, New York, NY 10031 was overpaid in the amount of \$1,009.52 due to the homeowner and the mortgage company paying; and

WHEREAS, Mrs. Gaul did request a refund in the amount of \$1,009.52 sent to her at the above address; and

WHEREAS, the 2013 tax on Block 73, Lot 5 assessed to Sanjay and Pamela Bhendwal was overpaid in the amount of \$1,880.00 due to a duplicate payment from the mortgage company; and

WHEREAS, Central Mortgage Company, Attn: Tax Department, 801 John Barrow Rd, Ste 1, Little Rock, AR 72205 did request 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 Finance Officer of the City of Ventnor City is authorized to issue refund checks as stated above.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 75 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 76 OF 2014 – SUPPORT A3264 & A3265, FUNDING FOR ENVIRONMENTAL INFRASTRUCTURE PROJECTS**

WHEREAS, A3264 and S2122 appropriates funds to the New Jersey Department of Environmental Protection for environmental infrastructure projects for Funding Year 2015; and

WHEREAS, A3265 and S2123 authorizes the New Jersey Environmental Infrastructure Trust (NJEIT) to expend certain sums to make loans for environmental infrastructure projects for Funding Year 2015; and

WHEREAS, the City of Ventnor City has made applications to the NJEIT for certain environmental infrastructure projects, in particular S340667-02 and S340667-03; and

WHEREAS, passage of these bills will directly and positively impact the City's ability to fund these projects.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor City, County of Atlantic, State of New Jersey, hereby expresses support for A3264/S2122 and A3256/S2123.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Governor Chris Christie, Senate Present Steven M. Sweeney, Assembly Speaker Sheila Y. Oliver, Senator Jim Whelan, Assemblyman Chris A. Brown and Assemblyman Vince Mazzeo.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 76 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 77 OF 2014 – AUTHORIZE PLANS & SPECS, RECONSTRUCT WEYMOUTH AV, ATLANTIC TO VENTNOR**

WHEREAS, there is a need for the reconstruction of Weymouth Ave from Atlantic Ave to Ventnor Ave; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "Reconstruction of Weymouth Ave from Atlantic Ave to Ventnor Ave" to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 77 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 78 OF 2014 – REAPPOINT JAMES CULBERTSON, FIRE OFFICIAL**

WHEREAS, pursuant to the Uniform Fire Safety Act, (P.L. 1983 c. 383) the City of Ventnor City established a Bureau of Fire Prevention in the Ventnor City Fire Department; and

WHEREAS, pursuant of Chapter 122-12 of the Ventnor City Code, a Fire Official shall be appointed by the Ventnor City Board of Commissioners to supervise the Bureau of Fire Prevention; and

WHEREAS, James Culbertson has served in the capacity of Fire Official since July 1, 2005; and

WHEREAS, the Board of Commissioners of the City of Ventnor City is desirous of reappointing James Culbertson to the position of Fire Official for an additional term of two (2) years.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that James Culbertson is herein and hereby reappointed as Fire Official for the Ventnor City Bureau of Fire Prevention for a term of two (2) years which term shall expire on December 31, 2015.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 78 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 79 OF 2014 – AUTHORIZE PLANNING BD TO STUDY AREAS OF CITY IN NEED OF REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A01 et seq. (the "LRHL") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, the LRHL provides a mechanism to assist local governments to promote rehabilitation of residential and nonresidential structures through a five year tax abatement program; and

WHEREAS, in accordance with the LRHL the Governing Body of the City of Ventnor believes that entire City of Ventnor (the "City") in the County of Atlantic (the "Rehabilitation Area") satisfies the criteria to be designated as an area in need of rehabilitation and should be designated as an area in need of rehabilitation; and

WHEREAS, N.J.S.A. 40:12A-14 requires Planning Board review the Resolution designating the area in need of rehabilitation; and

WHEREAS, the City of Ventnor Planning Board (the "Planning Board") is requested to review pursuant to N.J.S.A. 40A:12A-14, the proposed Resolution to be adopted by the City attached herein as Exhibit "A" and certain supporting documentation prepared by the City of Ventnor Planning Consultant, Rutala Associates, attached hereto as Exhibit "B"; and

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

1. The Governing Board hereby authorizes and directs the Planning board to review the proposed Resolution designating the Rehabilitation Area as an area in need of rehabilitation, review the planning report and provide its recommendations to the Governing Body.
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.
3. This Resolution shall take effect immediately.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 79 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 80 OF 2014 –AUTHORIZE PREPARATION AND DISTRIBUTION OF OFFERING DOCUMENTS IN CONNECTION WITH SALE OF CITY'S SCHOOL REFUNDING BONDS, SERIES 2014; AUTHORIZE ISSUANCE, SALE AND AWARD OF SAID REFUNDING BONDS; MAKE CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZE CERTAIN ACTIONS RELATED THERETO**

**BACKGROUND**

WHEREAS, on December 23, 2004, the City of Ventnor City, County of Atlantic, New Jersey ("City"), issued its School Refunding Bonds, Series 2004C, dated December 15, 2004, in the aggregate principal amount of \$6,917,000, bearing interest at rates ranging from 2.50% to 4.00% per annum ("2004C Bonds"); and

WHEREAS, the 2004C Bonds in the aggregate principal amount of \$3,875,000 maturing on October 1 in the years 2015 through 2020, both inclusive (collectively, the "Callable Bonds"), are subject to redemption at the option of the City prior to maturity on or after October 1, 2014 at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus accrued interest thereon; and

WHEREAS, as a result of the low interest rates prevailing in the municipal bond market, the City has the opportunity to economically refinance up to all of the Callable Bonds; and

WHEREAS, on May 13, 2014, the Board of Commissioners, pursuant to *N.J.S.A. 18A:24-1, et seq.* ("School Bond Law") and *N.J.S.A. 40A:2-1, et seq.* ("Local Bond Law"), introduced an ordinance entitled, "REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE SCHOOL REFUNDING BONDS, SERIES 2004C, DATED DECEMBER 15, 2004; AUTHORIZING THE ISSUANCE OF UP TO \$4,100,000 OF SCHOOL REFUNDING BONDS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

WHEREAS, on June 19, 2014, the Board of Commissioners, after a public hearing, finally adopted the Refunding Bond Ordinance; and

WHEREAS, pursuant to the Refunding Bond Ordinance, the City is authorized to issue its refunding bonds in the aggregate principal amount up to \$4,100,000 to refund up to all of the Callable Bonds, as described in the Refunding Bond Ordinance; and

WHEREAS, it is the intent of the Board of Commissioners hereby to: (i) authorize and approve the issuance, sale and award of the Refunding Bonds (as hereinafter defined); (ii) authorize and approve the preparation and distribution of offering documents in connection with the issuance and sale of said Refunding Bonds; and (iii) authorize the Mayor, Administrator, Chief Financial Officer and City Clerk to make certain related determinations and covenants and take certain actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. Pursuant to the School Bond Law, Local Bond Law and the Refunding Bond Ordinance, the issuance of negotiable school refunding bonds of the City in the aggregate principal amount of up to \$4,100,000, to be designated, substantially, "City of Ventnor City, County of Atlantic, New Jersey, School Refunding Bonds, Series 2014" ("Refunding Bonds"), for the purposes described in the Refunding Bond Ordinance and in this Resolution, is hereby authorized, approved, ratified and confirmed.

Section 2. The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Refunding Bonds, and the distribution (by physical and/or electronic means) of said Preliminary Official Statement by PNC Capital Markets LLC, as underwriter ("Underwriter"), to prospective purchasers of the Refunding Bonds and others having an interest therein, are hereby authorized, approved, ratified, confirmed and directed. The Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

June 19, 2014

Section 3. The Chief Financial Officer, or in her absence the Mayor, is hereby authorized to determine in accordance with the School Bond Law and Local Bond Law and pursuant to the terms and conditions established by the Underwriter under the Bond Purchase Contract ("Purchase Contract") to be entered into by the City and the Underwriter in connection with the sale of the Refunding Bonds and the terms and conditions hereof, the following items with respect to the Refunding Bonds:

- (a) the principal amount of the Refunding Bonds which, in the aggregate, shall not exceed \$4,100,000;
- (b) the annual principal or sinking fund installments of the Refunding Bonds provided, however, the final maturity shall be no later than December 31, 2020;
- (c) the dated date of the Refunding Bonds and the principal and interest payment dates for the Refunding Bonds;
- (d) the rates of interest the Refunding Bonds are to bear provided, however, that an overall net present value savings of at least three percent (3%) is achieved with respect to the Callable Bonds;
- (e) the purchase price for the Refunding Bonds provided, however, that the Underwriter's discount for the Refunding Bonds shall not exceed \$5.50 per \$1,000 principal amount of such Refunding Bonds; and
- (f) the redemption provisions of the Refunding Bonds.

Any determination made by the Chief Financial Officer or the Mayor pursuant to the terms hereof shall be conclusively evidenced by the execution and delivery of the Purchase Contract by the Mayor, Administrator or Chief Financial Officer as provided for in Section 5 hereof.

Section 4. The City official making the determinations and approving the sale described in Section 3 shall report in writing to the Board of Commissioners at the meeting next succeeding the date when any sale or delivery of the Refunding Bonds pursuant to this resolution is made. Such report must include the aggregate principal amount, the interest rate or rates and the maturity schedule of the Refunding Bonds sold and the price obtained.

Section 5. The Refunding Bonds shall be sold at a negotiated sale to the Underwriter in accordance with the terms and conditions set forth in the Purchase Contract. The Purchase Contract is hereby authorized to be executed and delivered on behalf of the City by the Mayor, Administrator or Chief Financial Officer, in substantially the form on file in the offices of the City, with such changes as the Mayor, Administrator or Chief Financial Officer in their respective sole discretion, after consultation with, among others, Parker McCay P.A., as bond counsel and the Financial Advisor (hereinafter defined) to the City, shall determine, such determination to be conclusively evidenced by the execution of the Purchase Contract by an authorized officer as determined hereunder.

Section 6. The Refunding Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Refunding Bonds maturing in each year. Both the principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository ("Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Refunding Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of The Depository Trust Company and its participants. The principal of and interest on the Refunding Bonds will be paid to The Depository Trust Company by the City on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of either: (i) the 1st day of the calendar month containing an interest payment date; or (ii) the 15th day of a calendar month next preceding an interest payment date, as applicable (the record dates for the Refunding Bonds). The Refunding Bonds will be executed on behalf of the City by the manual or facsimile signatures of the Mayor and Chief Financial Officer, attested by the City Clerk (such execution shall constitute conclusive approval by the City of the form of the Refunding Bonds), and shall bear the affixed, imprinted or reproduced seal of the City thereon. In the event that the City appoints a paying agent, the Refunding Bonds shall not be valid or obligatory for any purpose unless the Authentication Certification printed thereon shall be duly executed by an authorized officer of said paying agent.

Section 7. The City is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 8. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Refunding Bonds or is removed by the City and if no successor Securities Depository is appointed, the Refunding Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Registered Bonds held in beneficial owner's name, will become the registered owner of the Registered Bonds. The City shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 9. The Refunding Bonds shall be general obligations of the City. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the Refunding Bonds and, to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 10. The Refunding Bonds shall be entitled to the benefits of the New Jersey School Bond Reserve Act, Chapter 72 of the Laws of 1980 of the State of New Jersey, as amended, and shall bear the legend set forth in Section 6 thereof, N.J.S.A. 18A:56-20.

Section 11. The preparation of a final official statement ("Official Statement") with respect to the Refunding Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Refunding Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the City will deliver sufficient copies of the Official Statement to the Underwriter to comply with Paragraph (b)(4) of Rule 15c2-12. The Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby authorized to execute the Official Statement, and the distribution thereof to the Underwriter and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor,

Administrator, Chief Financial Officer or City Clerk shall constitute conclusive evidence of approval by the City of the changes therein from the Preliminary Official Statement. The Mayor, Chief Financial Officer and City Clerk are each hereby authorized to approve any amendments of or supplements to the Official Statement.

Section 12. The Chief Financial Officer is hereby authorized and directed to solicit proposals for, and engage the services of, a qualified institution to serve as printer for the Refunding Bonds ("Printer") to provide printing services for the City with respect to the Preliminary Official Statement and Official Statement. The Chief Financial Officer is hereby authorized to execute and deliver an agreement with the Printer for the services to be provided.

Section 13. The appointment of Phoenix Advisors, LLC, Bordentown, New Jersey ("Financial Advisor"), to provide financial advisory services for the City in connection with the authorization, issuance, sale and delivery of the Refunding Bonds is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer is hereby authorized and directed to enter into an agreement with the Financial Advisor for the services to be provided.

Section 14. The City hereby covenants that it will not make any use of the proceeds of the Refunding Bonds or do or suffer any other action that would cause: (i) the Refunding Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Refunding Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Refunding Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 15. The City hereby covenants as follows: (i) it has not abandoned, sold or otherwise disposed of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (ii) it does not intend to, during the term that the Refunding Bonds are outstanding, abandon, sell or otherwise dispose of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (iii) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Section 148(f) and 149(e) of the Code; (iv) it shall take no action that would cause the Refunding Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code; (v) it will not employ a device in connection with the issuance by it of the Refunding Bonds which will enable it to obtain a material financial advantage (based on arbitrage) apart from the savings that may be realized as a result of the lower interest rates on the Refunding Bonds than on the Callable Bonds; (vi) the amount of "excess gross proceeds", as such term is defined in Income Tax Regulation §1.148-10(c)(2), of the Refunding Bonds will not exceed one percent (1%) of the proceeds received from the sale thereof; and (vii) it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Regulation §1.148-0 through 1.148-11, 1.149(b)-1 and 1.149(i)-1, 1.149(g)-1, 1.150-1 and 1.150-2 as such regulations and statutory provisions may be modified insofar as they apply to the Refunding Bonds.

Section 16. The City hereby designates the Refunding Bonds as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the City hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the City during the period from January 1, 2014 to December 31, 2014, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Refunding Bonds.

For purposes of this Section 16, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the City: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 17. The Chief Financial Officer is hereby authorized and directed to solicit proposals for, and engage the services of, a qualified financial institution to serve as paying agent for the Refunding Bonds ("Paying Agent") and as escrow agent ("Escrow Agent") for the Refunded Bonds (hereinafter defined). The Chief Financial Officer is hereby authorized to execute and deliver an agreement with the Paying Agent and the Escrow Agent for the services to be provided.

Section 18. The Escrow Agent is hereby authorized and directed to redeem on their first call date up to all of the Callable Bonds at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus interest accrued to the redemption date ("Refunded Bonds"). The Escrow Agent shall mail and/or publish any required notice of redemption as set forth in the Refunded Bonds and in the Escrow Deposit Agreement (hereinafter mentioned) by and between the City and the Escrow Agent.

Section 19. To provide for the redemption of the Refunded Bonds as set forth in Section 18 above, the Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby authorized to execute and deliver an Escrow Deposit Agreement ("Escrow Deposit Agreement") on behalf of the City and to make the deposit of moneys and investments specified therein ("Escrow Investments").

Section 20. In order to assist the Underwriter in complying with the secondary market disclosure requirements of Rule 15c2-12, the Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby authorized to execute on behalf of the City before the issuance of the Refunding Bonds an agreement providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

Section 21. The Chief Financial Officer is hereby authorized to solicit proposals for, and engage the services of, a verification agent to verify the mathematical accuracy of certain computations made by the Underwriter regarding: (i) the adequacy of the maturing principal of and interest on the Escrow Investments to pay the Refunded Bonds as set forth in the Escrow Deposit Agreement; and (ii) the yields on the Refunding Bonds and the Escrow Investments. The Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby authorized to enter into an agreement with the verification agent for the services to be provided.

Section 22. The Mayor, Administrator and Chief Financial Officer are each hereby authorized to pay the costs associated with the issuance of the Refunding Bonds and refunding of the Refunded Bonds.

Section 23. If necessary or advisable, the appropriate City officials and the City's professional advisors are hereby authorized to obtain a rating on the Refunding Bonds, and to furnish certain information to the various municipal bond insurance companies concerning the City and the Refunding Bonds, for the purpose of qualifying the Refunding Bonds for municipal bond insurance. The Mayor, Administrator and Chief Financial Officer are each hereby authorized to execute such documents as may be necessary or appropriate to effectuate the obtainment of municipal bond insurance with respect to the Refunding Bonds if determined to be cost effective.

Section 24. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Administrator, Chief Financial Officer, City Clerk, other City officials or by the City's professional advisors, in connection with the authorization and issuance of the Refunding Bonds and the refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, are hereby ratified, confirmed, approved and adopted in all respects.

Section 25. The Mayor, Administrator, Chief Financial Officer and City Clerk are each hereby severally authorized to determine all matters and execute all documents and instruments in connection with the issuance of the Refunding Bonds and refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, not determined or otherwise directed to be executed by applicable law, or by this or any subsequent resolution, and the signatures of the Mayor, Administrator, Chief Financial Officer or City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 26. All resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 27. This Resolution shall take effect immediately upon adoption this 19th day of June, 2014.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 80 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 81 OF 2014 – AUTHORIZE PLANS & SPECS, GENERATOR @ LAFAYETTE AV PUMP STATION**

WHEREAS, there is a need for a generator at the Lafayette Ave Pump Station; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "Generator for the Lafayette Ave Pump station" to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 81 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 82 OF 2014 – AUTHORIZE PLANS & SPECS FOR CURBS, GUTTERS & HANDICAP RAMPS @ VARIOUS LOCATIONS**

WHEREAS, there is a need for curbs, gutters and handicap ramps at various locations within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "Curbs, Gutters and Handicap Ramps at Various Locations" to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 82 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 83 OF 2014 – AUTHORIZE CHANGE ORDER, REHABILITATION OF WATER TOWER #10**

WHEREAS, the City of Ventnor City did award a contract for the "Rehabilitation of Water Tower #10" and did enter into a contract with Allied Painting Co. in the amount of \$583,500.00; and

WHEREAS, during performance of the project, the contract required adjustments due to extra work and city time delay.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Rehabilitation of Water Tower #10" be amended from \$583,500.00 to \$584,634.50 for a net increase of \$1,134.50.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 83 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$7,035,061.07 and payrolls from 5-17-14 to 5-30-14 in the amount of \$500,904.26 and from 5-31-14 to 6-13-14 in the amount of \$532,681.64 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills & payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report: "The Safety Committee met on Tuesday, June 3rd. All departments were represented. Two incidents were reviewed: 1 possible liability (fall down) & 1 beach patrol workers comp (back strain while moving a lifeguard boat). Information on the regional lifeguard-training symposium was given to Chief Bergman. A training module on distracted driving training was discussed. This is excellent for personal as well as municipal vehicle use. The roadway signage & walkway program, job site observations & other training & safety components were discussed. The annual boardwalk survey was given to Dave Smith who stated many items have already been completed".

**PUBLIC PORTION**

ROBERT LANDAU, 6412 Winchester addressed the Commission regarding speeding on Winchester Ave. POLICE CHIEF MILLER described the difficulties of enforcement and setting up radar details since Winchester is one way and narrow with parking on both sides. He added that a traffic counter, measuring traffic volume and speed was placed on Winchester and although it is not accurate enough to issue tickets it does give a general idea of how fast cars are going. The counter showed speeds were about 28/29 mph. The Chief agreed to send the traffic unit out to evaluate the situation.

Mr. Landau also addressed the confusion relating to parking (some places have meters, Ventnor Ave has 30 min parking on 1 side of street and 2 hr parking on opposite side) and suggested more uniformity to keep patrons in Ventnor. Mayor Bagnell responded by saying he will meet with the gentleman whose comments recently appeared in the "Voice of the People" section of the Press of Atlantic City.

June 19, 2014

LEE SIROTA, 14 N Wyoming noting she was in City Hall on a “sweltering hot” day applauded the City Hall employees who, in spite of the extreme heat were doing their jobs and thanked them for being there for the citizens of Ventnor.

**6:15PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The special meeting of the Ventnor City Board of Commissioners was called to order in the Mayor's Office, City Hall on July 14, 2014 at 9:10 AM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

Mayor Bagnell announced, "This special meeting of the Ventnor City Board of Commissioners is being held for the express purpose of adopting a Resolution authorizing the retention of a Tax Attorney to assist the City of Ventnor with the IRS Audit. Notice of this meeting was sent to the Press, Downbeach Current and posted on the City Hall bulletin board and official website as required by law.

**RESOLUTION NO. 84 OF 2014 – AUTHORIZE RETENTION OF TAX ATTORNEY TO ASSIST WITH IRS AUDIT**

WHEREAS, the Board of Commissioners of the City of Ventnor has been notified of an Internal Revenue Service Tax Examination; and

WHEREAS, the Board of Commissioners has determined that it is necessary for the City of Ventnor to be represented to by legal counsel to assist the City of Ventnor with the Internal Revenue Service Tax Examination; and

WHEREAS, the Board of Commissioners has determined that expertise in the area of tax law is necessary to assist the City of Ventnor with the Internal Revenue Service Tax Examination and has agreed to the appointment of Kulzer & DiPadova P.A. to represent the City and shall authorize their firm to take all action necessary to assist the City of Ventnor; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that Kulzer & DiPadova P.A. is herein and hereby appointed to provide legal advice to the City of Ventnor and to defend against the Internal Revenue Service Tax Examination, the appointment for which shall not exceed a one-year term.

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

Mayor Bagnell moved, seconded by Cmr Sarno, that Resolution No. 84 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**MEETING ADJOURNED 9:05 AM**

There being no further business to conduct, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on July 17, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

Comr Sarno announced, "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been provided in conformance with law".

CMR SARNO made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

CMR SARNO asked if anyone had questions on Items to be voted on tonight.

ROBERT LANDAU, 6412 Winchester asked if #4 of the JIF Safety Committee Report (Police Dept & Public Works addition of auto and pedestrian signage and traffic controls surrounding the school) was related to the Workshop discussion about the Police Dept taking over the painting of lines, traffic signals, etc. Chief Miller responded no, this relates to additional signage around the school for safety of children walking to and from school.

**MOTION TO APPROVE MINUTES**

Comr Kelly moved, seconded by Comr Sarno the Minutes of the 6-19-14 Regular and 7-14-14 Special Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-20**

AN ORDINANCE AMENDING CHAPTER 214-32  
VEHICLES AND TRAFFIC, TIME LIMIT PARKING

Comr Sarno 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, Comr Sarno moved, seconded by Comr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-21**

ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES  
BY THE CITY OF VENTNOR CITY PURSUANT TO C. 52:14-15f et. seq.

Comr Sarno moved, seconded by Comr Kelly that Ordinance 2014-21 be introduced

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-22**

AN ORDINANCE AMENDING CHAPTER 102, DEVELOPMENT REGULATIONS, ARTICLE III, DEFINITIONS AND  
WORD USAGE AND ARTICLE XVIII, GENERAL REGULATIONS IN ALL DISTRICTS

Comr Sarno moved, seconded by Comr Kelly that Ordinance 2014-22 be introduced

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

**REPORT OF BID OPENING - FURNISH & DELIVER FIRE HYDRANTS**

Date of Bid Opening: July 9, 2014 @11:00 AM

Bid Opened By: Janice K. Callaghan, RMC, City Clerk

1. Atlantic Plumbing Supply Corp \$ 47,991.98  
Long Branch, NJ 07740  
\$4,799.20 Cashiers Check Attached

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Comr Kelly moved, seconded by Comr Sarno the Report be received and filed.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell

**REPORT OF BID OPENING - CITY HALL FIRE ALARM UPGRADES**

Date of Bid Opening: July 9, 2014 @11:30 AM

Bid Opened By: Janice K. Callaghan, RMC, City Clerk

1. Pro Video Engineering No Bid  
Northfield, NJ 08225
2. Atlantic Coast Alarm, Inc. \$47,000.00  
Mays Landing, NJ 08330  
Bid Bond Attached

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Comr Kelly moved, seconded by Comr Sarno the Report be received and filed.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Absent: Mayor Bagnell



July 17, 2014

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the City of Ventnor City wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 86 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 87 OF 2014 – AUTHORIZE CHANGE ORDER, INSTALLATION OF CITY HALL HVAC**

WHEREAS, the City of Ventnor City did award a contract for “Installation of City Hall HVAC System” and did enter into a contract with Falasca Mechanical, Inc in the amount of \$1,971,600.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “Installation of City Hall HVAC System” be amended from \$1,971,600 to \$2,003,518.15 for a net increase of \$31,918.15.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 87 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 88 OF 2014 – APPOINT DINO CAVALIERI, CERTIFIED FLOOD PLAIN MANAGER**

WHEREAS, the need exists for the appointment of a Flood Plain Manager for the City of Ventnor City; and

WHEREAS, on May 29, 2014 Dino Cavalieri earned the designation of Certified Flood Plain Manager (Certificate #US-14-07704); and

WHEREAS, the Board of Commissioners of the City of Ventnor desires to appoint Dino Cavalieri as Flood Plain Manager for the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Dino Cavalieri is herein and hereby appointed Flood Plain Manager for the City of Ventnor City.

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

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 88 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 89 OF 2014 – AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH BARKER, GELFAND & JAMES TO UPDATE EMPLOYEE HANDBOOK/EMPLOYEE POLICY & PROCEDURES MANUAL**

WHEREAS, the Board of Commissioners has determined that it is necessary for the City of Ventnor to update the employee handbook and employee/personnel policy and procedures manual on behalf of the City of Ventnor.

WHEREAS, the Board of Commissioners has agreed to the appointment of Barker Gelfand & James, P.C. and shall authorize their firm to take all action necessary to update the employee handbook and employee/personnel policy and procedures manual.

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that Barker, Gelfand & James, P.C. is herein and hereby appointed for the limited purpose of updating the employee handbook and employee/personnel policy and procedures manual on behalf of the City of Ventnor. Said appointment shall not exceed a one-year term and the fees for same shall not exceed a flat fee of \$2500.

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

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 89 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 90 OF 2014 – APPROVE PLANS & SPECS, INSTALLATION OF FIRE HYDRANTS**

WHEREAS, there is a need for the installation of fire hydrants at various locations within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Installation of Fire Hydrants at Various Locations” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 90 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 91 OF 2014 – APPROVE PLANS & SPECS, REPLACE KITCHEN AT FIRE HOUSE #1**

WHEREAS, there is a need to replace the kitchen at Fire House #1 within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Replacement of Kitchen at Fire House #1” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 91 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 92 OF 2014 – APPROVE PLANS & SPECS, ADDITIONAL ELECTRICAL WORK AT FIRE HOUSE #1**

WHEREAS, there is a need for additional electrical repairs at Fire House #1 within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Additional Electrical Repairs at Fire House #1” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 92 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 93 OF 2014 – CHP 159, ALCOHOL EDUCATION REHAB**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$1,211.14, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations: Alcohol Education Rehab

BE IT FURTHER RESOLVED that a like sum of 1,211.14 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues: Alcohol Education Rehab

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 93 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 94 OF 2014 – CHP 159, 2013 MUNICIPAL ALLIANCE GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$7,148.00, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations: 2013 Municipal Alliance Grant

BE IT FURTHER RESOLVED that a like sum of \$7,148.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues: 2013 Municipal Alliance Grant

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 94 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

July 17, 2014

**RESOLUTION NO. 95 OF 2014 – APPROVE PLANS & SPECS, RESURFACE VARIOUS BEACH BLOCK STREETS**

WHEREAS, there is a need to resurface various beach block streets within the City of Ventnor City; and

WHEREAS, funds are available for this project through the NJDOT 2013 Municipal Aid Program.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Resurfacing of Various Beach Block Streets” to be publicly bid.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 95 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 96 OF 2014 – AWARD CONTRACT, FURNISH & DELIVER FIRE HYDRANTS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 9, 2014, at 11:00 AM, bids for “FURNISHING & DELIVERING FIRE HYDRANTS”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for FURNISHING & DELIVERING FIRE HYDRANTS to Atlantic Plumbing Supply Corp. for their bid in the total Amount of \$47,991.98.

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

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 96 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 97 OF 2014 – AWARD CONTRACT, CITY HALL FIRE ALARM UPGRADES**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 9, 2014, at 11:30 AM, bids for “CITY HALL FIRE ALARM UPGRADES”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for CITY HALL FIRE ALARM UPGRADES to Atlantic Coast Alarm, Inc., Mays Landing, NJ for their bid in the total Amount of \$47,000.00.

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

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 97 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 98 OF 2014 – AWARD CONTRACT, REPLACE CURBS, GUTTERS & HANDICAP RAMPS @ VARIOUS LOCATIONS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 15, 2014, at 11:00 AM, bids for “CURBS, GUTTERS & HANDICAP RAMPS”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for CURBS, GUTTERS & HANDICAP RAMPS to Charles Marandino, LLC for their bid in the total Amount of \$515,774.00.

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

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 98 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$568,211.60 and payrolls from 6-14-14 to 6-27-14 in the amount of \$537,620.62 and from 6-28-14 to 7-11-14 in the amount of \$596,206.18 for approval.

Cmr Kelly moved, seconded by Cmr Sarno the bills & payrolls be approved.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**APPOINTMENTS**

Cmr Sarno moved, seconded by Cmr Kelly, the appointment of Angela Ciliberti to Bd of Education (unexpired term of Shaukat Ali Azad to 5-15-17) & appointment of Marie McQueen to Zoning Bd of Adjustment, Alt #2 (unexpired term of Michael Einwechter to 1-19-15) be confirmed.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**ANNOUNCEMENTS**

CMR SARNO read the following JIF Safety Committee Report: “The Safety Committee met on July 1st. 4 incidents were reviewed: 1 Fire Dept workers comp, 2 minor auto incidents & 1 incident on boardwalk. Also discussed were: 1) lock out and tag out programs & right to know issues from the quarterly executive safety committee meeting; 2) Narcan; 3) city drug testing program i.e. all employees should be tested post-accident and randomly as listed in the city policy for zero tolerance of non-prescribed drug and alcohol use; 4) Police Dept & Public Works addition of auto and pedestrian signage and traffic controls surrounding the school”.

**PUBLIC PORTION**

ROBERT LANDAU, 6412 Winchester addressed the Commission on 3 issues: 1) Citing the Americans With Disabilities Act, he said if the City does not amend the Code to allow ice cream vendors to use carts, he will file a complaint with the Federal Government. 2) Reiterating remarks he made at the last Workshop, he feels for Fire Safety all restaurants should be required to have the doors open out. None should be “grandfathered”. 3) Regarding the Latin Festival and the Solicitor’s decision not to make public the decision in that case, he thinks it’s wrong, under the Open Meetings Act the public has the right to ask and if the City does not reconsider and make public the decision he will go to the Superior Court and asked for an emergency hearing to force the City to make public the decision.

LINDA KAPLAN, 12 N Wissahickon spoke on 3 topics: 1) She asked if the sign saying “Tax Abatement” at the old Monaco Motel was taken down. SOLICITOR WEINTROB reported seeing the Facebook post last night and checked with people at City Hall, none of whom knew anything about it. She called the attorney who handles issues for the Wave project who also knew nothing about it but said he would check with his clients. The Solicitor assured Ms Kaplan the City did not give permission to erect the sign and no decision has been made regarding Tax Abatements. 2) MS KAPLAN asked if the attorney was hired for the IRS audit & will some notice of contract award be published. She questioned length of contract and method of billing. SOLICITOR WEINTROB responded yes & the Notice of Award will be published on Monday. All professional contracts are “not to exceed” one year but he is being hired solely for the IRS Audit. Billing is @ \$355/hr and he comes with the credentials - JD, LLM (masters in taxation) and CPA. 3) Regarding the Latin Festival, MS KAPLAN asked who determined what the punishment would be. The Solicitor, understanding the frustration of Commission not answering questions, reiterated 1) The Commission cannot discuss personnel issues. 2) The person in question has put the City on notice that he may at some time file a lawsuit so it is not in the City’s best interest to continue to have conversations that could give him a cause of action. Therefore her advice to the Commission is not to answer any further questions on this topic. 3) You can bring up the issue as many times as you wish but the City is bound by privacy rights and it is not appropriate to do anything that would give someone cause to sue the City. 4) As a citizen you every right to say anything you wish but the Commission cannot talk on personnel issues.

STEPHEN DICHT, 16 N Martindale asked for an explanation of the IRS Audit. The Solicitor reported this is not an investigation, it is an examination still in the investigative stage. The IRS randomly comes into Cities to audit payroll taxes and the like. The Attorney and IRS auditor are going through the issues from the audit. MR DICHT asked why a \$355/hr attorney is needed if it is just an examination that might only result in recommendations and were any Atlantic County law firms solicited? The Solicitor said the Auditor and CFO recommended hiring a tax attorney and yes, firms within the county were contacted but many did not deal with payroll tax issues or Municipality issues. The Attorney will do what is necessary to protect the interest of the City and its citizens. MR DICHT also express displeasure that the Latin Festival finding are not going to be made public, stating not knowing the facts the Public cannot tell if the Commission is protecting the City’s interest or putting up a “smoke screen” to protect people including employees and public officials.

LEE SIROTA, 14 N Wyoming referring to the Mayor’s report published in this week’s Downbeach Current Newspaper, asked if plans started under Mayor Kelly for updating infrastructure was being continued. CMR KELLY responded affirmatively stating many things under the bonds are being finished and Mr Sabatini is working on some other things needing to be done.

**6:30PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Kelly moved, seconded by Cmr Sarno the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on August 21, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

Mayor Bagnell made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

Mayor Bagnell asked if anyone had questions on Items to be voted on tonight.

LINDA KAPLAN, 12 N Wissahickon asked the Commission to explain #13, 18 & 20 on the Agenda.

#13 - R102: The Engineer's responded survey work is needed at various locations throughout the City for infrastructure improvements. He would perform the work but he is too busy and does not have the time to do it himself.

#18 - R107: The Mayor explained a study was done and showed a majority of properties and infrastructure are over 50 years old which "paves the way" for a tax abatement program. This is first step toward getting State approval for such program.

#20 - R109: The Mayor reported our present grant writer/planner has already reached the \$\$ limit and since there are projects still to be completed (development of Ventnor West, other infrastructure projects, Main Street projects for business districts) it is necessary to go out for RFQ's.

Cmr Kelly asked additional questions regarding R107. Besides offering tax abatements, she asked what "other things" does this program allow the governing body to do? The Mayor responded this allows for monetary incentives such as tax abatements and other incentives to fix up properties. This is a rehabilitation program, which does not allow for eminent domain - it is strictly voluntary. Cmr Kelly, referring to the provision that a property must be at least 20 years old to qualify, asked if new development would be eligible for tax abatement. The Mayor stated that by State Statute the property must be at least 20 years old to be eligible. In response to the Cmr's question if a property at least 20 years old is torn down will the new construction be eligible for abatement the Mayor responded affirmatively as would any substantial improvements to the existing property. Voting for this Resolution is just asking the State for approval for a tax abatement program. Cmr Kelly voiced her skepticism on how this will aid residents and asked who will make up the tax difference. The Mayor reiterated this is just the first step. The State must determine if Ventnor qualifies for abatements and an abatement plan must be formulated and approved by the State before any program is initiated. There will be plenty of discussion before finalizing the plan.

#### **MOTION TO APPROVE MINUTES**

Mayor Bagnell moved, seconded by Cmr Sarno the Minutes of the 7-17-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-21**

ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES  
BY THE CITY OF VENTNOR CITY PURSUANT TO C. 52:14-15f et. seq.

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-22**

AN ORDINANCE AMENDING CHAPTER 102, DEVELOPMENT REGULATIONS, ARTICLE III, DEFINITIONS  
AND WORD USEAGE AND ARTICLE XVIII, GENERAL REGULATIONS IN ALL DISTRICTS

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **INTRODUCTION OF ORDINANCE 2014-23 - TABLED**

AN ORDINANCE AMENDING CHAPTER 81 BOATING

#### **INTRODUCTION OF ORDINANCE 2014-24**

AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF VENTNOR  
RELATING TO THE HEIGHT REQUIREMENTS OF BULKHEADS

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-24 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **FINAL READING AND ADOPTION OF ORDINANCE 2014-21**

ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES  
BY THE CITY OF VENTNOR CITY PURSUANT TO C. 52:14-15f et. seq.

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-21 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **FINAL READING AND ADOPTION OF ORDINANCE 2014-22**

AN ORDINANCE AMENDING CHAPTER 102, DEVELOPMENT REGULATIONS, ARTICLE III, DEFINITIONS  
AND WORD USEAGE AND ARTICLE XVIII, GENERAL REGULATIONS IN ALL DISTRICT

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-22 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 99 thru 113 of 2014 by consent agenda. Cmr Kelly requested Resolution 107 of 2014 be voted separately. Mayor Bagnell asked for a clarification of R104. Cmr Kelly explained the DEP requires a wash down station for PW equipment and we are not doing anything elaborate, just a drain and hose. The Cmr added that Administrator Russo is looking into using Atlantic City or Margate’s wash down station but this is still necessary. Engineer Sabatini confirmed it will cost less than \$75,000 and is necessary for such equipment as the street sweeper that cannot be taken to AC or Margate for wash down.

Cmr Sarno moved, seconded by Mayor Bagnell Resolutions No. 99 thru 113 of 2014 with the exception of Resolution No. 107 of 2014 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 99 OF 2014 – RELEASE OF PERFORMANCE BOND (4900 WELLINGTON)**

WHEREAS, Rojoten Coats LLC posted a performance bond in the amount of \$179,439.00 for site inspections at the property known as 4900 Wellington Avenue within the City of Ventnor City; and

WHEREAS, an inspection of the site by the City Engineer has found all improvements completed as required by the Ventnor City Planning Board; and

WHEREAS, the applicant has requested release of said performance bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the release the \$179,439.00 performance bond for improvements at the site known as 4900 Wellington Ave.

BE IT FRUTHER RESOLVED that as a condition of said release Rojoten Coats, LLC shall post a two (2) year maintenance guarantee in the amount of \$22,429.87 (15% of costs of improvements) pursuant to the Municipal Land Use Law Chapter 291 Section C.40:55D-53.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 99 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 100 OF 2014 – REFUND TAX OVERPAYMENT**

WHEREAS, the 2014 tax on Block 131, Lot 24 known as 6 N Lafayette Ave and assessed to Alexandra Johnson was paid in the amount of \$1,539.20 by CitiMortgage in error; and

WHEREAS, CitiMortgage, Inc., PO Box 23689, Rochester, NY 14692 has requested a refund sent to them in the above amount.

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 Tax Collector and the Chief Financial Officer of the City of Ventnor City are authorized to mark their books and records accordingly.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 100 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 101 OF 2014 – SET DATE OF VEHICLE/EQUIPMENT AUCTION**

WHEREAS, the City of Ventnor City has certain vehicles which are no longer needed for public use; and

WHEREAS, it is the intention of the City of Ventnor City to offer said vehicles for sale to the highest bidder after appropriate advertisement has been placed in the newspaper circulating in said municipality in accordance with NJSA 40A:12-13.1; and

WHEREAS, said vehicles intended for sale are:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Type</u>	<u>VIN #</u>
1993	FORD	F-700	Dump Truck 6 Cubic Yard	1FDYK74C6PVA31434
1992	FORD	F-700	Flatbed Truck	1FDPK74PONVA03852
2005	JOHN DEERE	Gator HPX 4x4	Utility Vehicle	MOHP4GX018465
2002	JOHN DEERE	Gator	Utility Vehicle	WOO4X2X082141
1999	BARBER	400 HD	Surf Rake	4248
2007	KAWASAKI	JT1200D7F	Personal Water Craft	US-KAW11388J607

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter authorizes the City Clerk to advertise in the PRESS by 2 insertions at least once a week, during 2 consecutive weeks, the last public auction to be not earlier than seven days prior to said sale of those items not needed for public use, attached hereto and made a part hereof. Said sale shall be held on Wednesday, the 3<sup>rd</sup> day of September, 2014 at 10:00AM, prevailing time, in the City Yard, N. Cornwall & Winchester Aves, Ventnor City, NJ.

The City of Ventnor City makes no warranties or representations as to the condition of said vehicles to be sold and sells said vehicles and equipment in an “as is” condition.

BE IT FURTHER RESOLVED that the City of Ventnor City reserves the right to reject any and all bids.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 101 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 102 OF 2014 – AUTHORIZE RFP’S FOR SURVEY WORK, VARIOUS LOCATIONS THROUGHOUT CITY**

WHEREAS, the City of Ventnor City desires to obtain proposals from private agencies for survey work at various locations within the City of Ventnor City; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution; and

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for survey work at various locations within the City of Ventnor City.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 102 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 103 OF 2014 – AUTHORIZE PLANS & SPECS, CITY HALL LEAD ABATEMENT**

WHEREAS, there is a need for lead abatement within City Hall of the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Lead Abatement in Ventnor City Hall” to be publicly bid.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 103 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 104 OF 2014 – AUTHORIZE PLANS & SPECS, INSTALL WASH DOWN STATION AT PW**

WHEREAS, there is a need for a Wash Down Station at the Public Works Complex; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Installation of Wash Down Station at Public Works” to be publicly bid.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 104 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 105 OF 2014 – AUTHORIZE PLANS & SPECS, ROOF REPLACEMENT AT PUBLIC WORKS**

WHEREAS, there is a need to replace the Roof at the Public Works Complex within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Roof Replacement at Public Works” to be publicly bid.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 105 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 106 OF 2014 – REQUEST PLANNING BD TO REVIEW 2 FAMILY DWELLINGS IN R-7 DIST**

WHEREAS, the “Municipal Land Use Law,” N.J.S.A. 40A:55D-1 et. seq. authorizes municipalities to establish appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions; and

WHEREAS, the City of Ventnor Planning Board (“Planning Board”) is charged with the duty of determining the needs of the City as related to regulations contained within zoning districts; and

WHEREAS, the zoning map in the City of Ventnor currently delineates the Residential 7 (R-7) zone as a single family zone; and

WHEREAS, the City of Ventnor Planning Board is requested to consider whether the Residential 7 district may be modified to allow two family dwellings in conformity with the Master Plan;

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

1. The Governing Body hereby authorizes and directs the Planning Board to review the proposed modification to the zoning districts in the City of Ventnor, specifically to modify the Residential 7 district to allow two family dwellings;
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.
3. This Resolution shall take effect immediately.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 106 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

August 21, 2014

**RESOLUTION NO. 107 OF 2014 – DESIGNATING ALL REAL PROPERTY WITHIN VENTNOR AS AREA IN NEED OF REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute ‘areas in need of rehabilitation’, as defined in the LRHL; and

WHEREAS, in accordance with the LRHL the Board of Commissioners of the City of Ventnor (the “Governing Body”), to further assist in the recovery from the destruction caused by Superstorm Sandy, has determined to investigate whether all of the real property constituting the City of Ventnor (the “City”) should be designated as an area in need of rehabilitation; and

WHEREAS, N.J.S.A. 40:12A-14 provides that prior to the adoption of a resolution designating the City as an area in need of rehabilitation (the “Designation Resolution”), the Governing Body must first submit a copy of the Designation Resolution to the City Planning Board (the “Planning Board”) for review and recommendation; and

WHEREAS, on June 19, 2014, the Governing Body, acting by resolution, referred a copy of the Designation Resolution, substantively as written herein, to the City Planning Board for review and comment pursuant to N.J.S.A. 40A:12A-14; and

WHEREAS, in accordance with the requirements of N.J.S.A. 40A:12A-14, the City Planning Consultant confirmed by Report dated May 15, 2014 (the “Report”) that more than half of the housing stock in the City is at least 50 years old; and

WHEREAS, in accordance with the requirements of N.J.S.A. 40A:12A-14, the City Engineer confirmed by certification dated August 12, 2014 (the “certification”) that more than a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

WHEREAS, based on the Report and certification, the Planning Board found that the statutory criteria to designate the City as an area in need of rehabilitation is satisfied; and

WHEREAS, the designation of the City as an area in need of rehabilitation is expected to promote the overall development of the City in accordance with the requirements of N.J.S.A. 40:12A-14; and

WHEREAS, on August 5, 2014, by resolution referred to the Governing Body, the Planning Board reviewed the Designation Resolution and recommended its adoption and the designation of the entire City as an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

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

1. Designation of the Area. The Governing Body hereby designates the City as an area in need of rehabilitation, which designation allows the Governing Body to, among other things, grant tax exemptions pursuant to the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., upon the adoption of an ordinance setting forth the eligibility requirements for various property structures.
2. A tax abatement program should be developed to encourage rehabilitation of residential and nonresidential property in the City. Residential property must be at least 20 years old in order to participate in said program and the abatement program shall reduce the amount of the abatement 20 percent over a five year period. Nonresidential property shall also be eligible for a five year tax abatement program.
3. The tax abatement program shall only be to a period of five years from the date of the adoption of an implementing ordinance.
4. Transmittal of Resolution to State Department of Community Affairs. The Governing Body hereby directs that the City Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs for review in accordance with the LRHL.
5. Effective Date. This resolution shall take effect immediately.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 107 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

Abstain: Commissioner Kelly

**RESOLUTION NO. 108 OF 2014 – AUTHORIZE RFP’S, DESIGN PREPARATION & INSTALLATION OF CITY HALL IT WIRING**

WHEREAS, the City of Ventnor City desires to obtain proposals from private agencies for the purpose of designing and installing IT wiring within Ventnor City Hall; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution; and

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for the purpose of designing and installing IT wiring within Ventnor City Hall.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 108 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 109 OF 2014 – AUTHORIZE RFQ’S, GRANT WRITER/PLANNER**

WHEREAS, the City of Ventnor City is desirous of engaging the services of a professional Grant Writer/Planner to facilitate the funding by means other than property taxes of projects undertaken or to be undertaken by the City; and

WHEREAS, the City of Ventnor City has determined that it is in the best interest of the City to award said professional contract in a fair and open manner; and

WHEREAS, the Board of Commissioners of the City of Ventnor City has determined that to best accomplish the fair and open award of said professional contract the solicitation of proposals for qualifications is warranted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it extends a request, solicitation and invitation for the submission of proposals for qualifications for the position of Grant Writer/Planner.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 109 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 110 OF 2014 – AUTHORIZE IRS SETTLEMENT**

WHEREAS, on or about June 26, 2013, the City of Ventnor was notified that the City was selected for a Department of Treasury, Internal Revenue Service examination for the tax period of January 1 through January 31, 2011 and;

WHEREAS, the parties, along with counsel for the City of Ventnor, James B. Evans, Jr., met with the Federal State Local Government (FSLG) Revenue Agent to discuss the Preliminary Explanation of Adjustments on July 17, 2014; and;

WHEREAS, as a result of the meeting and discussions with counsel for the City of Ventnor, James B. Evans Jr., Esquire, and the FLSG Revenue Agent a Final Explanation of Adjustments was rendered on July 30, 2014; and

WHEREAS, the Final Explanation of Adjustments was reviewed by the CFO, Auditor and Counsel for the City of Ventnor, James B. Evans, Jr., Esquire and each has recommended the City of Ventnor accept the Final Explanation of Adjustments;

WHEREAS, An Agreement to Assessment and Collection of Additional Tax and Acceptance of Overassessment has been provided by the FSLG Revenue Agent requesting the amount of \$2,457.80; and

WHEREAS, the Board of Commissioners has determined that the Agreement to Assessment and Collection of Additional Tax and Acceptance of Overassessment reflects an agreement that is fair, equitable, and beneficial for Ventnor; and

WHEREAS, the Chief Financial Officer has certified that funds are available to pay the settlement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that agreement to pay the additional assessment to the Internal Revenue Service be and is hereby approved and authorized in the total amount of \$2,457.80;

BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 110 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 111 OF 2014 – AUTHORIZE RENEWAL OF INTERLOCAL AGREEMENT WITH ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY FOR INTERCONNECTION OF WATER SERVICES**

WHEREAS, by Resolution 34 of 2004 the City of Ventnor City entered into an interlocal services agreement with the Atlantic City Municipal Utilities Authority for the interconnection of water services between the Ventnor City water system and the Atlantic City Water System; and

WHEREAS, said agreement was for a period of 5 years with an automatic renewal for a second term of 5 years; and

WHEREAS, the City of Ventnor City and the Atlantic City Municipal Utilities Authority wish to renew said interconnect agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the renewal of the Utility Interconnect Agreement with the Atlantic City Municipal Utilities Authority.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 111 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 112 OF 2014 – AUTHORIZE ENTERING INTO A COOPERATIVE PRICING AGREEMENT WITH MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission Cooperative Pricing System, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 21, 2014 the governing body of the City of Ventnor City, County of Atlantic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the CITY OF VENTNOR CITY.

AUTHORITY

August 21, 2014

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the MAYOR is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

#### CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

#### EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 112 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **RESOLUTION NO. 113 OF 2014 – AUTHORIZE PLANS & SPECS, REPAIR LEAKS @MUNICIPAL BUILDING**

WHEREAS, there is a need to repair leaks at the City Hall building within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as "Repair of Leaks at City Hall" to be publicly bid.

Cmr Sarno moved, seconded by Mayor Bagnell Resolution No 113 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$5,038,816.84 and payrolls from 7-12-14 to 7-25-14 in the amount of \$609,419.56, from 7-26-14 to 8-8-14 in the amount of \$586,582.80 and from 8-9-14 to 8-22-14 in the amount of \$584,357.49 for approval.

#### **ANNOUNCEMENTS**

Mayor Bagnell read the following JIF Safety Committee Report: The Safety Committee met on August 5th. All departments except beach patrol attended. Lynn Orsatti, the new claims coordinator was welcomed. She distributed two incident reports, 1 minor auto incident (ambulance backed into parked vehicle) and 1 beach patrol workers comp claim (foot injury while exiting a life guard boat). Fund Cmr Goos distributed a request from ACMJIF solicitor's office concerning use of personal vehicles on behalf of the city, stemming from an incident in a member community. Increased activity from events such as home football games, lifeguard races & national night out was mentioned to police and fire.

#### **PUBLIC PORTION**

JOSEPH TOSH, 220 N Washington thanked the Mayor and Commissioners for allowing the sailboat ordinances to be reviewed and potentially changed and for their support. He also thanked the Solicitor for her help and assistance.

JOHN PIATT, 413 Berkshire Dr asked what constitutes an improvement eligible for a tax abatement and how/who will administer the program. The Mayor responded those are details still to be worked out as the tax abatement program is developed. The improvements will have to be "substantial", something that will change the property assessment. Mr. Piatt voiced his disagreement that a tax abatement is an incentive for homeowners to improve their properties, adding the best tax abatement is to reduce cost of government which gives everyone a tax abatement. The Mayor recapped the basics of a tax abatement program again explaining this Resolution is just the beginning of the process for State approval before a program is drafted.

#### **6:30PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on September 16, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

Mayor Bagnell made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

**PRESENTATION BY REMINGTON, VERNICK – POST SANDY PLANNING REPORT**

STUART WISER, accompanied by Karen Twisler gave a presentation on the Post Sandy Planning Report for Ventnor City prepared by Remington, Vernick & Walberg Engineers. MR. WISER explained this preliminary report is a requirement for storm preparedness grant applications. Once finalized, the report will be sent to the DCA for approval. He briefly outlined the recommendations contained in the Report. Such recommendations included a vulnerability assessment, need for Master Plan update, a Multi-year Capital Improvement Plan, Shared Services Plan, Revision of Zoning Codes, Economic Development Plan, etc. At the conclusion of the presentation CMR KELLY asked who has copies of the Report. Mr. Wisser responded the City Engineer. The Cmr said she would get a copy from Mr. Sabatini.

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight.

PAULA DELUCA, 110 N Derby asked what were the bulkhead heights set by Ordinance 2014-24. The Mayor and Engineer responded Oceanfront 10.5' and Bayfront 8'.

**MOTION TO APPROVE MINUTES**

Mayor Bagnell moved, seconded by Cmr Sarno the Minutes of the 8.21-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-24**

AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF VENTNOR  
RELATING TO THE HEIGHT REQUIREMENTS OF BULKHEADS.

Mayor Bagnell 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, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**SUPPLEMENTAL DEBT STATEMENT**

Mayor Bagnell moved, seconded by Cmr Sarno the Supplemental Debt Statement be received and filed according to law.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RECEIPT OF REPORT OF BID OPENING REMOVE & REPLACE FIRE HYDRANTS**

Date of Bid Opening: September 11, 2014 @11:00 AM

Bid Opened By: Janice K. Callaghan, RMC, City Clerk

- |  |              |
|--|--------------|
| 1. Garrison Enterprises, Inc.<br>Vineland, NJ 08360<br>Bid Bond Attached       | \$ 76,127.90 |
| 2. West Bay Construction, Inc<br>Absecon, NJ 08201<br>Bid Bond Attached        | \$113,700.00 |
| 3. Kline Construction Co., Inc<br>Galloway, NJ 08205<br>Bid Bond Attached      | \$115,880.00 |
| 4. South State, Inc.<br>Bridgeton, NJ 08302<br>Bid Bond Attached               | \$197,435.00 |
| 5. Cardinal Contracting Co., LLC<br>Southampton, NJ 08088<br>Bid Bond Attached | \$304,158.55 |

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Mayor Bagnell moved, seconded by Cmr Kelly the Bid Opening Report be received and filed according to law.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-23**

AN ORDINANCE AMENDING CHAPTER 81 BOATING

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-23 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-25**

BOND ORDINANCE AUTHORIZING BULKHEAD REPAIR AND/OR REPLACEMENT IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$1,311,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,311,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-25 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-26**

BOND ORDINANCE AUTHORIZING VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMNT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$5,387,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$5,387,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-26 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

CMR KELLY noted and confirmed by MAYOR BAGNELL that NJEIT grant applications have been submitted to fund the projected outlined in Ord 2014-25 and 2014-26.

**FINAL READING AND ADOPTION OF ORDINANCE 2014-24**

AN ORDINANCE AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF VENTNOR RELATING TO THE HEIGHT REQUIREMENTS OF BULKHEADS.

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-24 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 114 thru 120 of 2014 by consent agenda.

Cmr Sarno moved, seconded by Mayor Bagnell Resolutions No. 114 thru 120 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 114 OF 2014 – REFUND COMMUNITY BUILDING DEPOSITS**

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 ins 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	REFUND AMOUNT
Michael Sherman 6717-19 Atlantic Ave., Ventnor, NJ 08406	5-30-14	8-24-14	\$100.00
5300 Boardwalk Condo 5300 Boardwalk, Ventnor, NJ 08406	4-3-14	9-7-14	\$100.00
Breakers on the Boardwalk 5400 Boardwalk, Ventnor, NJ 08406	9-8-14	9-14-14	\$100.00
Jade Broschard 12 N Sacramento Ave. Apt E Ventnor, NJ 08406	9-8-14	9-13-14	\$100.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 114 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 115 OF 2014 – AUTHORIZE RFP’S, CLEAN & VIDEO SANITARY SEWER/STORMWATER LINES**

WHEREAS, the City of Ventnor City desires to obtain proposals from private agencies for the purpose of cleaning and videoing sanitary sewers and stormwater lines; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution; and

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for the cleaning and videoing sanitary sewers and stormwater lines.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 115 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 116 OF 2014 – AUTHORIZE PLANS & SPECS, SUPPLY & INSTALL MATERIALS PER NJDOT STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION**

WHEREAS, there is a need to within the City of Ventnor City; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “supply and install materials per NJDOT Standard Specifications” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 116 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 117 OF 2014 – CHP 159, DRE CALLOUT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$550.00, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
DRE Callout

BE IT FURTHER RESOLVED that a like sum of \$550.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
DRE Callout

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 117 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 118 OF 2014 – CHP 159, ALLIANCE GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$875.00, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
Alliance Grant

BE IT FURTHER RESOLVED that a like sum of \$875.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
Alliance Grant

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 118 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 119 OF 2014 – AMEND PROFESSIONAL SERVICES CONTRACT (RUTALA)**

WHEREAS, the City of Ventnor City entered into a contract (hereinafter “Contract”) with James M. Rutala Associates, LLC (hereinafter “Rutala”) on March 20, 2014, to provide planning and grant services for an amount not to exceed \$15,000; and

WHEREAS, during the performance of the contract the scope of activities will exceed said not to exceed amount; and

WHEREAS, it is the desire of the Board of Commissioners of the City of Ventnor City to increase the not to exceed amount of the contract to \$25,000.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the City of Ventnor City, does hereby authorize the increase of the not to exceed amount to \$25,000 and directs the Mayor to execute an amendment to the Contract with James M. Rutala Associates, LLC.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 119 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 120 OF 2014 – AUTHORIZE SUBMISSION OF APPLICATION TO NJ LOCAL FINANCE BD PURSUANT TO NJSA 58:11B-9(a) & NJSA 40A:2-26(e)**

WHEREAS, the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey ("City"), desires to make application to the New Jersey Local Finance Board for its approval of the City's participation in the 2014 New Jersey Environmental Infrastructure Trust financing pursuant to: (i) *N.J.S.A. 58:11B-9(a)*; and (ii) *N.J.S.A. 40A:2-26(e)*; and

WHEREAS, the City believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

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

Section 1. The application to the New Jersey Local Finance Board is hereby approved, and the City's Bond Counsel, Solicitor and Auditor along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto.

Section 2. The City Clerk is hereby directed to prepare and file a copy of this resolution with the New Jersey Local Finance Board as part of such application.

Section 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 120 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPOINTMENT TO BD OF RECREATION CMRS**

Mayor Bagnell moved, seconded by Cmr Sarno to confirm the appointment of JOSEPH IANNUZZELLI to the Board of Recreation Commissioners to replace AJ Russo until 7-20-19.

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$1,079,246.30 and payrolls from 8-23-14 to 9-05-14 in the amount of \$565,701.84 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills and payrolls be approved.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**PUBLIC PORTION**

PAULA DELUCA, 110 N Derby presented the Mayor and Cmrs with a list of topics for discussion. Dialogue on the following pursued.

1. OEM: In response to questions regarding the employment status of Emergency Management Director Bill Melfi, the Mayor reported Mr Melfi is using vacation time and will be retiring Nov 1<sup>st</sup>; a member of the VC Police Department is the Deputy Director of Emergency Management; there are no plans for shared services with AC since there is a need for physical presence of the Director in the City during an emergency.

2. GREEN ACRES: The Solicitor recapped filing of the application with the NJDEP 1 year ago and now the need for Federal approval; application submitted to Federal approximately 3-4 months ago. Responding to further questioning, the Solicitor stated it would be unwise to take legal action since fines were possible and future funding jeopardized. Ms DeLuca suggested since Municipal funding were used while waiting for Green Acres, the City should be able to charge visitors while allowing residents free access, generate revenues without State approval and use land in Ventnor West to create nature trails and such. She also posed the possibility that due to State budget shortfalls, Ventnor's monies being "held hostage" may no longer exist in State coffers.

3. GRANT WRITER: The CFO explained the Grant Writer (Rutala) is working on several Ventnor projects and has reached the \$15,000 contract limit. The Resolution (R119) passed earlier in this meeting increased the contract to \$25,000. As the 2015 budget is prepared \$25,000 will again be allocated. Ms DeLuca asked if a cost analysis was done to see if the amount received from grants offset the grant writer stipend referencing a previous grant writer being paid \$60,000 without positive results.

September 16, 2014

4. K9: Ms. DeLuca requested further updates from Chief Miller on the newly acquired police dog. The chief reported this is a single purpose "sniffer" dog. An officer has been assigned and will be attending the academy starting Friday (9-19). The cost of this new K-9 is being borne by private a donor. The replaced dog, Niko, because of excessive publicity, has been difficult to dispose of. Mr DeLuca offered a contact name, which the Chief indicated, might be an outlet to utilize. He has a "couple other irons in the fire" as he is trying to maximize what the City gets back. When asked if there was a credit from the breeder, the Chief reported the warranty does not cover "handler aggression".

5. TAX ABATEMENT: Ms DeLuca questioned: 1) cost in determining areas of city in need of rehabilitation study. Mayor's response - study already done by Jim Rutala and sent to Trenton. 2) Will abatement be for single owners or target Commercial. Mayor's response - details have not been worked on yet but most likely will be for residential and commercial. Further discussions included what other towns use tax abatements, possibility of program stigmatizing a town and possible negative connotations when entire City is declared in need of rehabilitation.

DEBBIE CONRAD, 217 N Wissahickon requested answers to the following: 1) Will the Post Sandy Planning Report presented tonight be available to the Public. Mayor's Response: Yes as soon as it is finalized. 2) During the reconstruction of the Ventnor Gardens Pump Station, will the pipes in the street be touched thus affecting the residents in that area? Engineer's Response: The construction will not touch the pipes under the street. 3) Referencing fires in the wetlands near Wissahickon Ave during the past weekend, Ms Conrad asked how they occurred and what the repercussions were. Firefighter Roche promised to bring her concerns to the Fire Chief Hazlett.

SYLVIA SANTIAGO, 12 N Vassar Sq asked the Commission to consider lifting the parking restrictions on Callender Ave since parking is a premium in that area and the lack of space is causing neighborhood disputes. The Mayor explained that due to the narrowness of the street public safety concerns were the reason for the no parking. He promised to speak to the Fire Chief. If fire apparatus can safely maneuver, he will consider allowing parking on one side.

MICHAEL CARR, 305 N Harvard asked if the ordinance regarding bulkhead heights covered City owned or all bulkheads. Mayor's response: All. Mr Carr then inquired about a bayfront property where the building was torn down and the vacant lot now has a deteriorating bulkhead allowing bay water to roll across the lot and into the street. He indicated some residents have hired an attorney to address the problems caused by the property owner but wanted the City to remember there is a storm drain on the property and suggested putting a check valve on the end of the pipe to help during high tides. The Mayor informed Mr Carr the City cannot order a property owner to put in a bulkhead but the Solicitor said she will speak to Jimmie Agnesino and the Planning Bd about the possibility of making bulk heading a condition of site plan approval.

**7:07PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on October 16, 2014 at 6:05 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

Mayor Bagnell made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

Mayor Bagnell asked if anyone had questions on Items to be voted on tonight or any questions regarding Tax Abatement.

DJ GLUCK introduced himself as part owner of Soleil Sotheby International Real Estate in Margate as well as a Ventnor taxpayer who owns several properties within the City. He commended the Commission's efforts to create a tax abatement program. He offered a comparison between the number of increased ratables (92 new constructions within 3 yrs) in Margate and Ventnor (8) and explained statistically how a tax abatement program could potentially increase ratables (new construction) in Ventnor.

#### **MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 9-16-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-23**

##### **AN ORDINANCE AMENDING CHAPTER 81 BOATING**

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-25**

**BOND ORDINANCE AUTHORIZING BULKHEAD REPAIR AND/OR REPLACEMENT IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$1,311,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,311,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-26**

**BOND ORDINANCE AUTHORIZING VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMNT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$5,387,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$5,387,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

SHERRY DRATFELD, 6103 Calvert asked if this Ordinance included repairs to the storm drains on her corner as well as on Harvard Ave. ENGINEER SABATINI reported check valves would be put on the outfalls to keep water from backing up. CMR KELLY assured her the City is aware of the situation and Public Works continues to work on the drains.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **SUPPLEMENTAL DEBT STATEMENT**

Cmr Kelly moved, seconded by Cmr Sarno the Supplemental Debt Statement be received and filed according to law.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **INTRODUCTION OF ORDINANCE 2014-27**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$2,250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,137,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-27 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-28**

The City Clerk announced the Introduction of this Ordinance will be held until after an Executive Session dealing with some personnel matters.

**INTRODUCTION OF ORDINANCE 2014-29**

AN ORDINANCE AMENDING ARTICLE III DEFINITIONS AND WORD USAGE CHP 102-11

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-29 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-30**

AN ORDINANCE AMENDING ARTICLE XIII A CITY COMMERCIAL DISTRICT CHP 102-85

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-30 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-31**

AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53(A) TO FUND THE COSTS ASSOCIATED WITH THE PREPARATION OF A TAX MAP FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-31 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-23**

AN ORDINANCE AMENDING CHAPTER 81 BOATING

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-23 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-25**

BOND ORDINANCE AUTHORIZING BULKHEAD REPAIR AND/OR REPLACEMENT IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$1,311,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,311,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-25 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-26**

BOND ORDINANCE AUTHORIZING VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMNT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$5,387,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$5,387,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-26 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

Cmr Kelly interjected that Engineer Sabatini is working very hard to get grant money for both bond Ordinances (Ord 2014-25 & 2014-26) and thanked him for all he does.

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 121 thru 139 of 2014 by consent agenda. CMR KELLY requested R128 of 2014 be voted separately. The Cmr stated she does not feel comfortable voting on it since it relates to the street on which she lives. She also asked for an explanation of R139 of 2014 since it was not on a previous workshop agenda. SOLICITOR WEINTROB explained at the request of the County Director of the Municipal Alliance the entire Alliance is being revamped to operate under State and County guidelines. The Solicitor reported she, the Mayor, Kathy McFadden and Albie Battaglia met with county. They will oversee the revamping and redrafting of bylaws. The first meeting is scheduled for 6pm on 10/23 at the school and they will meet quarterly.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 121 thru 139 of 2014 with the exception of Resolution 128 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 121 OF 2014 – REJECT BIDS, REMOVE & REPLACE FIRE HYDRANTS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on September 11, 2014, at 11:00 AM, did receive five (5) bids for “REMOVAL & REPLACEMENT OF FIRE HYDRANTS”; and

WHEREAS, the bids were reviewed and found that all bids exceeded the available funds for said project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter rejects all bids for the REMOVAL & REPLACEMENT OF FIRE HYDRANTS.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 121 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 122 OF 2014 – AUTHORIZE CO, AMERICAN LEGION ROOM RENOVATIONS**

WHEREAS, the City of Ventnor City did award a contract for “AMERICAN LEGION ROOM RENOVATIONS” and did enter into a contract with Coastal Land Contractors, Inc. in the amount of \$142,300.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “American Legion Room Renovations” be amended from \$142,300.00 to \$163,231.00 for a net increase of \$20,931.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 122 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 123 OF 2014 – AUTHORIZE CO, STREET REPAIRS, CURBS, GUTTERS & RAMPS**

WHEREAS, the City of Ventnor City did award a contract for “STREET REPAIRS FOR CONCRETE GUTTERS & ADA RAMPS” and did enter into a contract with Charles Marandino in the amount of \$515,774.00; and

WHEREAS, during performance of the project, the contract quantities were adjusted as required to meet the actual amounts used during the construction with the adjusted quantities.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as “Street Repairs for Concrete Gutters & ADA Ramps” be amended from \$515,774.00 to \$530,386.50 for a net increase of \$14,612.50.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 123 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 124 OF 2014 – CLOSE PLANNING/ZONING ESCROW ACCOUNTS**

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

WHEREAS, the following developers have paid said fees, and

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

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

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

Name	Property Address	Block/Lot	Remaining Balance
Susan Leis	7211 Winchester Ave	191-1	\$ 0.00
Gary Tavella	312 N Suffolk Ave	212-21	\$102.50
Gary Tavella	6116 Calvert Ave	157-21	\$422.00
Michael Castelli	5401 Calvert Ave	211-19	\$744.00
Kathleen Disidoro	7 N Martindale Ave	135-8	\$ 91.00
Anthony Faiola	211 N Derby	204-4	\$253.95

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 124 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 125 OF 2014 – SUPPORT STRATEGIC RECOVERY PLANNING REPORT & AUTHORIZE ADMINISTRATION TO SUBMIT APPLICATIONS FOR POST SANDY PLANNING ASSISTANCE GRANTS**

Whereas, the New Jersey Department of Community Affairs (NJDCA) is allocating Community Development Block Grant – Disaster Recovery (CDBG-DR) funds to support long range planning for municipalities that sustained damage from Superstorm Sandy; and

Whereas, applications for these grants are being accepted on a first come, first serve basis; and

Whereas, this grant program does not require a local match; and

Whereas, the City of Ventnor has received a Post Sandy Planning Grant to complete a Strategic Recovery Planning Report and the Governing Body supports the findings of this Report;

Whereas, the completion of a Strategic Recovery Planning Report is a prerequisite for applying for additional grant funds; and

Whereas, the City understand that these grant funds can be used for planning, design and engineering to facilitate projects that will make the community more resilient; and

Whereas, City of Ventnor intends to apply for Post Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

1. Vulnerability Assessment - \$20,000
2. Community Development Plan for Business Districts - \$50,000
3. Master Plan Reexamination - \$50,000
4. Zoning Ordinance Revisions – Design Standards - \$50,000
5. Capital Improvement Plan - \$30,000
6. Capital Improvement Plan for Regionalization and Shared Services - \$30,000

Now Therefore Be It Resolved, that the Governing Body;

1) Supports the Strategic Recovery Planning Report and hereby authorize the application for Post Sandy Planning Assistance to continue the City’s effort to become more resilient; and,

October 16, 2014

2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the and the New Jersey Department of Community Affairs; and

3) The City of Ventnor has sustained a ratable loss attributed to Superstorm Sandy of at least 1% or \$1M as indicated by the attached documentation from the tax assessor; and

4) That the City of Ventnor agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed uses of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies.

Be It Further Resolved, that the Governing Body authorizes the Administration to submit an Application to NJDCA for Posts Sandy Planning Assistance and to sign the Grant Agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 125 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO.126 OF 2014 – INDEMNIFY ATLANTIC COUNTY DURING HOLIDAY PARADE**

BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic and State of New Jersey that the Mayor and City Clerk be and they are herewith authorized to sign an Indemnification to be given to the County of Atlantic in consideration of the County permitting the City to close a portion of Ventnor Avenue on December 13, 2014 to facilitate the Holiday Parade in the City of Ventnor, which Indemnification form is annexed to this Resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 126 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 127 OF 2014 – AUTHORIZE NO PARKING DURING HOLIDAY PARADE**

WHEREAS, the City of Ventnor City is desirous of holding a Holiday Parade on December 13, 2014; and

WHEREAS, it is the intention of the City of Ventnor City to cause said parade to line up along Cornwall Avenue, proceed along Ventnor Avenue, finishing at the Ventnor City Firehouse at New Haven & Winchester Avenues; and

WHEREAS, due to the need to utilize the full cartway of Cornwall Avenue for the purpose of organizing the parade line-up, parking should be prohibited during the period of the parade.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it herein authorizes the Police Department in the City of Ventnor City to Post North and South Cornwall Avenue, between Atlantic and Winchester Avenues, both sides of the street as “No Parking” from 10:00AM to 1:00PM on December 13, 2014 during said period of the Holiday Parade.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forthwith transmitted to the Ventnor City Police Department.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 127 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 128 OF 2014 – AUTHORIZE PLANS & SPECS, RECONSTRUCT CAMBRIDGE AV, ATLANTIC TO BEACH**

WHEREAS, there is a need to reconstruct Cambridge Ave from Atlantic Ave to the Beach; and

WHEREAS, funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the Municipal Engineer to finalize the project design and specifications and upon completion of the above, authorizes the project known as “Reconstruction of Cambridge Ave from Atlantic to the Beach” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 128 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

Abstain: Commissioner Kelly

**RESOLUTION NO. 129 OF 2014 – AUTHORIZE RFP’S FOR HISTORIC ARCHITECT/ENGINEER TO DEVELOP SCOPE OF WORK & DETAILS FOR WATER PROOFING REPAIRS AT CITY HALL**

WHEREAS, the City of Ventnor City desires to obtain proposals for a Historic Architect/Engineer to Develop Scope of Work & Details for Water Proofing Repairs at City Hall; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution; and

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for a Historic Architect/Engineer to Develop Scope of Work & Details for Water Proofing Repairs at City Hall.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 129 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

October 16, 2014

**RESOLUTION NO. 130 OF 2014 – AUTHORIZE RFP’S FOR PARTIME/FULLTIME INSPECTOR FOR WATER PROOFING REPAIRS AT CITY HALL**

WHEREAS, the City of Ventnor City desires to obtain proposals for a Parttime/Fulltime Inspector for Water Proofing Repairs at City Hall; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution; and

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for a parttime/fulltime Inspector for Water Proofing Repairs at City Hall.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 130 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 131 OF 2014 – AWARD CONTRACT, SURVEY SERVICES TO HATCH MOTT MACDONALD**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on October 14, 2014, at 11:00 AM, RFP’s for “SURVEY SERVICES”; and

WHEREAS, the proposals have been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for SURVEY SERVICES to Hatch Mott MacDonald, Cape May Court House, NJ in the total amount of \$8,075.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 131 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 132 OF 2014 – CHP 159, DWI CHECKPOINT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$330.00, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
DWI Checkpoint

BE IT FURTHER RESOLVED that a like sum of \$330.00 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
DWI Checkpoint

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 132 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 133 OF 2014 – CHP 159, DOT 2013 MUNICIPAL AID**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$187,000.00, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
DOT 2013 Municipal Aid

BE IT FURTHER RESOLVED that a like sum of \$187,000.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
  - Public and Private Programs Offset by Revenues:
    - DOT 2013 Municipal Aid

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 133 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 134 OF 2014 – TAX OVERPAYMENT REFUNDS**

WHEREAS, the 2014 tax on Block 216, Lot 11 known as 306 N Dorset Ave, Ventnor, NJ and assessed to Frederick W Thorpe, IV was overpaid in the amount of \$1,000.10 due to a duplicate payment; and

WHEREAS, Mr. Thorpe has requested a refund of \$1,000.10 sent to him at the above address; and

WHEREAS, the 2013 and 2014 tax on Block 341, Lot 1 CP07 known as 5424 Suffolk Ct, Ventnor, NJ and assessed to Randy & Francine Kirsch was overpaid in the amount of \$1,436.06 for 2013 and \$1,379.37 for 2014 due to Tax Appeals; and

WHEREAS, the 2013 and 2014 tax on Block 341, Lot 1 CV07 known as 5510 Marshall Ave, Ventnor, NJ and assessed to Randy & Francine Kirsch was overpaid in the amount of \$1,097.93 for 2013 and \$548.97 for 2014 due to Tax Appeals; and

WHEREAS, Mr. & Mrs. Kirsch have requested refunds sent to them at 407 Shoemaker Road, Elkins Park, PA 19027.

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 are authorized to mark their books and records accordingly.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 134 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 135 OF 2014 – BEST PRACTICE INVENTORY**

WHEREAS, the NJ Fiscal year 2015 Appropriations Act requires the Division of Local Government Services to determine how much of each municipality's final 5% allocation of its Consolidated Municipal Property Tax Relief Aid (CMPTRA) and Energy Tax Receipts (ETR) aid will be disbursed based upon the results of a Best Practices Inventory to be completed by each municipality; and

WHEREAS, the Ventnor City Chief Financial Officer has prepared and submitted the CY2014/SFY2015 BEST PRACTICE INVENTORY on behalf of the City of Ventnor City; and

WHEREAS, to insure that the Governing Body has been apprised of the response, the completed Inventory must be a discussion item at a public meeting of said Governing Body.

NOW, THEREFORE, BE IT RESOLVED that this Resolution shall serve to confirm that a discussion of the CY2014/SFY2015 BEST PRACTICE INVENTORY was held at the October 16, 2014 Meeting of the Ventnor City Board of Commissioners.

BE IT FURTHER RESOLVED that the City Clerk is herein and hereby directed to file with the Division of Local Government Services a certification confirming that the Inventory was discussed at a public meeting of the Ventnor City Board of Commissioners.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 135 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 136 OF 2014 – CHP 159, BODY ARMOR REPLACEMENT PROGRAM**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$3,705.35, which item is now available from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
  - with Prior Written Consent of the Director of the Division of Local Government Services – Public and

Private Revenues Offset with Appropriations:

- Body Armor Replacement Program

BE IT FURTHER RESOLVED that a like sum of \$3,705.35 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
  - Public and Private Programs Offset by Revenues:
    - Body Armor Replacement Program

October 16, 2014

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 136 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 137 OF 2014 – CHP 159, DDEF FUND**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$4,823.82, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
DDEF Fund

BE IT FURTHER RESOLVED that a like sum of \$4,823.82 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
DDEF Fund

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 137 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 138 OF 2014 – AUTHORIZE PLANS & SPECS, IT WIRING AT CITY HALL**

WHEREAS, a need has arisen for the designing and installing of IT wiring within Ventnor City Hall; and

WHEREAS, the Chief Financial Officer has determined that funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the project design and specifications and upon completion of the above, authorizes the project known as “Design Preparation & Installation of IT Wiring For City Hall” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 138 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 139 OF 2014 – AMEND VC MUNICIPAL ALLIANCE COMMITTEE & APPOINT MEMBERS**

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

WHEREAS, the Ventnor City Commission, in the County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages; and therefore has an established Municipal Alliance Committee by Resolution 140 of 1990;

WHEREAS, the Ventnor City Commission further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community;

WHEREAS, The Ventnor City Commission has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Atlantic by Resolution 38 of 2014;

WHEREAS, the Ventnor City Commission wishes to formalize the list of appointees on the Ventnor City Alliance and require same to meet the requirements set forth by the Governor’s Council on Alcoholism and Drug Abuse and the Atlantic County Alliance for the Prevention of Drug and Alcohol Abuse including but not limited to strategic planning, creation of a mission statement, preparation of by-laws, scheduling quarterly meetings, accounting for all funds received and utilized and to create programs which will support the mission of the Alliance to assist in the education and prevention of drug and alcohol abuse;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey, that the following persons be and are hereby appointed to serve on the City of Ventnor Municipal Alliance Committee for a period of one (1) year commencing on October 17, 2014:

Michael Bagnell, Mayor  
Albert Battaglia, Jr, Chairman  
Kathleen McFadden, Coordinator  
Michael Miller Chief of Police (or his designee)  
Pastor James Macebo  
Matthew Burnside  
Robert Soifer  
Victoria Persiano  
Ellen VanDuyne

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey, that the first meeting of the Ventnor City Municipal Alliance will be held at the Ventnor Educational Community Complex on October 23, 2014 at 6:00 P.M.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that the Ventnor City Municipal Alliance is hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 139 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **APPOINTMENT TO PLANNING BOARD**

Mayor Bagnell moved, seconded by Cmr Sarno to confirm the appointment of Daniel J. Smith, IV to the Planning Board to replace Emily Christian until 7-17-18.

#### **APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$4,375,460.31 and payrolls from 9-6-14 to 9-19-14 in the amount of \$503,348.06 from 9-20-14 to 10-3-14 in the amount of \$616,655.85 and from 10-4-14 to 10-17-14 in the amount of \$481,457.80 for approval.

Cmr Sarno moved, seconded by Mayor Bagnell the bills and payrolls be approved.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

#### **ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report: the safety committee met on October 7th. The accident review section yielded 4 auto related incidents: 2 property damage claim where city vehicles hit parked cars; 1 where a non-city owned vehicle hit a fire hydrant & 1 where someone claims damage to their oil pan from hitting a raised manhole cover. No injuries were reported. Dave Smith and Tom Klein will attend the upcoming DPW regional training workshop and the JIF retreat agenda was discussed. Of particular note were sections on contractual transfer for purchasing and outside contractors' implementation and anatomy of a workers comp claim from report to close. The tree commission that Ventnor received approval for and the ACMJIF executive director's response concerning the necessary points to maximize any immunity available with this type of program was discussed. The next meeting will be Monday November 10<sup>th</sup> due election day and veteran's day.

#### **PUBLIC PORTION**

DEBBIE CONRAD, 217 N Wissahickon asked the Commission to address the problem of speeding and disregard of stop signs on her street by parents dropping off/picking up students at school. She also referred to the 2008 one-way directional change on Newark Ave. POLICE CHIEF MILLER explained the Newark Ave directional change was a result of the high collision rate at Monmouth & Newark Aves. He reported no collisions since the change. The Chief further reported he will meet with his police officer trained as a traffic engineer to discuss various improvements (signage, traffic controls, etc) to conditions on Monmouth & Winchester Aves relating to speed and right of way in addition to improvements under the "Safe Routes to School" grant program. MS CONRAD then asked who controls the traffic light at Fredericksburg and Atlantic. Now that Margate has the lights blinking, sometime the Fredericksburg light blinks and other times it is working. CMR KELLY described the age of the lights and how they are affected by weather, causing problems with synchronization. In response to Ms Conrad's inquiry concerning non-operational street lights on her block, the Mayor report the outage is caused by a problem with the underground electrical feed. He spoke with ACE representative Ken Mosca who indicated he would try to expedite the repair. Finally, MS CONRAD asked if the "Tree Committee" referenced in the JIF Safety Committee report was the same as the "Green Committee". The Mayor said it was not.

LINDA KAPLAN, 12 N Wissahickon prefaced her questions by commenting how informative she found this meeting and thanked Mr Sabatini for his work securing grants for the City. Referencing suggestions by Cmr Sarno to fine individuals when City departments are called to turn off water because of broken pipes, she opined that money saving efforts should be considered, not fines and suggested that changing meeting times to 7pm would increase attendance. MS KAPLAN asked if the Emergency Management position was full time with the Mayor responding affirmatively. When asked if Mr Melfi has other duties, CMR KELLY responded Mr Melfi did many things but was not sure if the new person would do the same. Responding to the question will this job be advertised, the Mayor reported it is Civil Service position and an appointment can be made. The Solicitor added there are two statutes relating to the office of Emergency Management and there is no requirement for the job to be posted.

BETH HOLTZMAN, 602 N Somerset introduced herself as a Ventnor resident since the age of 10 who participates in many City activities. She offered her opinion that the position of Emergency Management Coordinator is key and as such should be full time with no other responsibilities. She added that the person being considered for the position is a Ventnor resident/tax payer who has worked for Atlantic City for 23 years and has the experience.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.

#### **6:50PM EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: *"The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matter to be discussed is a personnel matter, amending the Salary Ordinance to add the title of Secretarial Assistant. Action may be taken when the Commission returns to Open Session."*

By way of background, SOLICITOR WEINTROB explained with the pending retirement of Emergency Management Coordinator Bill Melfi, the Mayor received a resume from a Ventnor resident who has worked in Atlantic City for 23 years under the title of Secretarial Assistant. She does not want to forfeit her benefits from AC so has requested an intergovernmental transfer. Since Ventnor does not have this particular title, the Salary Ordinance must be amended. Because the title of Emergency Management Coordinator does not offer the same protections, she is requesting an intergovernmental transfer, will take a leave of absence from that title to take the 3 year appointment as Emergency Management Coordinator. At the end of this 3 years, if not reappointed she would remain an employee of Ventnor in the title of Secretarial Assistant or

October 16, 2014

comparable title at the same salary and maintain seniority. Discussions ensued with Cmr Kelly and Sarno voicing their concerns for present employees with less seniority whose jobs could potentially be jeopardize. It was decided to introduce the Salary Ordinance amendment, which would give the Solicitor time before the public hearing and possible adoption to do due diligence and speak with union representatives.

Cmr Sarno moved, seconded by Cmr Kelly the Executive Session be closed and return to Open Session.

**7:20PM EXECUTIVE SESSION CONCLUDED**

SOLICITOR WEINTROB reported that during Executive Session Ordinance 2014-28 which relates to personnel issues was discussed.

**INTRODUCTION OF ORDINANCE 2014-28**

AMENDING ORDINANCE 2014-11 ESTABLISHING 2014 SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2014-28 be introduced

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**7:21PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on November 20, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

Mayor Bagnell made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

Mayor Bagnell asked if anyone had questions on Items to be voted on tonight. No one wished to speak.

**MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Cmr Kelly the Minutes of the 10-16-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-27**

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$2,250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,137,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-28**

AMENDING ORDINANCE 2014-11 ESTABLISHING 2014 SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-29**

AN ORDINANCE AMENDING ARTICLE III DEFINITIONS AND WORD USAGE CHP 102-11

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-30**

AN ORDINANCE AMENDING ARTICLE XIII A CITY COMMERCIAL DISTRICT CHP 102-85

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-31**

AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53(A) TO FUND THE COSTS ASSOCIATED WITH THE PREPARATION OF A TAX MAP FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

ROBERT LANDAU, 6412 Winchester asked what is meant by "emergency" funds for a tax map. Mayor Bagnell explained the need to update the tax maps before a Reval could be done then asked CFO Aboderin to clarify the term "emergency". The CFO explained the State allows a municipality to use it as a mechanism to fund a necessary project that was not included in the current budget. When Mr Landau questioned the amount of time needed to complete the tax maps, Solicitor Weintrob reported the Assessor gave the timeframe of approximately one year.

LINDA KAPLAN, 12 N Wissahickon asked where the money from the "Emergency" comes from. The CFO stated it must be raised in next year's budget.

THOMAS REEDY, 407 N Dorset asked if this would lead to the reassessment of all homes. The Mayor answered affirmatively.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING – IT DEPARTMENT REWIRING**

Date of Bid Opening: November 6, 2014 @11:00 AM  
Bid Opened By: Janice K. Callaghan, RMC, City Clerk

- 1. ComTec \$41,985.61  
Vineland, NJ  
Bid Bond Attached
- 2. EIRC \$65,300.00  
Mullica Hill, NJ  
NoBid Bond Attached
- 3. Calvi Electric \$69,949.00  
Atlantic City, NJ  
Bid Bond Attached
- 4. Tricomm Services Corp \$71,600.00  
Moorestown, NJ  
Bid Bond Attached

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Sarno moved, seconded by Cmr Kelly the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**REPORT OF BID OPENING – NJDOT MUNICIPAL AID ROAD PROGRAM**

Date of Bid Opening: November 13, 2014 @11:00 AM  
Bid Opened By: Janice K. Callaghan, RMC, City Clerk

- 1. Lexa Concrete, LLC \$677,328.00  
Hammonton, NJ  
Bid Bond Attached
- 2. Charles Marandino, LLC \$695,297.00  
Milmay, NJ  
Bid Bond Attached
- 3. Landberg Construction, LLC \$772,428.29  
Mays Landing, NJ  
Bid Bond Attached
- 4. West Bay Construction, Inc \$893,318.00  
Absecon, NJ  
Bid Bond Attached
- 5. Mount Construction Co., Inc \$919,771.00  
Berlin, NJ  
Bid Bond Attached
- 6. Mathis Construction Co., Inc \$974,194.34  
Little Egg Harbor, NJ  
Bid bond Attached

Report Submitted By: Janice K. Callaghan, RMC, City Clerk

Cmr Sarno moved, seconded by Cmr Kelly the Report be received and filed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-32**

AMEND CHAPTER 132, GARBAGE, RUBBISH & REFUSE, SECTION 132-16,  
ESTABLISHMENT OF PROGRAM TO INCLUDE ADDITIONAL MATERIALS  
TO BE SEPARATED FROM MUNICIPAL SOLID WASTE STREAM

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-32 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2014-33**

AN ORDINANCE CREATING CHAPTER 204 OF THE VENTNOR CITY CODE – TAXATION

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-33 be introduced  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-27**

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$2,250,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,137,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-27 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-28**

AMENDING ORDINANCE 2014-11 ESTABLISHING 2014 SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-28 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-29**

AN ORDINANCE AMENDING ARTICLE III DEFINITIONS AND WORD USAGE CHP 102-11

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-29 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-30**

AN ORDINANCE AMENDING ARTICLE XIII A CITY COMMERCIAL DISTRICT CHP 102-85

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2014-30 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-31**

AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53(A) TO FUND THE COSTS ASSOCIATED WITH THE PREPARATION OF A TAX MAP FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-31 be adopted  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**  
**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopt Resolutions Nos 140 thru 163 of 2014 by consent agenda. Prior to a vote being taken, Cmr Kelly asked Mr Rutala if the Commission would have input before any bicycle/pedestrian plan was implemented. Mr Rutala assured her there would be ample time for input from the Commission as well as the Public. MAYOR BAGNELL requested R163 of 2014 be voted separately.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 140 thru 162 of 2014 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 140 OF 2014 – ADD NAMES TO VC MUNICIPAL ALLIANCE COMMITTEE**

WHEREAS, on October 16, 2014 by Resolution Number 139 of 2014, the Board of Commissioners authorized the Amendment to the Ventnor City Municipal Drug Alliance and appointed members thereto.

WHEREAS, at the October 23, 2014 meeting of the Ventnor City Municipal Alliance added a new member and the Chief of Police appointed his designee.

WHEREAS, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor, County of Atlantic, State of New Jersey, that the following persons be and are hereby appointed to serve on the City of Ventnor Municipal Alliance Committee for a period of one (1) year commencing on October 17, 2014:

Maryanne Lacovarra community member;  
Sergeant Louis Kabo designee for Michael Miller, Chief of Police

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that the Ventnor City Municipal Alliance is hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 140 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 141 OF 2014 – AUTHORIZE APPLICATION FOR NJDOT BICYCLE & PEDESTRIAN SAFETY PLANNING ASSISTANCE**

WHEREAS, the City of Ventnor recognizes a concern for the safe, orderly and efficient movement of vehicular traffic and pedestrians throughout the City; and

WHEREAS, the safety of pedestrians and bicyclist is of utmost importance and the City has and plans to continue to explore ways to provide for safe access throughout the community; and

WHEREAS, the New Jersey Bicycle and Pedestrian Master Plan has established a vision for the State of New Jersey as a place where people choose to walk or bicycle with confidence and a sense of security; and

WHEREAS, the New Jersey Department of Transportation provides assistance by assigning consultants with expertise on local bicycle and pedestrian planning to help communities conduct circulation studies focusing on key corridor or activity centers; and

WHEREAS, the City of Ventnor wishes to work with the City of Margate, Atlantic County and the State of New Jersey to provide safer access for pedestrians and bicyclist throughout the community; and

WHEREAS, the City of Ventnor understands that this is a partnership program and the City would commit staff and resources to assist in this effort as needed; and

WHEREAS, the City of Ventnor is interested in obtaining Local Pedestrian and Bicycle Planning Assistance.

NOW THEREFORE BE IT RESOLVED that the governing body of the City of Ventnor supports an application for Local Pedestrian and Bicycle Planning Assistance.

BE IT FURTHER RESOLVED that the City of Ventnor with the support of the State and County will make a good faith effort to implement the recommendation of this planning study.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 141 of 2014 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 142 OF 2014 – CHP 159, ASSISTANCE TO FIREFIGHTERS GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$45,000, which item is now available from:

Miscellaneous Revenues:

- Special Items of General Revenue Anticipated
- with Prior Written Consent of the Director of the
- Division of Local Government Services – Public and
- Private Revenues Offset with Appropriations:
- FEMA – Assistance to Firefighters Grant

BE IT FURTHER RESOLVED that a like sum of \$45,000 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
- Public and Private Programs Offset by
- Revenues:
- FEMA – Assistance to Firefighters Grant

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 142 of 2014 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 143 OF 2014 – TRANSFER OF FUNDS**

BE IT RESOLVED that the following appropriation transfers are hereby authorized

	ACCT #	FROM	TO
MAYOR'S OFFICE			
OTHER EXPENSES	20-110-020	\$2,700.00	
CITY CLERK			
OTHER EXPENSES	20-120-020	\$2,000.00	
ELECTION EXPENSES	20-120-400	\$1,186.00	
TREASURER'S OFFICE			
SALARIES & WAGES	20-130-010		\$2,600.00
OTHER EXPENSES	20-130-020	\$9,500.00	
TAX ASSESSORS			
SALARIES & WAGES	20-130-010	\$7,000.00	
LEGAL SERVICES			
OTHER EXPENSES	20-155-020		\$130,000.00
CITY ENGINEER			
SALARIES & WAGES	20-165-010	\$23,000.00	
OTHER EXPENSES	20-165-020	\$30,000.00	
CONSTRUCTION CODE			
SALARIES & WAGES	22-195-010	\$50,000.00	
HOUSING CODE			
OTHER EXPENSES	22-196-020	\$5,300.00	
INSURANCES			
OTHER INSURANCE PREMIUMS	23-211-000	\$10,000.00	
WORKERS COMPENSATION	23-215-000		
HEALTH INSURANCE	23-220-000	\$240,000.00	
HEALTH BENEFIT WAIVER	23-221-000		
POLICE			
OTHER EXPENSES	25-240-020		\$400.00
COMMUNICATIONS			
SALARIES & WAGES	25-250-011	\$25,000.00	
OTHER EXPENSES	25-250-020		
EMERGENCY MANAGEMENT			
SALARIES & WAGES	25-252-011	\$8,000.00	
OTHER EXPENSES	25-252-020	\$5,100.00	

FIRE DEPARTMENT			
OTHER EXPENSES	25-255-020	\$33,784.00	
STREETS & ROADS			
SALARIES & WAGES	26-290-011	\$24,373.00	
SOLID WASTE			
SALARIES & WAGES	26-305-010		\$28,800.00
BUILDINGS & GROUNDS			
SALARIES & WAGES	26-310-011		\$27,000.00
VEHICLE MAINTENANCE			
OTHER EXPENSES	26-215-020		\$6,000.00
BEACH PATROL			
SALARIES & WAGES	26-380-010		\$9,952.00
OTHER EXPENSES	28-380-020	\$12,601.00	
BEACH CONTROL			
SALARIES & WAGES	28-381-010	\$5,218.00	
OTHER EXPENSES	28-381-020	\$952.00	
ELECTRICITY	31-430-000		\$40,000.00
TELEPHONE	31-440-000		\$30,000.00
NATURAL GAS	31-446-000	\$9,063.00	
GASOLNE	31-460-000	\$21,300.00	
TERMINAL LEAVE	32-400-011		\$145,600.00
MEDICARE INSURANCE	36-476-000		\$28,500.00
DEFINED CONTRIBUTION RETIREMENT PLAN	36-478-000		\$2,100.00
PRINCIPAL SCHOOL DEBT	48-920-000		\$75,125.00
		\$526,077.00	\$526,077.00
		\$526,077.00	\$526,077.00

WATER/SEWER UTILITY

	ACCT #	FROM	TO
WATER/SEWER UTILITY			
SALARIES & WAGES	55-501-010		\$32,000.00
ACUA, SEWER TREATMENT	55-502-300	\$33,405.43	
INTERST ON NOTES	55-522-000		\$650.00
INTEREST ON BONDS	55-523-000		\$755.43
CONTRIBUTION SOCIAL SECURITY	55-541-000		
		\$33,405.43	\$33,405.43
		\$33,405.43	\$33,405.43

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 143 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 144 OF 2014 – AUTHORIZE CONTRACT FOR EMERGENCY REPAIR OF LILLY PARK BULKHEAD**

WHEREAS, the bulkhead at Lilly Park is in a state of disrepair thus causing an unsafe condition to the General Public of the City of Ventnor City; and

WHEREAS, the continued existence could result in damage to both public and private property which affects the health, safety, and welfare of the General Public of the City of Ventnor City; and

WHEREAS, the immediate remediation of said condition is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter concurs with the declaration of an emergency affecting the public health, safety, and welfare.

BE IT FURTHER RESOLVED that it hereby directs the Municipal Engineer to engage the services of Channel Marine Construction, Inc. to effectuate the necessary repairs to the Lilly Park Bulkhead for the sum of \$5,800.00.

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds for this emergency award be issued by the Municipal Chief Financial Officer and attached hereto.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 144 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 145 OF 2014 – AUTHORIZE TRANSFER OF CANINE OWNERSHIP**

WHEREAS, the City of Ventnor City (hereinafter "Ventnor") currently maintains ownership of a canine known as "Niko," who is being boarded at Barkwoods Kennel in Egg Harbor, New Jersey; and

WHEREAS, the Board of Commissioners of the City of Ventnor City have determined that it would be in the best interest of the City to transfer ownership of the canine for a waiver of the fees associated with its boarding; and

WHEREAS, the Board of Commissioners of the City of Ventnor City wishes to enter into a contract (hereinafter "Contract") with an individual, Carol S. Klingel, for the transfer of ownership of said canine; and

WHEREAS, the Board of Commissioners has determined that the aforesaid agreement is fair, equitable, and beneficial for Ventnor.

November 20, 2014

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that the Contract for Transfer of Ownership of a Canine between the City of Ventnor and Carol S. Klingel, shall be and is hereby approved and authorized.

BE IT FURTHER RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 145 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 146 OF 2014 – AUTHORIZE SHARED SERVICES AGREEMENT WITH ATLANTIC CO, SENIOR TRANSPORTATION**

WHEREAS, the City of Ventnor City in cooperation with the County of Atlantic desires to enter into a Shared Services Agreement which will allow for the City of Ventnor to utilize three buses for senior citizen transportation in the City of Ventnor; and

WHEREAS, pursuant to N.J.S.A 40A:65-1 et seq. commonly known as "The Shared Services Act", legislation has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, a Shared Services Agreement has been prepared on behalf of the County of Atlantic and the City of Ventnor City, which Agreement provides that County of Atlantic will lend the City of Ventnor designated vehicles to be utilized by the City of Ventnor to continue its transportation services for senior citizens; and

WHEREAS, a copy of the Agreement between the County of Atlantic and the City of Ventnor will be available in the Ventnor City Clerk's office for review by the public; and

WHEREAS, a copy of this Resolution and the Agreement between the County of Atlantic and the City of Ventnor will be forwarded to the Department of Community Affairs, Division of Local Government Services pursuant to N.J.S.A. 40A:65-4(b); and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute, on behalf of the City of Ventnor City, the aforesaid Shared Services Agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 146 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 147 OF 2014 – AUTHORIZE SPECIAL EMERGENCY NOTE**

WHEREAS, the Local Budget Law, constituting Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law"), authorizes, inter alia, municipalities to adopt resolutions authorizing special emergency appropriations to cover the cost of extraordinary expenses associated with the repair and reconstruction of streets, roads or bridges or other public property damaged by flood or hurricane where such expense was not foreseen at the time of the adoption of the municipality's budget; and

WHEREAS, the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey ("City"), has previously authorized a special emergency appropriation in the amount of up to \$3,000,000 ("Appropriation") to pay the cost of extraordinary expenses associated with the repair, rehabilitation, reconstruction and/or replacement of, among other things, streets, roads, bridges, or other public property located in the City damaged by Hurricane Sandy ("Project") in accordance with Section 54 of the Local Budget Law (N.J.S.A. 40A:4-54), and;

WHEREAS, Section 55 of the Local Budget Law (N.J.S.A. 40A:4-55) authorizes the City to borrow money and issue special emergency notes to finance all or part of the costs of the Project, which Notes may be renewed from time to time; provided, however, at least 1/5 of all such special emergency notes, and the renewals thereof, shall mature and be paid in each year, so that all special emergency notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of the special emergency resolution; and

WHEREAS, the City has heretofore issued its Special Emergency Notes of 2013, Series A, in the principal amount of \$2,000,000 to finance the cost of the Project ("Prior Notes"); and

WHEREAS, the Prior Notes mature on December 12, 2014; and

WHEREAS, Section 55 of Local Budget Law, N.J.S.A. 40A:2-55, requires the City to pay, at maturity, one-fifth of the total amount authorized under each ordinance; and

WHEREAS, it is the desire of the City to issue its special emergency notes in the principal amount of up to \$1,000,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$1,000,000, will be used to repay the Prior Notes at maturity; and

WHEREAS, pursuant to the Local Budget Law, it is the intent of the Board of Commissioners to hereby authorize, approve and direct the issuance and sale of such special emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the City, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY, (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) PURSUANT TO THE LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law and the Appropriation, the issuance of special emergency notes of the City, to be designated, substantially, "City of Ventnor City, County of Atlantic, New Jersey, Special Emergency Notes of 2014, Series A" ("Notes"), in an aggregate principal amount of up to \$1,000,000 is hereby authorized and approved.

Section 2. Payment of the Notes shall be provided for by the inclusion of an annual appropriation of at least 1/5 of the total amount originally appropriated by resolution. Said appropriation shall be paid annually from the City's budget.

Section 3. The Chief Financial Officer, with the assistance of Parker McCay, P.A., Mount Laurel, New Jersey ("Bond Counsel"), is hereby authorized and directed to award and sell the Notes, at public or private sale, in such amount as may be determined, at a price not less than par, plus accrued interest, and to deliver the same to the purchaser thereof, upon receipt of the purchase price for the Notes.

Section 4. The Notes shall be executed in the name of the City by the manual signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the City affixed, imprinted, or reproduced thereon, and attested by the manual signatures of the City Clerk or Deputy City Clerk.

Section 5. The Notes shall be dated their date of delivery, may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law (N.J.S.A. 40A:4-55(b)).

Section 6. The Notes shall not be subject to redemption prior to maturity, shall be issued in registered or bearer form, shall be in the denomination of \$100,000 or greater, and shall be in the form permitted by the Local Budget Law and as Bond Counsel shall approve.

Section 7. At the next meeting of the Board of Commissioners after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Board of Commissioners, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 8. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the City without limitation as to rate or amount.

Section 9. The City hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 10. The City hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 11. The City hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 12. The City hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the City hereby represents that: (i) during the period from January 1, 2014 through and including the date hereof, the City has not issued or designated tax-exempt obligations in an amount which, when added to the aggregate principal amount of the Notes, exceeds \$10,000,000; and (ii) the City reasonably anticipates that the amount of tax-exempt obligations to be issued by it during the period from January 1, 2014 to December 31, 2014, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

Section 13. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Chief Financial Officer, City Clerk, Deputy City Clerk, other City officials or by the City's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 14. The Mayor, Chief Financial Officer, City Clerk and Deputy City Clerk are each hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer, City Clerk or Deputy City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 15. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 16. This Resolution shall take effect immediately upon adoption this 20th day of November, 2014.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 147 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 148 OF 2014 – CANCEL UNEXPENDED BALANCE OF BUDGET APPROPRIATIONS (RECREATION)**

WHEREAS, NJSA 40A:4-60 provides for the governing body to cancel unexpended budget appropriations prior to the end of the fiscal year, and

WHEREAS, the Board of Commissioners of the City of Ventnor City has identified appropriations in the 2014 budget that it intends to cancel.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, that the following unexpended balances of 2013 budget appropriations be canceled to the credit of Fund Balance:

Operations – within "CAPS"	
Recreation	
Other Expenses	\$13,660.95

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby directed to record the effects of this resolution on the financial accounts of the City.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 148 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 149 OF 2014 – AUTHORIZE CHANGE ORDER, CITY HALL LEAD ABATEMENT**

WHEREAS, the City of Ventnor City did award a contract for “Attic Lead Hazard Removal” and did enter into a contract with Pro Spec Corp. in the amount of \$121,513.16; and

WHEREAS, during performance of the project, the contract required adjustments due to extra work.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Attic Lead Hazard Removal” be amended from \$121,513.16 to \$136,388.16 for a net increase of \$14,875.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 149 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 150 OF 2014 – CHP 159, POST SANDY PLANNING ASSISTANCE GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum \$230,000, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
Post Sandy Planning Assistance Grants

BE IT FURTHER RESOLVED that a like sum of \$230,000 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
Post Sandy Planning Assistance Grants

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 150 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 151 OF 2014 – AUTHORIZE CHANGE ORDER, CONCRETE & LEVELING CH FLOORS**

WHEREAS, the City of Ventnor City did award a contract for “Concrete & Leveling of Various City Hall Floors” and did enter into a contract with Coastal Land Contractors in the amount of \$190,938.84; and

WHEREAS, during performance of the project, the contract required adjustments due to extra work.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Concrete & Leveling of Various City Hall Floors” be amended from \$190,938.84 to \$201,163.84 for a net increase of \$10,225.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 151 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 152 OF 2014 – AUTHORIZE INTERLOCAL AGREEMENT WITH ATLANTIC CITY FOR REPAIRS TO JACKSON AV**

WHEREAS, the City of Ventnor City in cooperation with the City of Atlantic City desires to enter into an Interlocal Services Agreement which will provide for the repairs and reconstruction of Jackson Avenue as part of the NJDOT 2013 Municipal Aid Road Program; and

WHEREAS, pursuant to N.J.S.A. 40:8A-1 et seq. commonly known as “The Interlocal Services Act”, legislation has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, an Interlocal Services Agreement has been prepared on behalf of the City of Ventnor City and the City of Atlantic City, which Agreement provides that each municipality shall undertake the necessary repairs and reconstruction of Jackson Avenue which shall include the improvement of traffic controls, the installation of ramps in conformity to the Americans with Disability Act, the installations of concrete gutters, sidewalks, driveways and vertical curbs, improvements to drainage and the paving of said road; and

WHEREAS, the City of Ventnor City and the City of Atlantic City agree to share equally in the costs for the work to be done at Jackson Avenue; and

WHEREAS, a copy of this Resolution and the Agreement between the City of Ventnor City and the City of Atlantic City shall be available in the Ventnor City Clerk’s Office for review by the public; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute, on behalf of the City of Ventnor City, the aforesaid Interlocal Services Agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 152 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 153 OF 2014 – REQUEST PLANNING BD REVIEW & PROVIDE RECOMMENDATION TO INCLUDE PROVISION IN DEVELOPMENTAL REGS FOR ZONING PERMITS AND FEES FOR SAME**

WHEREAS, the “Municipal Land Use Laws,” N.J.S.A. 40:55D-1 et. seq. authorizes municipalities to encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land; and

WHEREAS, the Ventnor City Developmental Regulations includes a definition for zoning permits but does not delineate the requirements of the permit, the enforcement of permits or the fees for same; and

WHEREAS, the City of Ventnor Planning Board (the “Planning Board”) is requested to review the definition of zoning permits and make a recommendation as to whether the developmental regulations should include a provision setting forth the requirements for a zoning permit, the enforcement rights thereto and any fees associated with same, and

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

1. The Governing Board hereby authorizes and directs the Planning Board to review the applicable provisions of the developmental regulations and make recommendations to the Governing Body consistent with this Resolution pursuant to N.J.S.A. 40:55D-26(a).
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 153 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 154 OF 2014 – REQUEST PLANNING BD REVIEW & PROVIDE RECOMMENDATION RE: DECK HEIGHTS**

WHEREAS, the “Municipal Land Use Laws,” N.J.S.A. 40:55D-1 et. seq. authorizes municipalities to encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare and to encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land; and

WHEREAS, the City of Ventnor Planning Board (“Planning Board”) is charged with the duty of determining the needs of the City as related to regulations contained within zoning districts; and

WHEREAS, the Ventnor City Developmental Regulations includes a provision related to the height of decks along the seawall and bulkhead as set forth in §102-118-3(d); and

WHEREAS, the City of Ventnor acknowledges that the raising of buildings requires this provision to be reviewed; and

WHEREAS, the Planning Board is requested to review the current height requirement of decks along the seawall and bulkhead and make a recommendation as to whether modifications are needed to §102-118-3(d), and

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

1. The Governing Board hereby authorizes and directs the Planning Board to review the applicable provision of the developmental regulations, to wit §102-118-3(d), and make recommendations to the Governing Body consistent with this Resolution pursuant to N.J.S.A. 40:55D-26(a).
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 154 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 155 OF 2014 – AUTHORIZE RFP’S FOR PREPARATION OF TAX MAPS**

WHEREAS, the City of Ventnor City desires to obtain proposals from private agencies for the purpose of creating a computer-generated tax map for formal State approval and certification, spatially referenced to a current aerial base; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution;

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for the purpose of retaining the services of a private firm to create a computer-generated tax map for formal State approval and certification, spatially referenced to a current aerial base report.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 155 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 156 OF 2014 – TAX OVERPAYMENT REFUNDS**

WHEREAS, the 2014 tax on Block 59, Lot 7.02 known as 7 S Oxford Ave, Ventnor, NJ and assessed to Christopher & Lisa Breining was overpaid in the amount of \$3,597.32 due to overpayments by the mortgage company;

WHEREAS, Mr. & Mrs. Breining have requested refunds sent to them at 3 Edgewater Drive, Hainesport, NJ 08036.

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.

November 20, 2014

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 156 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 157 OF 2014 – AWARD CONTRACT, NJDOT MUNICIPAL AID ROAD PROGRAM**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on November 13, 2014, at 11:00 AM, bids for “NJDOT MUNICIPAL AID ROAD PROGRAM”; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for NJDOT MUNICIPAL AID ROAD PROGRAM to Lexa Concrete, LLC for their bid in the total Amount of \$677,328.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 157 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 158 OF 2014 – AUTHORIZE RFP'S FOR ELECTRICIAN**

WHEREAS, the City of Ventnor City desires to obtain proposals for the services of an Electrician; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3a, in order to initiate a competitive contracting process and issue an RFP, the Board of Commissioners must first adopt a resolution authorizing the use of competitive contracting; and

WHEREAS, in order to comply with N.J.S.A. 40A:11-4.3b, the Board of Commissioners shall select a successful respondent from the RFP process through the adoption of a resolution;

WHEREAS, the Board of Commissioners has determined that it would be in the best interest of the City to prepare and advertise such an RFP;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposals for the purpose of retaining the services of an Electrician

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 158 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 159 OF 2014 – AUTHORIZE & APPROVE CITY'S PARTICIPATION IN MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE SECURITIES & EXCHANGE COMMISSION & AUTHORIZE & APPROVE CERTAIN ACTIONS IN CONNECTION WITH THE FOREGOING**

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City") has previously issued to the public various series of bonds and bond anticipation notes (collectively, the "Obligations"), including Obligations issued by the City in the past five (5) years; and

WHEREAS, in connection with the issuance of certain of such Obligations, the City agreed, pursuant to Rule 15c2-12 ("Rule") of the Securities and Exchange Commission ("SEC"), to provide certain continuing disclosure information regarding the City on an annual basis to the former Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system (2009-present) (otherwise known as "EMMA"), including, but not limited to, audited financial statements, certain financial information and operating data, certain notices of ratings changes and certain other events; and

WHEREAS, the SEC has recently focused its attention on what it believes is a widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and, in particular, possible misrepresentations made by such local government issuers in the official statements utilized to sell municipal securities regarding past compliance with those continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative ("MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, which encourages issuers of municipal securities, including the City, to self-report possible material misstatements or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure obligations; and

WHEREAS, by participating in the MCDC Initiative, issuers agree, among other things, to accept certain non-monetary penalties in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties that the SEC has threatened on issuers that do not participate in the MCDC Initiative, should the SEC determine that an issuer has made material misstatements in an official statement or statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, in particular, by participating in the MCDC Initiative, issuers agree to accept the following penalties, if imposed by the SEC: (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC; (ii) implementation of policies, procedures and training regarding continuing disclosure obligations; (iii) compliance with all existing continuing disclosure undertakings; (iv) cooperation with any further SEC investigation; (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings; and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 23, 2014 the New Jersey Department of Community Affairs, Division of Local Government Services ("DLGS"), issued Local Finance Notice 2014-9 ("Notice") warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and encouraging such issuers to determine whether to take advantage of the MCDC Initiative; and

WHEREAS, as part of the Notice, the DLGS strongly recommended that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and to consult with their public finance professionals in order to determine whether it would be advisable to participate in the MCDC Initiative; and

WHEREAS, based upon the directive of the Notice and in order to fully analyze whether it would be necessary or advisable for the City to participate in the MCDC Initiative, the City previously engaged the services of NW Financial Group, LLC, Hoboken, New Jersey, as disclosure specialist, in order to undertake a disclosure review on behalf of the City which: (i) summarized the results of the City's prior compliance with its secondary market continuing disclosure obligations; and (ii) compared those results to the statements made by the City in the last five (5) years in its official statement or statements regarding past compliance with continuing disclosure obligations ("Disclosure Review"); and

WHEREAS, based on the results of the Disclosure Review, and weighing heavily the known non-monetary penalties that may come through the City's participation in the MCDC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the Board of Commissioners is now desirous of authorizing and approving the City's participation in the MCDC Initiative and delegating to the Chief Financial Officer, after consultation with the City's general counsel, bond counsel, auditor, disclosure specialist and other finance professionals, to prepare and submit all documentation required to enter the City's bond and note issues into the MCDC Initiative, as deemed necessary or required.

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

Section 1. The City hereby ratifies and confirms the undertaking and completion of the Disclosure Review.

Section 2. After consultation with the City's general counsel, bond counsel, auditor, disclosure agent and other finance professionals, the Disclosure Review has revealed that the City may have made materially inaccurate statements in its bond and note official statement or statements relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Obligations issued during the prior five (5) year period, the City hereby authorizes and approves its participation in the MCDC Initiative.

Section 3. The Chief Financial Officer is hereby authorized to execute and deliver any and all documents and instruments, including, but not limited to, the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions contemplated by this Resolution.

Section 4. Any action taken by the Chief Financial Officer or any other officer or employee of the City, with respect to the Disclosure Review and the City's consideration of or participation in the MCDC Initiative is hereby ratified and confirmed.

Section 5. This Resolution shall take effect immediately upon adoption.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 159 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 160 OF 2014 – COMMUNITY BUILDING DEPOSIT REFUND**

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 ins 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	REFUND AMOUNT
Thomas Taylor 25 Somers Ave Egg Harbor Twp., J 08234 On behalf of: Breakers on the Boardwalk 5400 Boardwalk, Ventnor, NJ 08406	11-12-14	11-16-14	\$100.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 160 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 161 OF 2014 – AUTHORIZE GRANT APPLICATION & AGREEMENT WITH NJDOT FOR MUNICIPAL AID PROGRAM**

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Local Aid Infrastructure Fund: and

WHEREAS, subject to funding appropriation, a Local Aid Infrastructure Fund is established to address emergencies and regional needs throughout the State; and

WHEREAS, this program is available to all municipalities in the State of New Jersey; and

WHEREAS, the City of Ventnor carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Ventnor formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a Local Aid Infrastructure Fund grant application to the New Jersey Department of Transportation on behalf of the City of Ventnor.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Ventnor and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 161 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 162 OF 2014 – AUTHORIZE FLOOD HAZARD GRANT APPLICATION**

WHEREAS, the New Jersey Department of Environmental Protection provides funding through the Flood Hazard Risk Reduction and Resiliency Grant Program; and

WHEREAS, Applicants of the Flood Hazard Risk Reduction and Resiliency Grant Program must be counties and municipalities in one of the nine most affected counties by Superstorm Sandy; and

WHEREAS, the Flood Hazard Risk Reduction and Resiliency Grant Program is a competitive program and only projects considered ready for construction will be selected; and

WHEREAS, the proposed project area must present a high vulnerability or risk to storm surge or flooding, as developed by a science-based analysis; and

WHEREAS, \$50 million has been allocated to fund this grant program and awards will be based on the size and complexity of the projects; and

WHEREAS, the City of Ventnor is willing to fund, at a minimum, the design of the construction ready project and the HUD required Environmental Revenue should the project be selected for funding; and

WHEREAS, said grant will help fund an priority project in the City of Ventnor.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor authorizes the application for funding through the Flood Hazard Risk Reduction and Resiliency Grant Program; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the City of Ventnor authorizes the execution of a grant agreement and associated documents for the Hurricane Sandy Coastal Competitive Grant Program.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 162 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 163 OF 2014 – AWARD OF CONTRACT, IT DEPARTMENT REWIRING**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on November 6, 2014, at 11:00 AM, bids for "IT DEPARTMENT REWIRING"; and

WHEREAS, the bid has been reviewed and found to be complete and in compliance with the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for IT DEPARTMENT REWIRING to ComTec Solutions, Inc. for their bid in the total Amount of \$41,985.61.

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

Before a motion and vote were taken, Mayor Bagnell voiced reservations in awarding the contract because of a formal objection submitted by the highest bidder. Discussions ensued regarding the time allowed to award a bid, reasons for rejecting bids and timing for filing suits, etc. The Solicitor reported her office reviewed all bids, found the low bidder to be compliant and recommended awarding the bid.

Cmr Kelly moved, seconded by Cmr Sarno Resolution No 163 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno and Kelly  
Abstain: Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$5,429,705.40 and payrolls from 10-18-14 to 10-31-14 in the amount of \$546,672.75 and from 11-01-14 to 11-14-14 in the amount of \$480,383.55 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills and payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report: The Safety Committee met on November 10th. Lou Carey, ACMJIF safety director representative attended. He noted that PEOSHA is increasing inspections and raising fines. In accident review there was one trip & fall caused by South Jersey Gas resurfacing operation,. They were noticed. Mr Carey mentioned an incident in another community where a stop sign was taken out in a motor vehicle accident. Another fatal accident occurred at that site before the stop sign was replaced. Ventnor PD explained their policy is to remain on site where a sign or other control is damaged until replacement to prevent such an incident. Hazmat changes and training requirements were reviewed. Regional public works superintendents workshop and annual ACMJIF retreat were attended in October.

**PUBLIC PORTION**

LINDA KAPLAN 12 N Wissahickon addressed the Commission on 2 matters: 1) what is \$\$ amount of sick days new Emergency Management Director will bring forward from Atlantic City. After some discussion, no answer was given. 2) Regarding the Mayor's abstention to the award of contract to ComTec System it was explained there is no problem with ComTec's equipment, there was a challenge to the bid. The Mayor stated he did not think it prudent to move forward until the challenge was resolved. In conclusion, MS KAPLAN thanked the Commission for the notice to residents which appeared in

November 20, 2014

the Current newspaper about turning off their water in winter. CMR KELLY responded she thought Ms Sirota's suggestion at the workshop was appropriate and WS Supt Tom Klein did a nice job preparing the notice.

LEE SIROTA, 14 N Wyoming asked who would be included within the Tax Exemption area. Planning Board Solicitor Stan Bergman, Esq., stating he worked on the tax exemption ordinance explained the entire City has been designated as in need of rehabilitation. A tax exemption program stimulates new construction. The new construction will be flood compliant thus aiding the City's community flood insurance rating system. The program is being instituted to stimulate more construction and the rehabilitation of commercial structures. There is no abatement in Ventnor's program. The exemptions allows for a reduction in that portion of the increased value only.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.

**6:30PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on December 18, 2014 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

Mayor Bagnell made the following announcement: "We value the rights of all citizens to have their voices heard. To insure that all citizens have an opportunity to do so, we feel that it is necessary to limit questions & comments to 5 minutes. Thank you for your cooperation."

Mayor Bagnell asked if anyone had questions on Items to be voted on tonight. No one wished to speak.

**MOTION TO APPROVE MINUTES**

Mayor Bagnell moved, seconded by Cmr Kelly the Minutes of the 11-20-14 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-32**

AMEND CHAPTER 132, GARBAGE, RUBBISH & REFUSE, SECTION 132-16,  
ESTABLISHMENT OF PROGRAM TO INCLUDE ADDITIONAL MATERIALS  
TO BE SEPARATED FROM MUNICIPAL SOLID WASTE STREAM

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

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2014-33**

AN ORDINANCE CREATING CHAPTER 204 OF THE VENTNOR CITY CODE – TAXATION

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

LILA SIROTA, 14 N Wyoming asked if this ordinance established a tax abatement program. MAYOR BAGNELL stated this was a tax exemption program, not abatement and asked Stan Bergman, Esq, who authored the Ordinance to explain in more detail. MR. BERGMAN described an abatement program as one that takes the existing value of property and decreases that value and taxes are then abated on that. An exemption program gives incentive to add to the value of real property. A break is given on that addition. He offered the example: property land value \$100,000 and structure \$100,000 for total of \$200,000. If a \$30,000 improvement is made to building, exemption will be only on the \$30,000 improvement (30% for 5 yrs). MR BERGMAN and MAYOR BAGNELL confirmed for CMR KELLY this program will only apply to new construction (1/2 families) and commercial.

ROBERT WODE, 228 N Wissahickon asked when the program will go into effect (Ans: Jan 1, 2015) and will it be retroactive (Ans: No)

Prior to the vote to close the public hearing, MR. BERGMAN invited anyone with questions in the future to call him anytime.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-32**

AMEND CHAPTER 132, GARBAGE, RUBBISH & REFUSE, SECTION 132-16,  
ESTABLISHMENT OF PROGRAM TO INCLUDE ADDITIONAL MATERIALS  
TO BE SEPARATED FROM MUNICIPAL SOLID WASTE STREAM

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-32 be adopted

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING AND ADOPTION OF ORDINANCE 2014-33**

AN ORDINANCE CREATING CHAPTER 204 OF THE VENTNOR CITY CODE – TAXATION

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2014-33 be adopted

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**

**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 164 thru 178 of 2014 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 164 thru 177 of 2014 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 164 OF 2014 – AUTHORIZING CLOSING PLANNING/ZONING ESCROW ACCOUNTS**

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

WHEREAS, the following developers have paid said fees, and

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

December 18, 2014

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

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

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
Marcia A. Deactor	109 S. Cambridge Avenue	\$1,466.07
Stanley C. Swan	6701 Monmouth Avenue	\$ 273.88
Ben Chapman, LLC	132 N. Wyoming Avenue	\$ 155.13
KCINLATIPS, LLC	5217 Atlantic Avenue	\$ 378.14
Robert L. O'Neil	6502 Ventnor Avenue	\$ 271.43
Anna M. Bliss	14 S Martindale Avenue	\$ 0
Maxine Stonehill	5901 Winchester Avenue	\$ .14
Donna McCarthy	7310 Ventnor Avenue	\$ 276.42
Caroline S. Till	7311 Ventnor Avenue	\$ 302.99
Melvin Kaye	6703 Monmouth Avenue	\$ 88.47
Donald Kulick	5403 Calvert Avenue	\$ 279.36
Triple Ace Buffet	5002 Wellington Avenue	\$ .23
William Garron	164 N. Derby Avenue	\$ 189.87
Daniel Fein	104 S. Cornwall Avenue	\$ 2.62
Lorraine Pronio	102 N Melbourne Avenue	\$ .35
Lee Gaber	13 N Washington Avenue	\$ .55
Robert Bentz	6214 Calvert Avenue	\$ 128.53
Arthur Mattia	229 N Surrey Avenue	\$ .04
Van Duyne, LLC	115 N Dudley Avenue	\$ 386.03
Barny Investments	11 S. Weymouth Avenue	\$ 154.31
Rojoten Coats, LLC	4900 Wellington Avenue	\$ 288.05
3 Dots, LLC	6505 Atlantic Avenue	\$ 89.13
Frederick Thorpe	306 N Dorset Avenue	\$ .32
Robert Petrongolo	11 Hart Lane	\$ .76
Ventnor on the Bay	6101 Monmouth Avenue	\$ 0

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 164 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 165 OF 2014 – APPOINT EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, the City of Ventnor City (hereinafter “Ventnor”) requires the appointment of a Municipal Emergency Management Coordinator as the current coordinator will retire as of December 1, 2014; and

WHEREAS, pursuant to N.J.S.A. App. A:9-40.1, the Mayor shall appoint a municipal emergency management coordinator from among the residents of the municipality who shall serve for a term of three years; and

WHEREAS, Mayor has selected Donna Peterson, a resident of the City of Ventnor, to be the Municipal Emergency Management Coordinator for the City of Ventnor; and

WHEREAS, the Board of Commissioners has determined that the aforesaid individual meets the requirements set forth in N.J.S.A. App. A:9-40.1 and Directive 102 issued by the New Jersey State Office of Emergency Management on March 15, 1990; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that Donna Peterson of the City of Ventnor shall be and is hereby appointed as the Municipal Emergency Management Coordinator and shall serve for a period of three (3) years from December 1, 2014 through December 1, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 165 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 166 OF 2014 – REQUEST DEDICATION BY RIDER, ACCUMULATED ABSENCES LIABILITY TRUST FUND**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedicated by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 permits municipalities to receive amounts for costs incurred for Accumulated Absences; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the dedicated revenues anticipated from the Accumulated Absences Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Board of Commissioners does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund according to PL 2001, c. 138 and N.J.S.A. 40A:4-62.1
2. The Clerk of the City of Ventnor, County of Atlantic, New Jersey is hereby directed to forward two (2) certified copies of the Resolution to the Director of the Division of Local Government Services.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 166 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 167 OF 2014 – TRANSFER OF FUNDS**

BE IT RESOLVED that the following appropriation transfers are hereby authorized

	ACCT #	FROM	TO
TREASURER'S OFFICE			
OTHER EXPENSES	20-130-020	\$7,000.00	
TAX COLLECTOR			
OTHER EXPENSES	20-145-020		\$5.00
TAX ASSESSORS			
OTHER EXPENSES	20-150-020	\$2,000.00	
PLANNING BOARD			
SALARIES & WAGES	21-180-010		\$500.00
ZONING BOARD			
OTHER EXPENSES	21-185-020	\$3,020.00	
CONSTRUCTION CODE			
SALARIES & WAGES	22-195-010	\$14,960.00	
OTHER EXPENSES	22-195-020	\$2,700.00	
HOUSING CODE			
SALARIES & WAGES	22-196-011	\$10,590.00	
INSURANCES			
OTHER INSURANCE PREMIUMS	23-211-000	\$3,000.00	
WORKERS COMPENSATION	23-215-000	\$1,700.00	
HEALTH INSURANCE	23-220-000	\$64,000.00	
HEALTH BENEFIT WAIVER	23-221-000	\$6,000.00	
POLICE			
SALARIES & WAGES	25-240-011	\$20,000.00	
COMMUNICATIONS			
SALARIES & WAGES	25-250-011		\$7,000.00
OTHER EXPENSES	25-250-020		\$325.00
FIRE DEPARTMENT			
SALARIES & WAGES	25-255-011	\$20,000.00	
UNIFORM FIRE SAFETY			
OTHER EXPENSES	25-265-020	\$4,081.00	
STREETS & ROADS			
SALARIES & WAGES	26-290-011	\$28,000.00	
TRAFFIC & ELECTRIC			
SALARIES & WAGES	26-300-011	\$20,000.00	
SOLID WASTE			
SALARIES & WAGES	26-305-010	\$2,500.00	
OTHER EXPENSES	26-305-020	\$97,000.00	
BUILDINGS & GROUNDS			
SALARIES & WAGES	26-310-011	\$11,648.00	
OTHER EXPENSES	26-310-020		\$2,500.00
VEHICLE MAINTENANCE			
SALARIES & WAGES	26-215-011	\$12,938.00	
RECREATION			
SALARIES & WAGES	26-370-010	\$9,000.00	
TERMINAL LEAVE	32-400-011		\$333,607.00
MUNICIPAL COURT			
SALARIES & WAGES	43-490-011	\$3,800.00	
		\$343,937.00	\$343,937.00

WATER/SEWER UTILITY

	ACCT #	FROM	TO
WATER/SEWER UTILITY			
ACUA, SEWER TREATMENT	55-502-300	\$160.00	
DEFINED CONTRIBUTION RETIREMENT	55-543-000		\$160.00
		\$160.00	\$160.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 167 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 168 OF 2014 – SETTING 2015 COMMISSION MEETING/WORKSHOP SCHEDULE**

Pursuant to the Open Public Meetings Act, the following is the proposed 2015 Schedule of Meetings of the Ventnor City Board of Commissioners, which schedule shall be posted and distributed according to law:

<u>2015</u>					
Thursday	Jan	08	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Jan	15	6:00 PM	Public Meeting	VECC Auditorium
Wednesday	Feb	11	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Feb	19	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Mar	12	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Mar	19	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Apr	09	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Apr	16	6:00 PM	Public Meeting	VECC Auditorium

December 18, 2014

Thursday	May	14	4:00 PM	Workshop Session	VECC Auditorium
Thursday	May	21	6:00 PM	Public Meeting	VECC Auditorium
Thursday	June	11	4:00 PM	Workshop Session	VECC Auditorium
Thursday	June	18	6:00 PM	Public Meeting	VECC Auditorium
Thursday	July	09	4:00 PM	Workshop Session	VECC Auditorium
Thursday	July	16	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Aug	13	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Aug	20	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Sept	10	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Sept	17	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Oct	08	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Oct	15	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Nov	12	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Nov	19	6:00 PM	Public Meeting	VECC Auditorium
Thursday	Dec	10	4:00 PM	Workshop Session	VECC Auditorium
Thursday	Dec	17	6:00 PM	Public Meeting	VECC Auditorium

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 168 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 169 OF 2014 – REAPPOINT STAN GUNNISON - JIF RISK MANAGEMENT CONSULTANT**

WHEREAS, the City of Ventnor City is a member of the Atlantic County Municipal Joint Insurance Fund, a self-insurance pooling fund; and

WHEREAS, the Bylaws of said Fund require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

WHEREAS, CJ Adams Company/Stanley H. Gunnison has offered to perform the services required as Risk Management Consultant for a fee \$28,000; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereby appoints the CJ Adams Company/Stanley H. Gunnison as its Risk Management Consultant in accordance with NJSA 40A:11-5.

BE IT FURTHER RESOLVED BE IT FURTHER RESOLVED that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of the decision to be published according to NJSA 40A:11-5(1),(a),(i).

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 169 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 170 OF 2014 – REAPPOINT AMY WEINTROB, SOLICITOR**

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing Amy Weintrob, Esq. of Hankin, Sandman, Palladino & Weintrob, PA to serve as City Solicitor for a one year term beginning January 1, 2015; and

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

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

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

BE IT FURTHER RESOLVED that Amy Weintrob, Esq. of Hankin, Sandman, Palladino & Weintrob, PA is herein and hereby appointed Solicitor of the City of Ventnor City for a one year term effective January 1, 2015.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 170 of 2014 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 171 OF 2014 – REAPPOINT KENNETH MOORE, AUDITOR**

WHEREAS, there exists a need for auditing services for the preparation and submission of the Statutory Municipal Audit of the City of Ventnor City for the year 2014, the preparation of the financial statement for 2014, and assistance in the preparation of the 2015 Municipal Budget; and

WHEREAS, funds are available for this purpose; and

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

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

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

BE IT FURTHER RESOLVED that Kenneth W. Moore of Ford, Scott & Associates, LLC is hereby appointed auditor for the City of Ventnor City for the fiscal year 2015 and the said Kenneth W. Moore is hereby authorized and empowered to perform

December 18, 2014

all services necessary for the preparation and submission of said audit and the necessary 2014 Annual Financial Statement to accompany the 2015 Budget.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 171 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 172 OF 2014 – REAPPOINT PARKER MCCAY, BOND COUNSEL**

WHEREAS, JERRY STEINER, ESQ. is presently serving in the position of Public Defender for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing JERRY STEINER, ESQ. to serve as Public Defender for a one year term beginning January 1, 2015; and

WHEREAS, the Local Public Contracts Law (NJS 40A:5-11 et seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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

The Contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the law permits the waiving of competitive bids under NJS 40A:5-11.

BE IT FURTHER RESOLVED that JERRY STEINER, ESQ. is herein and hereby appointed Public Defender for the City of Ventnor City for a one year term effective January 1, 2015.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 172 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 173 OF 2014 – REAPPOINT JERRY STEINER, PUBLIC DEFENDER**

WHEREAS, JERRY STEINER, ESQ. is presently serving in the position of Public Defender for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing JERRY STEINER, ESQ. to serve as Public Defender for a one year term beginning January 1, 2015; and

WHEREAS, the Local Public Contracts Law (NJS 40A:5-11 et seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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

The Contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the law permits the waiving of competitive bids under NJS 40A:5-11.

BE IT FURTHER RESOLVED that JERRY STEINER, ESQ. is herein and hereby appointed Public Defender for the City of Ventnor City for a one year term effective January 1, 2015.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 173 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 174 OF 2014 – REAPPOINT MICHAEL MOSCA, PROSECUTOR**

WHEREAS, Michael Mosca, Esq. is presently serving in the position of Municipal Prosecutor for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing Michael Mosca, Esq. to serve as Municipal Prosecutor for a one year term beginning January 1, 2015; and

WHEREAS, the Local Public Contracts Law (NJS 40A:5-11 et seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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

The Contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because the law permits the waiving of competitive bids under NJS 40A:5-11.

BE IT FURTHER RESOLVED that Michael Mosca, Esq. is herein and hereby appointed Prosecutor for the City of Ventnor City for a one year term effective January 1, 2015.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 174 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 175 OF 2014 – REQUEST PLANNING BD REVIEW & RECOMMENDATION - SETBACKS**

WHEREAS, the “Municipal Land Use Laws,” N.J.S.A. 40:55D-1 et. seq. authorizes municipalities to encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health,

December 18, 2014

safety, morals and general welfare and to encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land; and

WHEREAS, the City of Ventnor Planning Board ("Planning Board") is charged with the duty of determining the needs of the City as related to regulations contained within zoning districts; and

WHEREAS, the Ventnor City Developmental Regulations includes a provision related to front yard setbacks of decks and porches as set forth in §102-118.3(b); and

WHEREAS, the Planning Board is requested to review the current front yard setbacks requirements for decks and porches and make a recommendation as to whether modifications are needed to §102-118.3(b), and

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

1. The Governing Board hereby authorizes and directs the Planning Board to review the applicable provision of the developmental regulations, to wit §102-118.3(b) to clarify the setback requirements for decks and porches and to discuss eliminating the requirement that the setbacks are only allowed for conforming structures and to make recommendations to the Governing Body consistent with this Resolution pursuant to N.J.S.A. 40:55D-26(a).
2. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 175 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 176 OF 2014 – AUTHORIZE PLANS & SPECS, FIREHOUSE FLOOR REPAIRS**

WHEREAS, a need has arisen for floor repairs at the New Haven Avenue Firehouse to within Ventnor City; and

WHEREAS, the Chief Financial Officer has determined that funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the project design and specifications and upon completion of the above, authorizes the project known as "New Haven Ave Firehouse Floor Repairs" to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 176 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 177 OF 2014 – AUTHORIZE PLANS & SPECS, NJEIT PROJECTS #3406767-02**

WHEREAS, the City of Ventnor City has been approved for funding from the NJEIT for projects known as Calvert Ave., Fulton Ave., Check Valve Installation and Ventnor Garden Stormwater Pump Station; and

WHEREAS, the City now wishes to put these projects out to bid.

WHEREAS, the Chief Financial Officer has determined that funds are available for this project.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the project design and specifications and upon completion of the above, authorizes the project known as NJEIT Projects #340677-02 for Calvert Ave., Fulton Ave., Check Valve Installation and Ventnor Garden Stormwater Pump Station to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 177 of 2014 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**PLANNING BD APPOINTMENTS/REPOINTMENTS:** DAVID HOLTZMAN, ALT #2 (8-19-14 TO 8-19-16); ROBERT LANDAU to replace JOHN SANTORO (01-01-15 TO 12-31-18); ROMAN ZABIHACH, ALT #1 to replace ROBERT LANDAU (UNTIL 3-7-15); JAY COOKE (01-01-15 TO 12-31-18); THOMAS MCADAM (01-01-15 TO 12-31-18)

Mayor Bagnell moved, seconded by Cmr Sarno the appointments/reappointments be confirmed.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$7,483,398.56 and payrolls from 11-15-14 to 11-26-14 in the amount of \$481,345.73 and from 11-29-14 to 12-12-14 in the amount of \$631,708.94 for approval.

Mayor Bagnell moved, seconded by Cmr Sarno the bills and payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ANNOUNCEMENTS**

MAYOR BAGNELL read the following JIF Safety Committee Report: The last scheduled Safety Committee meeting of 2014 was held on December 2nd. Discussed during claims review was an auto damage claim where a vehicle ran a stop sign and collided with a police cruiser. No injuries occurred but the other driver was ticketed. One trip and fall workers comp resulted in minor strain injury. Ventnor's lost time accident frequency through October 31, 2014 is 3.62 with 7 lost time accidents so far in 2014. Our goal in 2015 is to reduce this number below the JIF average. The 6 year loss ratio from 2008 through 2014 as of the end of September, 2014 was 62.4% for the ACMJIF. This resulted in an actual reduction in 2015 assessment. The safety committee was congratulated for this achievement. Training issues and availability of on line training on the MEL web site were discussed

**PUBLIC PORTION**

There being no one wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

**6:13PM EXECUTIVE SESSION**

MAYOR BAGNELL read the statement required before Executive Session: "The New Jersey Open Public Meeting Act permits the discussion of certain matters within Executive Session, as an exception to certain provisions of said law. The Ventnor City Board of Commissioners wishes to discuss certain matters, which qualify as exceptions in Executive Session. No action binding upon the Board of Commissioners will be taken within Executive Session and the discussion conducted in closed

December 18, 2014

*session will be disclosed to the public when legally permitted and when the public interest will no longer be served by keeping such matters confidential. The matters to be discussed issued of litigation.*

SOLICITOR WEINTROB updated the Commission on 3 matters of litigation or potential litigation: 1) Sandstock motion scheduled for 12-19-14 @ 10:30am before Judge Marczyk; 2) potential litigation with Mid Atlantic Abatement; 3) regarding the IT Dept. wiring contract electrical union filed action. First step is tomorrow's (12-19-14) Order to show cause hearing @3:30pm

Cmr Kelly moved, seconded by Mayor Bagnell the Executive Session be closed and return to Open Session.

**6:27PM EXECUTIVE SESSION CONCLUDED**

SOLICITOR WEINTROB reported during Executive Session discussed was the bid challenge on the IT Dept wiring contract, the upcoming motion hearing on the Sandstock matter and potential litigation with Mid Atlantic Abatement which has been resolved.

**6:28PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell moved, seconded by Cmr Kelly the meeting be adjourned. So ordered.