



Ventnor City Board of Commissioners

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

~ 2015 ~

*Commission Meetings
Minutes*

Explanation of Contents:

This volume of the Official Minutes of the Ventnor City Board of Commissioners begins on January 15th, 2015. 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:

2015 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
jcallaghan@ventnorcitey.org

Business Hours:

Monday – Friday
8:30am-4:00pm

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on January 15, 2015 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."

PROCLAMATION: THANKING PETE CIARROCCHI FOR K-9 DONATION

MAYOR BAGNELL explained that Ventnor now has a Police K-9 thanks to Mr. Jim Binns who found a donor (Pete Ciarrocchi, owner of Chickie & Petes). Mr. Ciarrocchi donated "Axil" and paid all related expenses. Mr. Binns was invited to the stage where he accepted the "Key to the City" on behalf of himself and Mr. Ciarrocchi. Mr Binns informed the audience that Mr Ciarrocchi is committed to making future donations once the Administration identifies additional police department needs, such as bicycles, motorcycles, K-9s, etc.

Following the presentation the meeting continued. MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. No one wished to speak.

MOTION TO APPROVE MINUTES

Cmr Kelly moved, seconded by Mayor Bagnell the Minutes of the 12-18-14 Regular Meeting be approved as written (oral reading waived).

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

REPORT OF BID OPENING – SOMERSET AV EMERGENCY SEWER REPAIR

Date of Bid Opening: January 13, 2015 @11:00 AM

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

1. Seashore Associated Mechanical Construction, Inc. Egg Harbor City, NJ 08215 Bid Bond Attached	\$171,201.00
2. Spencer V. Maussner, Inc. Cherry Hill, NJ 08034 Bid Bond Attached	\$212,121.21
3. Mathis Construction Co, Inc Little Egg Harbor, NJ 08087 Bid Bond Attached	\$216,216.92
4. WECO Construction, Inc. Egg Harbor Twp., NJ 08234 Bid Bond Attached	\$226,197.00
5. West Bay Construction, Inc Absecon, NJ 08201 Bid Bond Attached	\$229,811.00
6. Landberg Construction LLC Mays Landing, NJ 08330 Bid Bond Attached	\$233,133.02
7. Kline Construction Co., Inc Galloway, NJ 08205 Bid Bond Attached	\$237,000.00

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

Cmr Kelly moved, seconded by Mayor Bagnell the Bid Opening Report be received and filed according to law.

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

INTRODUCTION OF ORDINANCE 2015-01

AN ORDINANCE CREATING CHAPTER 179 OF THE CITY CODE TO BE ENTITLED
"FORECLOSING CREDITOR OBLIGATIONS REGRDING REIDENTIAL PROPERTIES"

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-01 be introduced

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

INTRODUCTION OF ORDINANCE 2015-02

ESTABLISHING 2015 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 2015-02 be introduced

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

NEW BUSINESS
CONSENT AGENDA

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 1 thru 12 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 1 thru 12 of 2015 be adopted by consent.

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

RESOLUTION NO. 1 OF 2015 – ADOPT 2015 TEMPORARY BUDGET

CURRENT FUND

GENERAL GOVERNMENT FUNCTIONS	FCOA	
Mayor's Office		
Salaries and Wages	20-110-010	17,300.75
Other Expenses	20-110-020	3,923.00
Police		
Salaries and Wages	25-240-010	1,046,290.62
Other Expenses	25-240-020	20,850.00
Fire Department		
Salaries and Wages	25-255-010	1,083,751.24
Other Expenses	25-255-020	8,060.00
Uniform Fire Safety		
Other Expenses	25-265-020	1,050.00
Radio & Communication		
Salaries and Wages	25-250-010	123,195.00
Other Expenses	25-250-020	30,600.00
City Administrator		
Salaries and Wages	20-100-010	19,975.00
Office of Emergency Management		
Salaries and Wages	25-252-010	13,875.00
Other Expenses	25-252-020	9,200.00
Dog Control	27-340-020	2,100.00
Electrical Division		
Salaries and Wages	26-300-010	15,067.00
Other Expenses	26-300-020	3,750.00
Celebration of Public Events	30-420-299	2,500.00
Zoning Commission		
Salaries and Wages	21-185-010	750.00
Other Expenses	21-185-020	2,075.00
Beach Patrol		
Salaries and Wages	28-380-010	10,000.00
Other Expenses	28-380-020	4,500.00
Beach Control		
Salaries and Wages	28-381-010	4,000.00
Other Expenses	28-381-020	5,600.00
Public Works Commissioner		
Salaries and Wages	20-114-010	2,500.00
Streets & Roads		
Salaries and Wages	26-290-010	122,305.23
Other Expenses	26-290-020	9,600.00
Motor Vehicle Maintenance		
Salaries and Wages	26-315-010	68,640.25
Other Expenses	26-315-020	4,750.00
Building & Grounds		
Salaries and Wages	26-310-010	50,399.00
Other Expenses	26-310-020	15,350.00
Recreation		
Salaries and Wages	28-370-010	65,000.00
Other Expenses	28-370-020	13,030.00
City Engineer		
Salaries and Wages	20-165-010	25,959.00
Other Expenses	20-165-020	20,750.00
Solid Waste/Recycling		
Salaries and Wages	26-305-010	14,916.00
Other Expenses	26-305-020	276,273.25
Finance Commissioner		
Salaries and Wages	20-112-010	2,500.00
Legal Services Costs		
Other Expenses	20-155-020	75,000.00

January 15, 2015

City Clerk		
Salaries and Wages	20-120-010	26,795.00
Other Expenses	20-120-020	10,050.00
Revision/Codification of Ordinances	20-120-300	2,300.00
Election Expenses	20-120-400	2,400.00
Auditing Fees	20-131-020	13,000.00
Planning Board		
Salaries and Wages	20-180-010	750.00
Other Expenses	21-180-020	5,000.00
Financial Management		
Salaries and Wages	20-130-010	59,254.75
Other Expenses	20-130-020	12,920.00
Assessment of Taxes		
Salaries and Wages	20-150-010	24,047.50
Other Expenses	20-150-020	2,480.00
Collection of Taxes		
Salaries and Wages	20-145-010	22,011.00
Other Expenses	20-145-020	3,675.00
Information Technology		
Salaries and Wages	20-140-010	18,115.25
Other Expenses	20-140-020	9,700.00
Municipal Court		
Salaries and Wages	43-490-010	55,770.50
Other Expenses	43-490-020	2,100.00
Prosecutor		
Salaries and Wages	43-492-010	7,750.00
Public Defender		
Salaries and Wages	43-495-010	2,250.00
INSURANCE		
Other Insurance Premiums	23-211-000	30,590.75
Worker Compensation Insurance	23-215-000	229,655.75
Health Insurance	23-220-000	618,841.20
Health Insurance Waiver	23-221-000	22,396.00
Construction Code		
Salaries and Wages	22-195-010	77,273.50
Other Expenses	22-195-020	1,650.00
Housing Code		
Salaries and Wages	22-196-010	18,836.25
Other Expenses	22-196-020	1,225.00
Electrical & Plumbing Inspections		
Salaries and Wages	22-197-010	2,265.00
Other Expenses	22-197-020	0.00
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
MUNICIPAL DEBT SERVICE		
Bonds Interest - General	45-930-000	18,000.00
Bond Principal - School	48-920-000	375,000.00
Bond Interest - School	48-930-000	47,928.13
		<u>\$ 5,761,340.92</u>

WATER/SEWER UTILITY FUND

WATER/SEWER UTILITY FUND	FCOA	
Operating		
Salaries and Wages	55-501-010	\$261,955.00
Other Expenses	55-502-020	\$299,750.00
ACUA Sewer Shared Costs	55-502-300	\$345,211.75
STATUTORY EXPENDITURES		
Contribution to:		
Unemployment	55-542-000	265.00
Social Security System (O.A.S.I.)	55-541-000	21,250.00
		<u>\$928,431.75</u>

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 1 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 2 OF 2015 – DESIGNATE BANK DEPOSITORIES

WHEREAS, the City of Ventnor City is desirous of designating certain local banks as depositories for City funds for the year 2015.

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

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

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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 2 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 3 OF 2015 – 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 2015 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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 3 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 4 OF 2015 – ADOPT 2015 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 2015 fiscal year.

Cash Management Plan of Ventnor City in the County of Atlantic
STATEMENT OF PURPOSE

I

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
- TD Bank

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) and has at least \$25 million in Capital stock (or equivalent capitalization if not a corporation) surplus reserves for contingencies and undivided profits, or through a securities and reports daily to the Federal Reserve Bank of New York its position in the borrowing on such U.S. Government securities.

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 Delivery versus payment@ method to insure that such Permitted Investments are either received by the City or by third party custodian prior to or upon 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:

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, 2015 to December 31, 2015. 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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 4 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 5 OF 2015 – REAPPOINT HANK N. ROVILLARD, ESQ AS GENERAL TAX COUNSEL

WHEREAS, HANK N. ROVILLARD, ESQ. is presently serving in the position of General Tax Counsel for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing HANK N. ROVILLARD, ESQ. to serve as General Tax Counsel to handle all Tax Appeals and In Rem foreclosures; 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 HANK N. ROVILLARD, ESQ. is herein and hereby appointed General Tax Counsel to handle all Tax Appeals and In Rem Foreclosures 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 5 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

January 15, 2015

RESOLUTION NO. 6 OF 2015 – URGE STATE LAWMAKERS TO OPPOSE AMENDING STATE CONSTITUTION TO PERMIT CASINO GAMBLING AT SITES OTHER THAN ATLANTIC CITY

WHEREAS, since 1978 Atlantic City has been the sole operational site for the New Jersey casino industry providing tremendous benefits in the areas of employment, housing, tax rates and assessments; and

WHEREAS, the economies of the City of Ventnor City and other Atlantic City area municipalities are largely influenced by the casino industry in Atlantic City; and

WHEREAS, Atlantic City is no longer the sole casino/legalized gambling destination in the Mid-Atlantic Region with the expansion of casino gambling to Pennsylvania, New York, Delaware, Connecticut, and Maryland; and

WHEREAS, in 2011, Governor Christie and the Legislature amended the State’s gambling and tourism regulations and “. . . vowed to protect the monopoly [of gambling in Atlantic City] for five years. . .” until at least 2016 so that the Atlantic City casinos could recover under the State plan; and

WHEREAS, continued expansion of legalized gambling sites in New York and Pennsylvania threatens to draw even more consumers away from Atlantic City casinos; and

WHEREAS, further deterioration of the Atlantic City casino industry would negatively impact not only Atlantic City but the City of Ventnor City and all of southern New Jersey; and

WHEREAS, the Atlantic City casino industry employs over 31,000 men and women, including 27,000 Atlantic County residents, and provides support for innumerable local businesses, both large and small; and

WHEREAS, the loss of these jobs and lessened support for local businesses will hurt the hard working middle class men and women of the City of Ventnor City and Atlantic County, who are the very people the casino industry was intended to help; and

WHEREAS, any further decline in Atlantic City casino property values will increase property taxes throughout Atlantic County, and

WHEREAS, the expansion of casino gaming to northern New Jersey will severely damage the economy of southern New Jersey, and Atlantic County in particular, depressing property values, placing 31,000 jobs at risk, and thereby making it very difficult for local families to afford to live in Atlantic County; and

WHEREAS, the adoption of a referendum would be required in order to operate casinos in New Jersey outside of Atlantic City; and

WHEREAS, in order to place a referendum before the people, 60 percent of the State Legislators in a single year, or a simple majority of each house of the Legislature in consecutive years, must pass a bill to amend the State Constitution; and

WHEREAS, certain legislators from southern New Jersey have indicated in the press that they are considering ending Atlantic City’s in-state monopoly and permitting the expansion of gambling to other New Jersey locations.

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

1) The City of Ventnor City hereby urges State Legislators to vote “NO” on any bill that would attempt to allow a referendum to amend the State Constitution to permit legalized casino gambling in New Jersey outside of Atlantic City.

2) The City of Ventnor City hereby urges the Governor and President of the State Senate to honor their vow to protect the monopoly of legalized casino gambling in Atlantic City until 2016 and to vow to protect said monopoly beyond 2016.

BE IT FURTHER RESOLVED that this Resolution be sent to all State Legislators, the Conference of Mayors, Atlantic County Freeholders and Executive Director, and all municipalities in southern New Jersey in order that they may commit to the continued support of Atlantic City and the surrounding communities.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 6 of 2015 be adopted.

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

RESOLUTION NO. 7 OF 2015 – AUTHORIZE APPLICATION FOR 2015 SUSTAINABLE JERSEY GRANT

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Ventnor strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, City of Ventnor has an active Green Team and is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

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 Governing Body of the City of Ventnor, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 7 of 2015 be adopted.

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

RESOLUTION NO. 8 OF 2015 – CONTRACT AWARD, SOMERSET AVE EMERGENCY SEWER REPAIR

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on January 13, 2015, at 11:00 AM, did receive seven (7) bids for “SOMERSET AVE EMERGENCY SEWER REPAIR ”; and

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

January 15, 2015

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for the SOMERSET AVE EMERGENCY SEWER REPAIR to Seashore Associated Mechanical Contractors, Inc. in the total Amount of \$171,201.00

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 8 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 9 OF 2015 – AMEND INTERLOCAL AGREEMENT WITH LONGPORT TO INCLUDE PLUMBING SUBCODE OFFICIAL

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

WHEREAS, the City of Ventnor City is desirous of amending the current agreement with the Borough of Longport to include the Plumbing Sub-code Official.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the interlocal services agreement with the Borough of Longport for furnishing the services of a Construction Code Official and related Sub-code Officials is herein and hereby amended to include the Plumbing Sub-code Official.

BE IT FURTHER RESOLVED this agreement is approved under the same terms and conditions with an increased amount of \$4,750.00 for a total contract amount being raised to \$43,750.00.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 9 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 10 OF 2015 – AUTHORIZE STREET OPENING MORATORIUM RELIEF, 212 N HARVARD

WHEREAS, John and Geraldine Delgrande purchased a lot at 212 N Harvard Ave for the purpose of constructing a single family home; and

WHEREAS, there are no existing laterals for water/sewer or existing utilities to this property; and

WHEREAS, Harvard 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 212 N Harvard 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 John and Geraldine Delgrande for the purpose of installing a new lateral for water/sewer and other utilities necessary for the construction of their home at 212 N Harvard 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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 10 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 11 OF 2015 – APPROVE PLANS & SPECS, VENTNOR GARDENS PLAZA PUMP STATION

WHEREAS, a need has arisen for the reconstruction of the Ventnor Gardens Plaza Pump Station; 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 “Reconstruction of the Ventnor Gardens Plaza Pump Station” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 11 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 12 OF 2015 – NAMING 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

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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, 2015 to December 31, 2015.

Referenced State Contract Vendors

<u>Vendor</u>	<u>State Contract #</u>	<u>Expiration Date</u>
A.E. Stone	82251 (Asphalt Concrete – Std HP Cold Patch)	08/31/2015
Eastern Concrete Materials, Inc.	87732 (Road & Highway Building Materials: Crushed Stone Sand & Gravel)	10/31/2017
South State, Inc.	86423 (Hot Mix Asphalt9 (HMA) Pick-Up, DOT)	04/30/2016
Battery Zone Inc.	83910 (Radio Communication Equipment & Accessories)	04/30/2018
Cargill	Sodium Chloride (Rock Salt)	05/31/2015
Chapman	79166/T-2760 (OEM Auto Parts & Accessories -Light Duty Vehicles)	06/25/2015
Central Jersey Equipment Inc.	76914/T-2187 (Parts & Repair of lawn & ground equip)	06/28/2015
Dell Marketing	70256/M-0483 (WSCA Computer Contract)	03/31/2015
	77033/M-0003 (Software License, Support, Maintenance & Related Services)	06/30/2015
Fastenal Company	79873/M-0002 (Industrial/MRO Supplies & Equipment)	02/28/2017
Garden State Highway Products	87100 (Breakaway U-Post Sign Support)	06/30/2017
	86462 Sign Blanks-Aluminum	04/30/2016
	81444 Sheeting-Reflective	04/30/2015
Giles and Ransome	85847 (Parts & Repairs: Road Maintenance Equipment)	01/29/2017
Goodyear	82527 / M-8000 (Tires & Tubes)	03/31/2015
Grainger	79875/M-0002 (Industrial/MRO Supplies & Equipment)	02/28/2017
Gold Type Business Machines	83904 / T-0109 Radio Communication Equipment and Accessories	04/30/18
Genuine Parts Company	73759 (Automotive Parts & Accessories)	03/17/2017
H A DeHart	73771 (Auto Parts & Accessories - Heavy Duty Vehicles)	03/17/2015
Jasper Engines & Transmissions	73735 (Auto Parts & Accessories -Heavy Duty Vehicles)	03/17/2017
JC Miller AKA:NAPA	73739 (Auto Parts & Accessories - Heavy Duty Vehicles)	03/17/2017
Kovatch Mobile Equipment	83151/G-8035 (Firefighting Vehicles)	05/14/2019
Kyocera Mita	64048/T-437A (Copiers – Cost/Copy)	08/31/2015
Lawman Supply	82100 81295 81325 (Police & Homeland Security Equipment & Supplies)	04/30/2015 04/30/2015 04/30/2015

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Liberty Parks & Playgrounds	81432/T-0103 (Park & Playground Equipment, Parts & Install)	05/14/2015
Nat Alexander & Co, Inc.	80946 (Firefighter Protective Clothing & Equipment)	03/31/2015
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
Sprint	76482/T2380 (Telecom & Relay Services)	03/31/2015
Staples	77249/M0052 (Office Supplies) M-9802 (WSCA Contract)	01/27/2015 01/04/2015
Tactical Public Safety	T-0109 / 83932 (Emergency Radio/Telephone Systems)	04/30/2018
Trico	76917 / T-2187 (Repair & Parts for Lawn & Ground Equipment)	06/28/2015
Tri County Pest Control	T2095/81119 (Pest Control Services Non Residential Statewide)	04/30/2015
Vineland Auto Electric	T-2085 / 73720 (Auto Parts & Accessories -Heavy Duty Vehicles)	04/30/2015
Winner Ford	83012/T-2007 (Vehicles SUVs)	10/29/2015
	82925/T-2776 (Police Vehicles: Sedans & SUVs)	01/24/2015
Work Area Protection Corp	82543 / M0004 (Traffic Safety Products)	02/29/2016

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 12 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

CONFIRM ZONING BD APPOINTMENTS

Mayor Bagnell moved, seconded by Cmr Sarno the appointments of TIM KREIBEL (replace Clyde Yost until 12.1.18) and LEONARD MORDEL (replace Frank Cavallero until 9.23.15) 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 \$464,868.97 and payrolls from 12-13-14 to 12-26-14 in the amount of \$495,017.42 and from 12-27-14 to 1-9-15 in the amount of \$543,909.33 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: JIF Safety Committee report for January 2015: The Safety Committee met on January 6th. All departments were represented. The accident review portion had only one incident - a ruined tire from a stop sign support collision (stop sign has been replaced). There were 2 vandalism incidents: some graffiti and brass plaque removal from benches behind the community center. All plaques have been recovered. There were multiple safety director bulletins related to weather slips & falls on ice, cold weather preparation, snow removal procedures, and the annual reminder on motor vehicle reports checked for all employees using city vehicles, or their own vehicles on city business. The 2015 safety contract was signed by all department heads. Upon completion by Mayor & Administrator it will be sent in with the schedule of meetings for 2015 as required.

OFFICE OF EMERGENCY MANAGEMENT UPDATE

On behalf of Emergency Management Coordinator, Donna Peterson, Police Captain and Deputy EMC Doug Biagi gave an update on items of business accomplished since her appointment on December 1, 2014. Such items include: renewal of City's FCC license, Cell phone contract changes (\$4,000/yr savings), Emergency Operating Plan revision, CodeRED upgrade, processing for FEMA reimbursements payments (\$500,000), credentialing of first responder employees, setting date of community open house to discuss new flood maps & elevations (2.5.15 from 4pm to 8pm @VECC), working on Emergency Shelter agreements, damage assessment training for Bldg dept and inclusion of Ventnor in Atlantic Co hazard mitigation plan.

Mayor Bagnell clarified the emergency shelters will be used after an emergency event or for emergencies such as a high-rise fire. For any emergency where evacuation is ordered, those instructions must be followed. The shelters are not for that purpose.

PUBLIC PORTION

JOHN SEWELL, 22 West Dr., Margate offered the following suggestions: 1) in the debate of dunes v jetties, he suggested putting a master jetty at end of Longport 2) use wage/hiring freeze, end nepotism and pay to play for tax stabilization, not a tax revaluation. 3) better synchronization of traffic lights on Atlantic Ave.

January 15, 2015

LEE SIROTA, 14 N Wyoming suggested contacting State and County legislators about making the Boardwalk a State or County road so total cost of maintenance, repair and policing need not be absorbed by Ventnor residents only since it is enjoyed by residents from all over the county.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:27PM 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 February 19, 2015 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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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 Sarno the Minutes of the 1-15-15 Regular Meeting be approved as written (oral reading waived).

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-01

AN ORDINANCE CREATING CHAPTER 179 OF THE CITY CODE TO BE ENTITLED
"FORECLOSING CREDITOR OBLIGATIONS REGARDING RESIDENTIAL PROPERTIES"

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-02

ESTABLISHING 2015 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

REPORT OF BID OPENING – NJ LICENSED ELECTRICIAN

Date of Bid Opening: February 4, 2015 @ 11:00 AM

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

NO BIDS RECEIVED

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 2015-03

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 2015-03 be introduced

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

INTRODUCTION OF ORDINANCE 2015-04

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

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-04 be introduced

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

INTRODUCTION OF ORDINANCE 2015-05

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-05 be introduced

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

INTRODUCTION OF ORDINANCE 2015-06

AN ORDINANCE AMENDING CHAPTER 204 OF THE VENTNOR CITY CODE-TAXATION

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-06 be introduced

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

INTRODUCTION OF ORDINANCE 2015-07

AN ORDINANCE AMENDING CHAPTER 126-5 DEFINITIONS IN THE
FLOOD HAZARD AREAS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-07 be introduced

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

INTRODUCTION OF ORDINANCE 2015- 08

AN ORDINANCE AMENDING CHAPTER 102-11 DEFINITIONS IN
THE DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-08 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-09

AN ORDINANCE AMENDING CHAPTER 102-118.2 EXCEPTIONS OF THE
DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-09 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-10

AN ORDINANCE AMENDING CHAPTER 102-118.3(D) OF THE
DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-10 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-01

AN ORDINANCE CREATING CHAPTER 179 OF THE CITY CODE TO BE ENTITLED
“FORECLOSING CREDITOR OBLIGATIONS REGARDING RESIDENTIAL PROPERTIES”

Cmr Kelly moved, seconded by Mayor Bagnell that Ordinance 2015-01 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-02

ESTABLISHING 2015 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 2015-02 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

NEW BUSINESS

INTRODUCTION OF 2015 MUNICIPAL BUDGET

The City Clerk read the Introduction of Ventnor City’s 2015 Municipal Budget with Total General Appropriations in the amount of \$29,822,339.00. The 2015 Municipal Budget Revenues and Appropriations Summaries will be advertised pursuant to law in the February 26, 2015 issue of the Press of Atlantic City. The Public Hearing of the Ventnor City 2015 Municipal Budget will be held on March 19, 2015 at 6:00pm at the Regular Commission Meeting.

The 2015 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 2015 Municipal Budget be introduced.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

CONSENT AGENDA

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 13 thru 24 of 2015 with the exception of Resolution No. 14 of 2015 (Tabled) by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 13 thru 24 of 2015 with the exception of Resolution No. 14 of 2015 (Tabled) be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 13 OF 2015 – AUTHORIZE TAX ASSESSOR TO HANDLE APPEALS

WHEREAS, by direction of the Atlantic County Board of Taxation, adopted pursuant to the terms and provisions of NJAC 18:12A-1.6(d), any and all tax appeals seeking either increases or decreases of Tax Assessment which shall be submitted to the Atlantic County Board of Taxation by the various municipalities which are situated in the County of Atlantic are required to, as a prerequisite to their filing, be authorized by a Resolution of the Tax District involved; and

WHEREAS, upon being appraised of said fact, the Tax Assessor of the City of Ventnor City requested that a Resolution authorizing the execution of such tax appeals by the Tax Assessor of the City of Ventnor City be authorized by the governing body of the City of Ventnor City so that disposition of the same may be made by the Atlantic County Board of Taxation.

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 Tax Assessor of the City of Ventnor City be and she hereby is authorized to both pursue and defend the Tax Appeals on behalf of the City of Ventnor for either increases or decreases in Tax Assessments for the calendar year 2015, for disposition by the Atlantic County Board of Taxation.
2. The City Clerk be and she hereby is instructed to direct certified copies of this Resolution to the Ventnor City Tax Assessor, Tax Collector and Atlantic County Board of Taxation.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 13 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 14 OF 2015 – AUTHORIZE SHELTER AGREEMENT, ST. JAMES MEMORIAL HALL - TABLED

RESOLUTION NO. 15 OF 2015 – AUTHORIZE REBID, NJ LICENSED ELECTRICIAN

WHEREAS, by Resolution No. 158 of 2014, the Ventnor City Board of Commissioners authorized the advertising for bids for a New Jersey Licensed Electrician which bids were to be received on February 4, 2015 at 11:00am; and

WHEREAS, no bids were received and the Board of Commissioners wishes to readvertise for a NJ licensed electrician.

NOW, THEREFORE, IT BE RESOLVED that the Board of Commissioners of the City of Ventnor City authorizes the City Engineer to readvertise for bids for a NJ licensed electrician with such bids to be received on February 24, 2015 at 11:00am.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 15 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 16 OF 2015 – AUTHORIZE ZONING BD APPLICATION & ESCROW FEE REFUND

WHEREAS, on December 16, 2014, Christopher Provenzano did submit an application along with the required \$200 application fee and \$900 escrow fee to appear before the Zoning Board of Adjustment for the property known as 216 N Surrey Ave., Ventnor, NJ, and

WHEREAS, upon review of the application by the Ventnor City Zoning Official it was determined the proposed raising of the house 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 Mr. Provenzano.

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 Christopher Provenzano, 216 N Surrey Ave., Ventnor, NJ 08406.

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 Kelly Resolution No 16 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 17 OF 2015 – AUTHORIZE 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.

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>
Jay Sinclair	5400 Balfour Ave	\$303.25
Christopher Provenzano	216 N Surrey Ave	\$900.12

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 17 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 18 OF 2015 – AUTHORIZE SUBMISSION OF MUNICIPAL ALLIANCE GRANT APPLICATION

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 2015 in the amount of:

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

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 18 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 19 OF 2015 – REAPPOINT JAMES RUTALA, PLANNING AND GRANT ASSISTANCE

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

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

WHEREAS, funds are available for this purpose; and

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

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

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

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

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 19 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 20 OF 2015 – REAPPOINT PROFESSIONAL BENEFIT CONSULTANTS, INC AS HEALTH INSURANCE BROKER

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

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 Kelly Resolution No 20 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 21 OF 2015 – AUTHORIZE CERTAIN IN REM FORECLOSURE PRECEEDINGS

WHEREAS, N.J.S.A. 54:5-104.29, et. seq. as amended, permits a municipal government to foreclose In Rem Tax Sale Certificates held by the municipality, and

WHEREAS, The City of Ventnor City is the holder of the following Tax Sale Certificates:

Certificate #11-00017, Dated December 31, 2012, Block 50, Lot 13, commonly known as 5010 Ventnor Avenue;
Certificate #11-00019, Dated December 31, 2012, Block 50, Lot 15, commonly known as 5006 Ventnor Avenue;
Certificate #11-00020, Dated December 31, 2012, Block 50, Lot 16, commonly known as 5004 Ventnor Avenue;
Certificate #11-00039, Dated December 31, 2012, Block 96, Lot 1, commonly known as 5011 Ventnor Avenue; and

WHEREAS, the municipal charges and/or property taxes due the City of Ventnor City on the above captioned property has not been paid for at least twenty one (21) months prior to this date; and

WHEREAS, a tax foreclosure list has been prepared and certified by the tax collector of the City of Ventnor City, and is attached hereto; and

WHEREAS, the City of Ventnor City is the holder of tax sale certificates which comprise liens on the above captioned properties; and

WHEREAS, the City of Ventnor City has not at any time prior to this date passed any resolution authorizing the payment of taxes or other municipal charges in installments on the above captioned properties; and

WHEREAS, in order that these properties may in the future generate tax revenues necessary for the funding of essential services of the City of Ventnor City; and

WHEREAS, payment of property taxes and other municipal charges and fees by property owners provides the City of Ventnor City with the funding it requires for the administration of its various functions; and

WHEREAS, foreclosure and sale of these properties are likely to return them to productive use by entities who will make payment to the City of Ventnor City in a timely manner for all taxes and other municipal charges due the City with regards to such properties.

NOW, THEREFORE, BE IT RESOLVED by the MAYOR and COMMISSIONERS OF THE CITY OF VENTNOR CITY that it does hereby approve the foreclosure of tax sale certificates numbered 11-00017, 11-00019, 11-00020, and 11-00039 held by the City;

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 21 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 22 OF 2015 – AWARD CONTRACT, PREPARATION OF TAX MAPS

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on February 4, 2015, at 11:00 AM, RFP's for "CREATION OF DIGITAL TAX MAPS"; 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 creation of Digital Tax Maps to Remington, Vernick & Walberg Engineers in the total amount of \$67,695.00.

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 22 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 23 OF 2015 – APPROVE PLANS & SPECS, FURNISH & INSTALL UPGRADES TO HVAC SYSTEM AT LIBRARY

WHEREAS, a need has arisen for the upgrading of the HVAC System at the Ventnor Library; and

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

February 19, 2015

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 "Furnish & Install Upgrades to the HVAC System at the Library" to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 23 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 24 OF 2015 – AUTHORIZE CHANGE ORDER, CH HVAC REPLACEMENT

WHEREAS, the City of Ventnor City did award a contract for "City Hall HVAC Replacement" 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 required adjustments due to extra work.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "City Hall HVAC Replacement" be amended to \$2,081,603.62 for a net adjustment of \$78,085.47.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 24 of 2015 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 \$2,909,259.22 and payrolls from 1-10-15 to 1-23-15 in the amount of \$498,482.26 from 1-24-15 to 2-6-15 in the amount of \$498,283.05 and from 2-7-15 to 2-20-15 in the amount of \$498,984.07 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: JIF Safety Committee report for February 2015: The Safety Committee met on February 3rd. 2 incidents were reviewed, both involving property damage to parked vehicles with no injuries. The revised supervisor's incident report will now be completed on the acmjif.org web site enabling distribution to multiple parties. There was discussion on placement of manually deployable stop signs when any loss of power or usage of the lighted traffic signal occurs until normal signal usage is resumed. Safety check lists were distributed for periodic inspection of facilities, vehicles, and operations of various departments and locations. These have also been included on the acmjif.org web site under the safety banner for periodic usage. The annual ACMJIF safety breakfast will be held February 19th at Merighi's.

PUBLIC PORTION

MAYOR BAGNELL asked if anyone had any questions or comments. No one wished to speak.

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

6:10PM 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 March 19, 2015 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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

MOTION TO APPROVE MINUTES

Comr Sarno moved, seconded by Mayor Bagnell the Minutes of the 2-19-15 Regular Meeting be approved as written (oral reading waived).

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

PUBLIC HEARING ON 2015 MUNICIPAL BUDGET

The City Clerk announced the Public Hearing of the 2015 Municipal Budget after which Mayor Bagnell called upon CFO TORO ABODERIN for the Power Point she had prepared. Ms Aboderin gave a property tax breakdown showing the 2014 total tax levies and the 2015 anticipated tax levy. The Municipal Purpose tax will be increased by \$.056 (\$168 increase on a property assessed at \$300,000). Ms Aboderin showed anticipated revenues and appropriation summaries for 2015 as compared to 2014 explaining the overall general and utility budgets are lower than last year by \$2.1M. This difference is largely due to decreased health insurance costs (\$500,000) and deferred charges (decreased from \$1M annually to \$500,000 this year). Tax Assessor DIANE KELLY was introduced and explained Ventnor realized a significant decrease in ratables due to the large number of tax appeals. (\$61M loss in assessed value last year).

Following the presentation, the public was invited to make comments and ask questions.

LINDA KAPLAN, 12 N Wissahickon inquired about 1) compensated accumulated absences. The CFO explained the \$\$\$ amount under compensated accumulated absences is the total of all sick and vacation for all employees. Under the various collective bargaining units there is certain criteria (i.e. 20 years of service) which must be met and in some cases \$\$\$ limits (Teamsters \$15,000 limit for sick payout). 2) Compensation to employees for difference between coverage under the previous health benefits and the present State Health benefits. Ans: Amount paid was under \$5,000 in 2014. 3) Has debt increased in the last couple years. Ans: Yes Ms Kaplan concluded by stating it is good to see we are saving in some areas but believes we can do better and hopes to see that in the years to come.

LEE SIROTA, 14 N Wyoming questioned the Budget document form showing "Salaries and Wages" and "Other Expenses" and why there was nothing listed under "Salaries and Wages" for Legal Services. The CFO explained the budget document is the form issued by the State. She has a breakdown of the items under "Other Expenses" for each department and invited Ms Sirota and any member of the public to view these breakdowns. She explained attorneys representing the City (Solicitor, Tax Attorney, Bond Attorney, etc) are all professional contracts, none are salaried employees.

There being no one further 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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-03

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 Comr Kelly the Public Hearing be closed.

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-04

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 Comr Sarno the Public Hearing be closed.

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-05

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-06

AN ORDINANCE AMENDING 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.

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-07

AN ORDINANCE AMENDING CHAPTER 126-5 DEFINITIONS IN THE FLOOD HAZARD AREAS 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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-08

AN ORDINANCE AMENDING CHAPTER 102-11 DEFINITIONS IN THE DEVELOPMENT 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 Cmr Kelly the Public Hearing be closed.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-09

AN ORDINANCE AMENDING CHAPTER 102-118.2 EXCEPTIONS OF THE DEVELOPMENTAL 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 Cmr Kelly the Public Hearing be closed.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-10

AN ORDINANCE AMENDING CHAPTER 102-118.3(D) OF THE DEVELOPMENTAL 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 Cmr Sarno the Public Hearing be closed.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

REPORT OF BID OPENING – LICENSED ELECTRICIAN FOR MUNICIPAL BUILDING

Date of Bid Opening: February 24, 2015 @11:00 AM

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

Calvi Electric Co 169,549.00
Atlantic City, NJ 08401
Bid Bond Attached

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

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

REPORT OF BID OPENING – INSTALLATION OF PW WASHDOWN STATION

Date of Bid Opening: February 24, 2015 @11:00 AM

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

Perna Finnigan, Inc \$67,415.00
Vineland, NJ 08361
Bid Bond Attached

West Bay Construction, Inc \$75,850.00
Absecon, NJ 08201
Bid Bond Attached

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

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

INTRODUCTION OF ORDINANCE 2015-11

AN ORDINANCE AMENDING SECTION 122, ARTICLE III, CHARGES FOR EMERGENCY MEDICAL SERVICES

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-11 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-12

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

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-12 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-13

AMENDING CHAPTER 126, FLOOD HAZARDS, OF THE CITY CODE OF THE CITY OF VENTNOR CITY

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-13 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-14

AN ORDINANCE AMENDING CHAPTER 102-11, ARTICLE III
DEFINITIONS AND WORD USAGE

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-14 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-15

AN ORDINANCE AMENDING CHAPTER 72-6 BEACHES
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-15 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015- 16

AN ORDINANCE AMENDING CHAPTER 193 SPECIAL EVENTS
OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-16 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-17

AN ORDINANCE AMENDING CHAPTER 173 PEDDLING AND SOLICITING (ARTICLE I. SALES ON PUBLIC
BEACHES AND BOARDWALKS) OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-17 be introduced
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-03

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 2015-03 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-04

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

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-04 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-05

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-05 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-06

AN ORDINANCE AMENDING CHAPTER 204 OF THE VENTNOR CITY CODE-TAXATION

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-06 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-07

AN ORDINANCE AMENDING CHAPTER 126-5 DEFINITIONS IN THE
FLOOD HAZARD AREAS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-07 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-08

AN ORDINANCE AMENDING CHAPTER 102-11 DEFINITIONS IN
THE DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-08 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-09

AN ORDINANCE AMENDING CHAPTER 102-118.2 EXCEPTIONS OF THE
DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-09 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-10

AN ORDINANCE AMENDING CHAPTER 102-118.3(D) OF THE
DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-10 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 25 OF 2015 – 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 25 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

ADOPTION OF 2015 MUNICIPAL BUDGET

The 2015 Municipal Budget as introduced on February 19, 2015 appears on the following pages.

Mayor Bagnell moved, seconded by Cmr Sarno the 2015 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 26 thru 35 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 26 thru 35 of 2015 be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 26 OF 2015 – AWARD CONTRACT, ELECTRICIAN FOR MUNICIPAL BUILDING

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on February 24, 2015, at 11:00 AM, did receive one (1) bid for “LICENSED ELECTRICIAN FOR 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 a LICENSED ELECTRICIAN FOR CITY HALL to Calvi Electric Company in the total Amount of \$169,549.00.

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 26 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 27 OF 2015 – AWARD CONTRACT, PW WASHDOWN STATION

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on February 24, 2015, at 11:00 AM, did receive two (2) bids for the “INSTALLATION OF PUBLIC WORKS WASHDOWN STATION”; and

WHEREAS, the bids 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 the INSTALLATION OF PUBLIC WORKS WASHDOWN STATION to Perna Finnigan, Inc in the total Amount of \$67,415.00.

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 27 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 28 OF 2015 – CANCEL GRANT APPROPRIATION BALANCES

WHEREAS, the following grant receivable balances on the current fund balance sheet dedicated to grants have expired; and

WHEREAS, it is necessary to formally cancel said receivable balance and its appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the grant receivable and appropriation reserve balances listed below be cancelled:

<u>TITLE</u>	<u>RECEIVABLES</u>	<u>APPROPRIATION</u>
Bulletproof Vest Partnership	\$ 8,550.00	
NJ Transportation Trust	\$ 4,504.00	
NJ Transportation Trust	\$ 34,303.00	
Safe and Secure	\$ 78,140.00	
Safe and Secure		\$115,553.00
NJ Transportation Trust		\$ 2,642.00
Municipal Alliance		\$ 8,184.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 28 of 2015 be adopted.

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

RESOLUTION NO. 29 OF 2015 – TAX OVERPAYMENT REFUND

WHEREAS, the 2015 tax on Block 256, Lot 7 known as 418 N Suffolk Ave, Ventnor, NJ 08406 and assessed to Sokol & Esmeralda Zheku was overpaid in the amount of \$1,358.94 due to a duplicate payment by the mortgage company; and

WHEREAS, Green Tree Servicing, LLC, Attn: Jean Rasbury, 1 CoreLogic Drive, Westlake, TX 76262 has requested a refund in the above amount sent to them; and

WHEREAS, the 2015 tax on Block 342, Lot 1 CH05 known as 705 N Oxford Ave, Ventnor, NJ 08406 and assessed to Sandra Kehrley was overpaid in the amount of \$282.43 due to an overpayment by the mortgage company; and

WHEREAS, CitiMortgage, Inc, PO Box 23689, Rochester, NY 14692 has requested a refund in the above amount sent to them; and

WHEREAS, the 2015 tax on Block 276, Lot 50 known as 420-422 N Wissahickon Ave, Ventnor, NJ 08406 and assessed to Mounir & Magdy Atallah was overpaid in the amount of \$1,638.77 due to a duplicate payment by the homeowner; and

WHEREAS, Mounir & Magdy Atallah, 141 E Nightingale Way, Galloway, NJ 08205 have requested a refund in the above amount sent to them.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of the City of Ventnor City is authorized to issue refunds 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 29 of 2015 be adopted.

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

RESOLUTION NO. 30 OF 2015 – AUTHORIZE TAX EXEMPTION AGREEMENTS

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

WHEREAS, application for such tax exemption has been filed by Deborah Mooney for the newly constructed residential dwelling known as Block 22, Lot 10; and

WHEREAS, application for such tax exemption has been filed by Michael N Loewenstern for the newly constructed residential dwelling known as Block 184, Lot 14.01; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>
Deborah Mooney	22/10
Michael N Loewenstern	184/14.01
Cheso & Cristina DiPrato	8/5

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 30 of 2015 be adopted.

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

RESOLUTION NO. 31 OF 2015 – AUTHORIZE INTERLOCAL AGREEMENT WITH ACIA TO ADMINISTER CDBG PROGRAM FOR DRAINAGE IMPROVEMENTS AT NEWARK & WINCHESTER AVES

WHEREAS, the City of Ventnor has opted to participate in the Atlantic County Community Development Block Grant (CDGB) Program for FY 2014; and

WHEREAS, as a participant, the City of Ventnor expects to be allocated \$52,044.00 for Fiscal Years 2014 for the project known as Drainage Improvements at Newark & Winchester Aves; and

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

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 31 of 2015 be adopted.

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

RESOLUTION NO. 32 OF 2015 – AUTHORIZE TEMPORARY NO PARKING DURING STREET RECONSTRUCTION

WHEREAS, the Ventnor City Governing Body has awarded Contracts for various roadway improvements which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

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

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

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

'No Parking' on both sides of:

<i>Roadway</i>	<i>From</i>	<i>To</i>
Stratford Ave	Boardwalk	Atlantic
Portland Ave	Boardwalk	Atlantic
Derby Ave	Boardwalk	Atlantic
Dudley Ave	Boardwalk	Atlantic
Oxford Ave	Boardwalk	Atlantic
Jackson Ave	Boardwalk	Atlantic
Cambridge Ave	Boardwalk	Ventnor
Weymouth Ave	Atlantic	Ventnor
Newport Ave	Boardwalk	Atlantic
Suffolk Ave	Boardwalk	Atlantic
Suffolk Ave (west side)	Edgewater	Monmouth
Calvert Ave	Dorset	Surrey
Fulton Ave	East Canal	West Canal
Monmouth Ave	Dorset	Derby
Nashville & Winchester Aves	100 feet from intersection	
Newark & Winchester Aves	100 feet from intersection	
Wyoming & Winchester Aves	100 feet from intersection	
Balfour	100 Feet from 7001 to 7009 Balfour	
Ventnor Gardens Plaza	100 feet from North end	
Derby	Street end off of Winchester Avenue	
Sacramento	Street end off of Monmouth Avenue	
Little Rock Avenue	Street end off of Winchester Avenue	

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 32 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 33 OF 2015 – AUTHORIZE CHANGE ORDER, CITY HALL FIRE ALARM UPGRADES

WHEREAS, the City of Ventnor City did award a contract for “City Hall Fire Alarm Upgrades” and did enter into a contract with Atlantic Coast Alarm, Inc in the amount of \$47,000.00; 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 “City Hall Fire Alarm Upgrades” be amended to \$34,550.00 for a net adjustment of \$12,450.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 33 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 34 OF 2015 – REQUEST PLANNING BD REVIEW, FRONT YARD SETBACK FOR 2ND FLOOR DECKS

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 on the second floor in the front yard as set forth in §102-118-3(B); 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 setback requirement of decks on the second floor of dwellings in the front yard and to 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), 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 34 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 35 OF 2015 – AUTHORIZE APPLICATION FOR SUBGRANT AWARD OF FEDERAL FISCAL YEAR 2014, DEPT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

WHEREAS, the City of Ventnor, Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant CFDA #97.042, Award #FY14-EMPG-EMAA-0122 from the New Jersey State Police Office of Emergency Management. The Sub-grant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and up to \$5,000.00 Local Matching Funds, is for the purpose of enhancing Ventnor City’s ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

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WHEREAS, the sub-grant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Ventnor City Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Sub-grant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Sub-grant Award calls for a match in the amount of \$5,000.00 which the Ventnor City Office of Emergency Management adequately satisfies through the City of Ventnor approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor accepts the award of the FFY14 Homeland Security Emergency Management Performance Grant Program Sub-grant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$5,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$5,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption FFY14 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Ventnor City Chief Fiscal Officer and the Ventnor Director of Emergency Management are authorized to sign the appropriate sub-grant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; Municipal Administrator; Chief Financial Officer; County Division of Emergency Management and Office of the Treasury.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 35 of 2015 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 \$5,288,230.66 and payrolls from 2-21-15 to 3-6-15 in the amount of \$555,052.21 from 3-7-15 to 3-20-15 in the amount of \$503,477.88 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 announcements:

- 1) Congratulations to Fund Commissioner Jim Goos, Safety Coordinator Tom Klein, Claims Coordinator Lynn Orsatti and all employees who played an important role in Ventnor's 2014 safety incentive program. Their efforts earned the City a \$1,500 award.
- 2) JIF Safety Committee report for March 2015: the Safety Committee met on March 3rd. There were no new incidents however, open items on the February claims report were reviewed. also reviewed were: 1) Ventnor's qualification of the 2014 safety incentive program; 2) the 2008 to 2013 ACMJIF report (as of 12/31/2014 Ventnor's loss ratio of 63% compared to the total JIF 86%, a result of the Safety Committee activities and citywide practices.); 3) certificates of insurance & ACMJIF guidelines for certificates and indemnification language; 4) the purpose and relevance of Title 59 as to creation and application as a defense.

The Mayor also announced the March Report from the Office of Emergency Management was available for public review.

PUBLIC PORTION

MAYOR BAGNELL asked if anyone had any questions or comments.

ANGELA FESTA DALABA, 5103 Atlantic addressed the Commission on the condition of 22 S Nashville. She questioned the "fitness" of the property; number of safety/fire violations, liability issues, blight to neighborhood, etc. SOLICITOR WEINTROB assured Ms Dalaba the City has been working on these legal issues for months; fire violations date back to 2008 and an attorney's office is trying to collect on the \$100,000+ judgement; the City does not dispute any of her claims; there have been several "unfit living" hearings; cannot demolish the property without causing liability issues on City; owner is being "kept on a short leash"; contractors hired to do renovations must be licensed, Building and Fire Depts are concerned and are working to resolve these issues; if repairs are not performed timely, City will seek demolition. In conclusion, the Solicitor promised to keep Ms Dalaba apprised of any developments.

LINDA KAPLAN, 12 N Wissahickon, referring to CFO Aboderin's budget presentation commented while focusing on monies saved, you must also address increased monies spent and the long term consequences (ex: large raises, contractual raises with effect on pensions). Additionally, Ms Kaplan relayed resident concerns that increased flood premiums along with increased taxes would make homes difficult to sell. The Mayor indicated the only way to avoid increased premiums is not to have flood insurance or raise your house above base flood elevation. Ms Kaplan spoke of the need for volunteer drivers and dispatchers for the senior shuttle. The Mayor asked her to send him the information and he would have it put on the City's website and Facebook page.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:59PM 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 ongoing litigation.*"

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By way of background, SOLICITOR WEINTROB explained Mitchell Waldman, Esq was hired by Ventnor on a contingency basis to handle the collection of outstanding Fire Code Violation judgements, including Mohamed Hussain, 22 S Nashville. Because of the volume of bankruptcy/foreclosure filings under the name Mohamed Hussain, Mr Waldman handed the file to the Solicitor's office. Mr Waldman is willing to continue handling the fire code violation judgement issue relating to 22 S Nashville case on a contingency basis if the City desires. It was the Solicitor's recommendation to do so from a cost saving point of view especially in light of the fact that Mr Hussain has hired an attorney who filed a motion to vacate the judgement.

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

7:08PM EXECUTIVE SESSION CONCLUDED

SOLICITOR WEINTROB reported that during Executive Session discussed was pending litigation filed to satisfy the judgement with the City. The City has been represented by Mitch Waldman, Esq. on that matter on a contingency basis and it is her recommendation to have Mr Waldman continue handling it on a contingency basis rather than have her office handle it at their hourly rate. Mr Waldman is well versed on this case.

Mayor Bagnell moved, seconded by Cmr Kelly the City retain Attorney Mitch Waldman on a contingency basis to handle the Mohamed Hussain, 22 S Nashville fire judgement.

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

7:10PM 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.

PRESENTATION OF CERTIFICATES OF APPRECIATION: STUDENTS WHO ASSISTED WITH DUNE PRESENTATION

Prior to opening the meeting, Mayor Bagnell invited the following students to the auditorium stage and presented each with a Certificate of Appreciation for their help at the 3-24-15 Dune Presentation. YE CHEU, JAY KAPASIAWALA, EMILY LOCKE, NATHALIE OLARTE MURIEL AND ESTELLE RICHARDSON

The meeting of the Ventnor City Board of Commissioners was called to order in the Auditorium of the VECC, on April 16, 2015 at 6:07 PM followed by the Pledge of Allegiance.

Present: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight. LINDA KAPLAN, 12 N Wissahickon, asked for an explanation of Ordinance 2015-11. CFO TORO ABODERIN explained the Ordinance updates the present third party ambulance billing contract. MARY ELLEN FOSTER, 6 S Troy asked how this change effects the residents. The City Clerk assured Ms Foster the present contract will not change. Ventnor residents will not be charged for ambulance service. Bill amount will only be what is paid by insurance; no additional charges will be incurred by Ventnor residents.

MS FOSTER further asked about the wording in Ordinance 2015-15 dealing with "surf fishing". It was explained there is no change; surf fishing is still permitted after bathing hours.

GEORGEANN ROSS, 123 N Swarthmore asked if Item #12 meant the City was going out for bid for the VGP Pump Station. The City Clerk responded bids were received on 3-20-15 and the contract will be awarded later in this meeting by Resolution (R37-15). The Mayor explained the City is the lead agency on this project along with Atlantic County and Margate. The ACUA was responsible for the engineering design and will oversee the project.

MOTION TO APPROVE MINUTES

Mayor Bagnell moved, seconded by Cmr Kelly the Minutes of the 3-19-15 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-11

AN ORDINANCE AMENDING SECTION 122, ARTICLE III,
CHARGES FOR EMERGENCY MEDICAL SERVICES

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: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-12

AN ORDINANCE AMENDING SECTION 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: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-13

AMENDING CHAPTER 126, FLOOD HAZARDS, OF THE CITY 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 Cmr Kelly the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

April 16, 2015

REPORT OF BID OPENING – PROFESSIONAL DESIGN SERVICES, WATERPROOFING CITY HALL

Date of Bid Opening: March 31, 2015 @ 11:00 AM

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

1. Remington, Vernick & Walberg Engineers
Pleasantville, NJ 08232 \$28,500.00
2. J.W. Pedersen Architect
Vineland, NJ 08360 \$69,400.00

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: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

INTRODUCTION OF ORDINANCE 2015-18 - AMEND SALARY ORDINANCE

AMENDING ORDINANCE 2015-02 ESTABLISHING 2015 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 Kelly that Ordinance 2015-18 be introduced

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-11

AN ORDINANCE AMENDING SECTION 122, ARTICLE III, CHARGES FOR EMERGENCY MEDICAL SERVICES

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-11 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-12

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

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-12 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-13

AMENDING CHAPTER 126, FLOOD HAZARDS, OF THE CITY CODE OF THE CITY OF VENTNOR CITY

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-13 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-14

AN ORDINANCE AMENDING CHAPTER 102-11, ARTICLE III, DEFINITIONS AND WORD USAGE

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-14 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-15

AN ORDINANCE AMENDING CHAPTER 72-6 BEACHES OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-15 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-16

AN ORDINANCE AMENDING CHAPTER 193 SPECIAL EVENTS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-16 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-17

AN ORDINANCE AMENDING CHAPTER 173 PEDDLING AND SOLICITING (ARTICLE I. SALES ON PUBLIC BEACHES AND BOARDWALKS) OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-17 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

NEW BUSINESS
CONSENT AGENDA

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 36 thru 43 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 36 thru 44 of 2015 be adopted by consent.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 36 OF 2015 – AUTHORIZE TAX OVERPAYMENT REFUND

WHEREAS, the 2015 tax on Block 407.01, Lot 5 assessed to Shore Community Bank and known as 5301 Burk Ave, Ventnor, NJ was overpaid in the amount of \$2,161.95 due to a duplicate payment; and

WHEREAS, Shore Community Bank, Attn: Allison Martinez, VP, 1216 Route 37 East, Toms River, NJ 08753 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 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 Kelly Resolution No 36 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 37 OF 2015 – AWARD CONTRACT, VENTNOR GARDENS STORMWATER PUMP STATION

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on March 20, 2015, at 11:00 AM, did receive one (1) bid for the “ACUA VENTNOR GARDENS STORMWATER PUMP STATION”; 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 ACUA VENTNOR GARDENS STORMWATER PUMP STATION to Mathis Construction Co., Inc. in the total Amount of \$1,487,815.00.

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 37 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 38 OF 2015 – AWARD CONTRACT, HVAC EQUIPMENT UPGRADES @ VC LIBRARY

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on March 31, 2015, at 11:00 AM, did receive three (3) bids for the “LIBRARY HVAC EQUIPMENT UPGRADES”; and

WHEREAS, the bids 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 the LIBRARY HVAC EQUIPMENT UPGRADES to Tozour Energy Systems, Inc in the total Amount of \$29,875.00.

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 38 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 39 OF 2015 – AWARD CONTRACT, PROFESSIONAL DESIGN SERVICES, WATERPROOFING TO VC MUNICIPAL BUILDING

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on March 31, 2015, at 11:00 AM, did receive two (2) bids for the “DESIGN SERVICES, CITY HALL WATERPROOFING REPAIR”; and

WHEREAS, the bids 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 the DESIGN SERVICES, CITY HALL WATERPROOFING REPAIRS to Remington, Vernick & Walberg Engineers in the total Amount of \$28,500.00.

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 39 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

April 16, 2015

RESOLUTION NO. 40 OF 2015 – AUTHORIZE PLANS & SPECS, BULKHEAD AT VENTNOR GARDENS PLAZA

WHEREAS, a need has arisen for the reconstruction of the Bulkhead at Ventnor Gardens Plaza; 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 “Reconstruction of the Ventnor Gardens Plaza Bulkhead” to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 40 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 41 OF 2015 – AUTHORIZE CHANGE ORDER, SOMERSET AV EMERGENCY SEWER REPAIR

WHEREAS, the City of Ventnor City did award a contract for “Somerset Av Emergency Sewer Repair” and did enter into a contract with Seashore Associated Mechanical in the amount of \$171,201.00; 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 “Somerset Av Emergency Sewer Repair” be amended to \$180,488.50 for a net adjustment of \$9,287.50.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 41 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 42 OF 2015 – AUTHORIZE CDBG GRANT APPLICATION, FOR STREET & DRAINAGE IMPROVEMENTS ON WINCHESTER AV (WASHINGTON TO LAFAYETTE)

WHEREAS, the City of Ventnor has opted to participate in the Atlantic County Community Development Block Grant (CDGB) Program for FY 2015; and

WHEREAS, as a participant, the City of Ventnor expects to be allocated \$54,500.00 for Fiscal Years 2015 for the project known as Street, Drainage Improvements & Curb & Gutter Replacement on Winchester Ave, Washington to Lafayette; and

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

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 42 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 43 OF 2015 – AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH MITCHELL WALDMAN, ESQ AND HURVITZ & WALDMAN, LLC FOR THE COLLECTION OF JUDGMENT 294201-08

WHEREAS, on July 22, 2008 the City of Ventnor Board of Commissioners entered into a Professional Services Contract with Mitchell Waldman of the law firm of Hurvitz & Waldman, LLC for the purpose of adjudicating and collecting violations of the State Uniform Fire Safety Act, N.J.S.A. 52:27D-192,

WHEREAS, on November 6, 2008, the law firm of Hurvitz & Waldman, LLC and Mitchell Waldman, Esquire on behalf of the City of Ventnor received a judgment in the amount of \$111,800.00 against Mohammed K. Hossain relating to a property located at 22 S. Nashville Avenue in the City of Ventnor;

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the City to retain the services of Hurvitz & Waldman LLC and Mitchell Waldman, to make efforts to collect the Judgment against Mohammed K. Hossain and to represent the City’s interest in pending litigation filed by Mr. Hossain against the City related to the Judgment under Docket # L-3185-08.

WHEREAS, The Local Public Contracts Law, N.J.S.A. 40A:5-11, et seq. requires a 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, County of Atlantic, State of New Jersey, that Hurvitz & Waldman, LLC is herein and hereby appointed for the limited purpose of representing the City of Ventnor in defending the Motion to Vacate the Judgment in the Atlantic County Superior Court, docket #L-3185-08 and to make all reasonable efforts to collect on the Judgment against Mohammed K. Hossain. Said appointment shall not exceed a one-year term and the fees shall be contingent to the collection of the judgment, fine and/or penalties in the amount of 40%. Any collection of any fee by the City of Ventnor after the one-year term has expired shall be 20% of the judgment, fine and/or penalties collected.

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

BE IT FURTHER RESOLVED, that 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 43 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$4,945,178.84 and payrolls from 3-21-15 to 4-2-15 in the amount of \$498,922.55 and from 4-3-15 to 4-17-15 in the amount of \$551,652.63 for approval.

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

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

ANNOUNCEMENTS:

MAYOR BAGNELL read the following announcements:

A) JIF Safety Committee report for April 2015: The Safety Committee met on April 7th. Two incidents were reviewed: 1) city snowplow hit a dis-lodged light pole: 2) an individual "wind surfing" on the football field fell and broke his ankle. Various MSI training classes and 2 regional training for the 2015 safety incentive program were reviewed. Under new business, the ACMJIF passed a resolution for a wellness consultant. Wellness initiatives are a component of the 2015 safety incentive program. A draft wellness policy and appointment of a wellness coordinator to act as liaison between city and consultant were discussed. Recreation reported baseball & softball seasons are starting. PD and FD/EMS were notified.

B) MAY WORKSHOP – MONDAY MAY 4 @4PM
MEETING - THURSDAY MAY 7 @6PM

The City Clerk reported change of dates was necessary to accommodate previously scheduled school activities. In response to questions regarding the timeframe for returning meetings to City Hall, the Mayor reported electrical and IT wiring work was still needed with completion hopefully by end of summer.

PUBLIC PORTION

ROBERT LANDAU, 6412 Winchester Ave spoke on the following topics: 1) his house is presently appraised \$300,000 less than pre-SuperStorm Sandy and asked what is long-range plan for City to increase value of homes. 2) he described lack of property maintenance in his neighborhood and suggested the City could do a better job keeping after property owners. 3) he suggested more public art programs. 4) As member of Planning Bd discussions on landscaping requirements are ongoing. 5) More could be done with the boardwalk/fishing pier such as stores, food vendors. 6) Better enforcement of maintenance of apartment houses.

GEORGEANN ROSS, 123 N Swarthmore asked for updates/clarifications on: 1) Green Acres land swap. The MAYOR and CMR KELLY reported the City is still waiting to hear from Federal Dept Parks and Recreation who has requested additional information and new appraisals. 2) Latino Festival possible lawsuit. Diana Zamani, Esq from Solicitor's office reported the Motion for late filing of Tort Claim was denied and to her knowledge, no further suits have been filed. 3) Civil Service rules relating to dismissal of employees. The Mayor explained the protection afforded employees under Civil Service but also procedures for dismissal with cause.

MARY ELLEN FOSTER, 6 S Troy suggested when activities are scheduled on the beach near the pier, the pier be open to the public.

PRISCILLA BEURET, 15 S Richards reiterated her concern that change of Commission Meeting time to 4pm would not be convenient for working residents to attend then asked if the Ventnor Coffee House (entertainment) matter been resolved. The Mayor responded all business in commercial districts can have entertainment.

HERMENE SHAPIRO, 445 Berkshire voiced her pleasure at what is going on at Ventnor Coffee and on Facebook. She said it is very exciting and is glad to see such cooperation.

LEE SIROTA, 14 N Wyoming spoke of a problem residence on her block. She is concerned since the owner continues to dig up a pipe leading to his property, leaving a hole in the pavement area. With summer approaching this will be a hazard to beachgoers. CMR KELLY and W/S Supervisor JOHN CONNOR reiterated that she should speak with Code Official Jimmie Agnesino since this problem is in his hands and the courts.

ALBERT BATTAGLIA, 207 N Wissahickon thanked the Commission for moving forward with the Ventnor Gardens Plaza Pump Station. Having lived nearby for 40 years and seeing it as a viable alternative for the first couple of years, it helps with the everyday flooding in West Ventnor.

MARVIN BERMAN, 14 S Victoria asked: 1) Are there plans for repairing the Lilly Park bulkhead. ENGINEER SABATINI reported design plans have been completed and Army Corp and DEP permits have been secured. We are waiting on funding options (low interest loan or grant) which should be known early May. 2) What is status of apartments in 5400 block of Atlantic Av. The Mayor reported the property owner has contacted the Code Enforcement office and renovations should begin shortly.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:55PM 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 May 7, 2015 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

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

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

MOTION TO APPROVE MINUTES

Mayor Bagnell moved, seconded by Cmr Kelly the Minutes of the 4-16-15 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-18

AMENDING ORDINANCE 2015-02 ESTABLISHING 2015 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.

GEORGEANN ROSS, 123 N Swarthmore asked about longevity and if employees were represented by Teamsters. Mayor Bagnell explained longevity then informed Ms Ross any questions not directly related to this Ordinance should be held until the public portion.

LEE SIROTA, 14 N Wyoming asked what were the changes to the Ordinance. The City Clerk detailed the changes to the salary range of the City Clerk and the addition of 3 titles (Assistant Tax Collector, Purchasing Assistant and Beach Checker Supervisor.

The Mayor responded to Ms Ross that the Beach Checker Supervisor is a part time, seasonal position with no benefits and the titles of Assistant Tax Collector and Purchasing Assistant were added for present employees in the finance department already performing the duties of these titles. To Ms Sirota's question regarding the number of beach badge checkers, Cmr Kelly responded approximately 20.

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: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

REPORT OF BID OPENING – ELECTRICAL UPGRADE AT FIRE HOUSE

Date of Bid Opening: April 30, 2015 @11:00 AM

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

1. Maguire Electrical Construction, LLC	\$102,286.00
Mays Landing, NJ 08330	
Bid Bond Attached	

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

Cmr Kelly moved, seconded by Mayor Bagnell the Bid Opening Report be received and filed according to law.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

FINAL READING AND ADOPTION OF ORDINANCE 2015-18

AMENDING ORDINANCE 2015-02 ESTABLISHING 2015 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 Kelly that Ordinance 2015-18 be adopted

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

NEW BUSINESS
CONSENT AGENDA

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 44 thru 52 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 44 thru 53 of 2015 be adopted by consent.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 44 OF 2015 – AUTHORIZE 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 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 2015 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 endure that the said Application is properly filed.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 44 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 45 OF 2015 – RESOLUTION OF COMPLIANCE - 2014 AUDIT

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 2014 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 he 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 Kelly Resolution No 45 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

May 7, 2015

RESOLUTION NO. 46 OF 2015 – AUTHORIZE EMERGENCY REPAIR, WELL #5 CONTROL PANEL

WHEREAS, on April 9, 2015, the fan within the control panel at Well #5 ceased operating and required replacement; and

WHEREAS, due to the extent of the work required to replace the fan, it was necessary to secure the services of Deltronics, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Deltronics, Inc is herein and hereby authorized to perform the emergency repair of the fan within the control panel at Well #5.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$1,285.28.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 46 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 47 OF 2015 – AUTHORIZE CONTRACT FOR PROVISION OF ELECTRIC GENERATION SUPPLY SERVICE FOR SOUTH JERSEY POWER COOPERATIVE

WHEREAS, the South Jersey Power Cooperative (SJPC) is a purchasing cooperative that consists of various counties and their participating co-op members, and includes numerous municipalities, K-12 school districts, vocational-technical schools, utilities authorities and other municipal agencies. City of Ventnor City is a Participating Member of the SJPC through our respective county pricing co-operative; and

WHEREAS, the County of Camden is the current and acting lead purchasing agency for the SJPC; on behalf of the SJPC, Camden County publicly advertised bids for the purpose of procuring Electric Generation Supply Service (Bid #A20-15); and

WHEREAS, the County of Camden received and opened bids on Thursday, April 16, 2015 at 11:30 a.m., Prevailing Time, for Electric Generation Supply Service for the SJPC; and

WHEREAS, Constellation/NewEnergy was the lowest responsible bidder for the Secondary-service electric accounts located within the Atlantic City Electric Company (ACE) service territory. This low bid rate is \$0.07367 per kilowatt-hour (kWh); City of Ventnor City hereby acknowledges and accepts this bid rate for a service period of 24-months, commencing in June 2015; and

WHEREAS, on behalf of the Participating Members of the SJPC, the County of Camden has executed a master agreement with Constellation/NewEnergy and a master agreement with South Jersey Energy for the needs of the Participating Members of the SJPC as described above commencing on the above specified dates; and

WHEREAS, each currently Participating Member of the SJPC, including City of Ventnor City shall encumber funds in accordance with applicable law and hereby acknowledge the terms and conditions of the aforementioned bid and master contract to which it will be bound for the duration of the agreement as noted herein.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 47 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 48 OF 2015 – AWARD CONTRACT, ELECTRICAL UPGRADES AT FIRE HOUSE

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on April 30, 2015, at 11:00 AM, did receive one (1) bid for the "FIRE HOUSE ELECTRICAL 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 the FIRE HOUSE ELECTRICAL UPGRADES to Maguire Electrical Construction, LLC in the total Amount of \$102,286.00.

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 48 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 49 OF 2015 – CLOSING 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.

May 7, 2015

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
Gregory Voci	23 Hart Lane	\$ 0.20
Sueann Mammucari	20 S Troy Ave	\$ 0.25
David Wyke	106 N Martindale Ave	\$ 0.04
Christina Vitale	313 N Suffolk Ave	\$ 632.34
Steve Lieberman	6901 Monmouth Ave	\$ 126.90
Kelli Beirne	114 N Suffolk Ave	\$ 76.73
Lin & Ong, LLC	29 S Weymouth Ave	\$ 168.34
Robert Elias	105 S Newport Ave	\$ 2.48
John Irons	106 S Derby Ave	\$ 7.94
Arthur Ponzio	808 N Harvard Ave	\$ 123.09

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 49 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 50 OF 2015 – CHP 159, STATE HOUSING CO-OP

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 2015 in the sum \$1,427.00, 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 2015 State Housing Co-op

BE IT FURTHER RESOLVED that a like sum of \$1,427.00 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
FY 2015 State Housing Co-op

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 50 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 51 OF 2015 - AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT

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

WHEREAS, application for such tax exemption has been filed by Michael & Freda Mazis for the newly constructed residential dwelling known as Block 10, Lot 1.02; and

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

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

Name Of Applicant	Block/Lot
Michael & Freda Mazis	10/1.02

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 51 of 2015 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

RESOLUTION NO. 52 OF 2015 - CHP 159, ATLANTIC COUNTY DWI

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 2015 in the sum \$440.00, 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 2015 Atlantic County DWI

BE IT FURTHER RESOLVED that a like sum of \$440.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
FY 2015 Atlantic County DWI

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 52 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

RESOLUTION NO. 53 OF 2015 - REQUEST PLANNING BD REVIEW, LANDSCAPING REQUIREMENTS

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 landscaping requirements as set forth in §102-118.4(k); and

WHEREAS, the Planning Board is requested to review the landscaping requirements related to limiting or excluding specific types of vegetation, and make a recommendation as to whether modifications are needed to §102-118.4(k), 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 §102-118.4(k) to determine if any additional types of vegetation should be excluded or limited within the City of Ventnor, 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 53 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$2,164,055.69 and payrolls from 4-18-15 to 5-1-15 in the amount of \$509,328.14 for approval.

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

BD OF EDUCATION REAPPOINTMENTS

Mayor Bagnell moved, seconded by Cmr Kelly the reappointments of NELSON MORGAN and DOUGLAS BIAGI to the Board of Education (5-16-15 to 5-15-18) be confirmed.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell
Absent: Commissioner Sarno

ANNOUNCEMENTS:

MAYOR BAGNELL read the following announcements:

A) JIF Safety Committee report for May 2015: The Safety Committee met on May 5th. 3 incidents were discussed: 1) a senior citizens bus struck a parked car. 2) an infant fell on a boardwalk ramp and had splinters in the hand. 3) a pedestrian tripped over a support wire to a utility pole. Workers comp issues were discussed again. Nine cases have been re-opened (a number of claimants are no longer employed by the city). Also discussed was “light duty”. Ventnor does a fabulous job utilizing the light duty program. As managed care is a large part of the workers comp claim mitigation process, it was reiterated that communication between department heads or supervisors and Qual-Lynx adjusters must occur in the event physician actions are in question as to elongating time off. They are part of a managed care panel and can be removed from JIF referrals.

B) The 6.18.15 Commission meeting will be held at 4:00pm in the VECC kindergarten atrium.

PUBLIC PORTION

GEORGEANN ROSS, 123 N Swarthmore voiced concerns regarding high employee salaries and raises then asked if all employees are members of unions, in particular, Teamsters and when does longevity start. The Mayor responded all employees excluding department heads and the Mayor’s secretary are represented by unions; all employees except Police & Fire are Teamsters; longevity starts after 5 years of service.

May 7, 2015

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:20PM 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 Kindergarten Atrium of the VECC, on June 18, 2015 at 4:05 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 read the Hazard Mitigation Plan update prepared by the Office of Emergency Management.

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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 5-7-15 Regular Meeting be approved as written (oral reading waived).

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

REPORT OF BID OPENING – CHECK VALVE INSTALLATIONS

Date of Bid Opening: June 10, 2015 @11:00 AM

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

- | | |
|---|--------------|
| 1. Walters Marine Construction, Inc.
Ocean View, NJ 08230
Bid Bond Attached | \$322,200.00 |
| 2. Kline Construction Co, Inc
Galloway Twp., NJ 08205
Bid Bond Attached | \$335,980.00 |
| 3. R.A. Walters & Son, Inc
Cape May Court House, NJ 08210
Bid Bond Attached | \$341,700.00 |
| 4. Quad Construction Co.
Lumbertson, NJ 08048
Bid Bond Attached | \$395,000.00 |
| 5. Weco Construction, Inc
Egg Harbor Twp, NJ 08234
Bid Bond Attached | \$557,570.00 |
| 6. West Bay Construction, Inc
Absecon, NJ 08201
Bid Bond Attached | \$697,600.00 |

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

REPORT OF BID OPENING – FULTON AVE DRAINAGE IMPROVEMENTS

Date of Bid Opening: June 10, 2015 @11:00 AM

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

- | | |
|--|----------------|
| 1. Lexa Concrete, LLC
Hammonton, NJ 08037
Bid Bond Attached | \$2,337,156.00 |
| 2. Mathis Construction Co., Inc.
Little Egg Harbor, NJ 08087
Bid Bond Attached | \$2,826,114.00 |

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

REPORT OF BID OPENING – CALVERT AVE DRAINAGE IMPROVEMENTS

Date of Bid Opening: June 10, 2015 @11:00 AM

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

- | | |
|---|----------------|
| 1. Lexa Concrete, LLC
Hammonton, NJ 08037
Bid Bond Attached | \$1,471,850.00 |
|---|----------------|

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- | | |
|--|----------------|
| 2. Weco Construction, Inc
Egg Harbor Twp., NJ 08234
Bid Bond Attached | \$1,614,950.00 |
| 3. Mathis Construction Co., Inc.
Little Egg Harbor, NJ 08087
Bid Bond Attached | \$1,678,502.50 |
| 4. Charles Marandino LLC
Milmay, NJ 08340
Bid Bond Attached | \$1,980,324.00 |

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.
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 54 thru 77 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 54 thru 77 of 2015 be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 54 OF 2015 – CHP 159, 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 2015 in the sum \$33,605.94, 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:
Clean Communities

BE IT FURTHER RESOLVED that a like sum of \$33,605.94 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
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 54 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 55 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENTS

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

WHEREAS, application for such tax exemption has been filed by Asif Hussain for the newly constructed residential dwelling known as Block 10, Lot 1.06; and

WHEREAS, application for such tax exemption has been filed by Seth Shapiro for the newly constructed residential dwelling known as Block 10, Lot 1.27; and

WHEREAS, application for such tax exemption has been filed by Larry & Lori Bendesky for the newly constructed residential dwelling known as Block 10, Lot 1.04; and

WHEREAS, application for such tax exemption has been filed by Theodore & Marianne Brukiewa for the newly constructed residential dwelling known as Block 234, Lot 5; and

WHEREAS, application for such tax exemption has been filed by Dorothy Ponzio for the newly constructed residential dwelling known as Block 317, Lot 15.01; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Asif Hussain	10/1.06	123 S Little Rock
Seth Shapiro	10/1.27	5210 Boardwalk Unit #3
Larry & Lori Bendesky	10/1.04	5218 Boardwalk
Theodore & Marianne Brukiewa	234/5	221 N Wyoming
Dorothy Ponzio	317/15.01	808 N Harvard

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 55 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 56 OF 2015 – AWARD CONTRACT, CHECK VALVE INSTALLATIONS

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on June 10, 2015, at 11:00 AM, did receive six (6) bids for the “CHECK VALVE INSTALLATIONS”; and

WHEREAS, the bids 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 the CHECK VALVE INSTALLATIONS to Walters Marine Construction, Inc in the total Amount of \$322,200.00.

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 56 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 57 OF 2015 – AWARD CONTRACT, FULTON AVE DRAINAGE IMPROVEMENTS

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on June 10, 2015, at 11:00 AM, did receive two (2) bids for the “FULTON AVE DRAINAGE”; and

WHEREAS, the bids 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 the FULTON AVE DRAINAGE to Lexa Concrete, LLC in the total Amount of \$2,337,156.00.

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 57 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 58 OF 2015 – AWARD CONTRACT, CALVERT AVE DRAINAGE IMPROVEMENTS

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on June 10, 2015, at 11:00 AM, did receive four (4) bids for the “CALVERT AVE DRAINAGE”; and

WHEREAS, the bids 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 the CALVERT AVE DRAINAGE to Lexa Concrete, LLC in the total Amount of \$1,471,850.00.

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 58 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 59 OF 2015 – 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>Remaining Balance</u>
Susane McGinty	6301 Monmouth Ave	\$219.25

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 59 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 60 OF 2015 – AMEND RES 042-15 ACIA INTERLOCAL AGREEMENT

WHEREAS, by Resolution No. 42 of 2015 the City of Ventnor opted to participate in the Atlantic County Community Development Block Grant (CDGB) Program for FY 2015; and

WHEREAS, the amount the City of Ventnor expects to be allocated for Fiscal Years 2015 for the was incorrectly stated as \$54,500.00; and

WHEREAS, the City of Ventnor wishes to amend Resolution No. 42 of 2015 to reflect the correct allocation of \$49,883.00.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 42 of 2015 is herein and hereby amended to reflect the amount to be allocated for the project known as Street, Drainage Improvements & Curb & Gutter Replacement on Winchester Ave, Washington to Lafayette is \$49,883.00.

BE IT FURTHER RESOLVED that all other terms and conditions as set forth in Resolution No. 42 of 2015 shall remain in effect.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 60 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 61 OF 2015 – RELEASE PERFORMANCE BOND (VOTB)

WHEREAS, Ventnor On The Bay Condominium posted a performance bond in the amount of \$67,711.00 for site inspections at the property known as 6101 Monmouth 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 \$67,711.00 performance bond for improvements at the site known as 6101 Monmouth Ave.

BE IT FRUTHER RESOLVED that as a condition of said release Ventnor On The Bay Condominium shall post a two (2) year maintenance guarantee in the amount of \$8,463.90 pursuant to the Municipal Land Use Law Chapter 291 Section C.40:55D-53.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 61 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 62 OF 2015 – REFUND COMMUNITY BUILDING DEPOSIT

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
CARES Walk c/o Beth Holtzman 602 N Somerset Ave Ventnor, NJ 08406	5.16.15	5.16.15	\$100.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 62 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 63 OF 2015 – AUTHORIZE RFP'S FOR LSRP, REMEDIATION OF 3 CITY OWNED PROPERTIES

WHEREAS, the City of Ventnor is seeking proposals for a Licensed Site Remediation Professional (LSRP) for the remediation of three City owned lots; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said Licensed Site Remediation Professional.

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

The City of Ventnor is hereby authorized to prepare RFP's and seek proposals pursuant to the Fair and Open Process for a Licensed Site Remediation Professional for the remediation of three City owned lots.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 63 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 64 OF 2015 – AUTHORIZE RFP’S FOR LSRP, PREPARE PRELIMINARY ASSESSMENT REPORT FOR GREEN ACRES MAJOR DIVERSION OF PARKLAND

WHEREAS, the City of Ventnor is seeking proposals for a Licensed Site Remediation Professional (LSRP) to prepare preliminary assessment report for Green Acres major diversion of parkland; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said Licensed Site Remediation Professional.

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

The City of Ventnor is hereby authorized to prepare RFP’s and seek proposals pursuant to the Fair and Open Process for a Licensed Site Remediation Professional to prepare preliminary assessment report for Green Acres major diversion of parkland.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 64 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 65 OF 2015 – AUTHORIZE NO PARKING DURING STREET RECONSTRUCTION

WHEREAS, South Jersey Gas Company will be performing upgrades to the gas mains in various roadways within the City of Ventnor which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

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

WHEREAS, in accordance with N.J.S.A. 39:4-197.3, a Municipality has the right to permit special traffic regulations when circumstances of this type dictate its necessity.

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

AND BE IT FURTHER RESOLVED that prohibition of parking shall expire upon completion of the aforesaid project or three (3) months from this date of adoption, whichever is the sooner.

NO PARKING - BOTH SIDES

Roadway	From	To
Atlantic	Jackson	Frankfort
Atlantic Ave	Weymouth	Princeton
Atlantic Ave	New Haven	Martindale
Ocean Ave	Portland	Cambridge
Amherst	Atlantic	Boardwalk
Austin	Atlantic	Boardwalk
Avolyn	Ventnor	Boardwalk
Baltimore A.	Atlantic	Boardwalk
Baton Rouge	Atlantic	Boardwalk
Buffalo	Ventnor	Boardwalk
Derby	Ventnor	Boardwalk
Dorset	Ventnor	Boardwalk
Frankfort	Ventnor	Atlantic
Harvard	Ventnor	Boardwalk
Hillside	Ventnor	Atlantic
Jackson	Ventnor	Boardwalk
Lafayette Ave	Atlantic	Boardwalk
Marion	Atlantic	Boardwalk
Melbourne A.	Atlantic	Boardwalk
Nashville	Atlantic	Boardwalk
New Haven	Ventnor	Boardwalk
Newark	Ventnor	Boardwalk
Oakland	Atlantic	Boardwalk
Pittsburgh A.	Atlantic	Boardwalk
Portland	Ventnor	Boardwalk
Richards	Ventnor	Boardwalk
Rosborough A.	Ventnor	Boardwalk
Sacramento	Ventnor	Boardwalk
Somerset	Atlantic	Boardwalk

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Surrey	Ventnor	Boardwalk
Swarthmore A.	Ventnor	Boardwalk
Troy	Atlantic	Boardwalk
Washington Ave	Ventnor	Boardwalk
Weymouth	Atlantic	Boardwalk
Wissahickon	Ventnor	Boardwalk

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 65 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 66 OF 2015 – AUTHORIZE AWARD OF PROPRIETARY CONTRACTS

Whereas, the City of Ventnor City, pursuant to N.J.S.A. 40A:11-2(39), may by resolution and without advertising for bids, purchase any goods or services which are proprietary or specialized in nature; and

Whereas, the City of Ventnor City has the need to purchase certain goods or services deemed proprietary; and

Whereas, the City of Ventnor City intends to enter into contracts with the attached Referenced Vendors through this resolution and properly executed contracts, which shall be subject to all applicable conditions.

Now, Therefore, Be It Resolved, that the City of Ventnor City authorizes the purchase of certain goods or services from the vendors on the attached list.

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, 2015 to December 31, 2015.

EUROFINS QC, INC (previously QC LABS, INC)
1205 INDUSTRIAL BOULEVARD
PO BOX 514
SOUTHAMPTON, PA 18966-0514

HD SUPPLY WATERWORKS LTD
BRANCH – 272
228 WILLIAMSTOWN ROAD
BERLIN, NJ 08009

XYLEM WATER SOLUTIONS USA, INC
1133 WESTCHESTER AVENUE
WHITE PLAINS, NY 10604

FOXCROFT EQUIPMENT & SERVICE
2101 CREEK ROAD
PO BOX 39
GLENMOORE, PA 19343

UNIVAR USA, INC
532 E EMAUS STREET
MIDDLETOWN, PA 17057

DELTRONICS, INC
PO BOX 446
MILLVILLE, NJ 08332

ATLANTIC COAST ALARM, INC
5100 HARDING HIGHWAY
SUITE 203
MAYS LANDING, NJ 08330

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 66 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 67 OF 2015 – AUTHORIZE EMERGENCY WATER/SEWER REPAIR, 8 N WYOMING

WHEREAS, a dangerous condition exists due to the deterioration of the water and sewer service to 8 N Wyoming Ave; and

WHEREAS, to maintain well-being and security protection or residences and foot-travelers in the area it was necessary to perform certain emergency water/sewer repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Swan's Ben Franklin Plumbing & Heating is herein and hereby authorized to perform the emergency water/sewer repair at 8 N Wyoming Ave.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$3,200.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 67 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

June 18, 2015

RESOLUTION NO. 68 OF 2015 – AUTHORIZE PROFESSIONAL SERVICES CONTRACT, CONTINUING DISCLOSURE AGENT & INDEPENDENT REGISTERED MUNICIPAL ADVISOR OF RECORD

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey (“City”) has a need to engage a Continuing Disclosure Agent and Municipal Advisor of Record relating to the issuance of municipal debt; and

WHEREAS, Phoenix Advisors, LLC is a recognized firm specializing in such services; and

WHEREAS, Public Law 2005, Chapter 51 authorizes the City to appoint Phoenix Advisors, LLC as Continuing Disclosure Agent and Municipal Advisor of Record 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) Phoenix Advisors, LLC of Bordentown, New Jersey is hereby appointed as Continuing Disclosure Agent and Municipal Advisor of Record 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 to engage the firm Phoenix Advisors, LLC for the provision of said Continuing Disclosure Agent and Municipal Advisor of Record.
- (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 68 of 2015 be adopted.

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

RESOLUTION NO. 69 OF 2015 – REAPPOINT JAMES DICKERSON 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 69 of 2015 be adopted.

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

RESOLUTION NO. 70 OF 2015 – AUTHORIZE STREET OPENING MORATORIUM WAIVER

WHEREAS, South Jersey Gas Company must provide gas service to properties on the beach blocks of Portland, Derby and Jackson Avenues within Ventnor City; and

WHEREAS, these blocks were recently reconstructed 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 South Jersey Gas Company for the service locations in the beach blocks of Portland, Derby and Jackson Avenues within Ventnor City.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 70 of 2015 be adopted.

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

June 18, 2015

RESOLUTION NO. 71 OF 2015 – AUTHORIZE SPECIFICATIONS, CITY HALL MAINTENANCE

WHEREAS, the City of Ventnor City is desirous of receiving bids for; Custodial Services at Ventnor City Hall; and

WHEREAS, Specifications have been prepared and are on file with the City Clerk of the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter approves the aforementioned Specifications.

BE IT FURTHER RESOLVED that it hereinafter authorizes the City Clerk to advertise for bids in the June 22, 2015 issue of the Atlantic City Press, with bids to be received on July 8, 2015 at 11:00AM, prevailing time, in the City Clerk's Office, Room 5, City Hall in the City of Ventnor City, New Jersey.

BE IT FURTHER RESOLVED that the City of Ventnor reserves the right to reject any and all bids.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 71 of 2015 be adopted.

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

RESOLUTION NO. 72 OF 2015 – 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-6463-15

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 72 of 2015 be adopted.

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

RESOLUTION NO. 73 OF 2015 – CHP- 159, ALCOHOL ED REHAB & ENFORCEMENT 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 2015 in the sum \$88.40, 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 & Enforcement

BE IT FURTHER RESOLVED that a like sum of \$88.40 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 & Enforcement

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 73 of 2015 be adopted.

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

June 18, 2015

RESOLUTION NO. 74 OF 2015 – AUTHORIZE RFP’S FOR PLANNER TO PREPARE COMMUNITY DEVELOPMENT PLAN FOR BUSINESS DISTRICTS, MASTER PLAN REEXAMINATION & ZONING & RELATED CODES, ORDINANCES & REGULATIONS

WHEREAS, the City of Ventnor was approved to receive Post Sandy Planning Assistance Grants for Phase II activities including Community Development Plan for Business Districts; Master Plan Reexamination; and Zoning and Related Codes, Ordinances and Regulations; and

WHEREAS, the City of Ventnor is seeking proposals for a Planner to prepare a Community Development Plan for Business Districts; Master Plan Reexamination; and Zoning and Related Codes, Ordinances and Regulation; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said Planner.

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

The City of Ventnor is hereby authorized to prepare RFP’s and seek proposals pursuant to the Fair and Open Process for a Planner to prepare a Community Development Plan for Business Districts; Master Plan Reexamination; and Zoning and Related Codes, Ordinances and Regulation.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 74 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 75 OF 2015 – AUTHORIZE RFP’S FOR PLANNER TO PREPARE VULNERABILITY ASSESSMENT, CAPITAL IMPROVEMENT PLAN & CIP FOR REGIONALIZATION AND SHARED SERVICES

WHEREAS, the City of Ventnor was approved to receive Post Sandy Planning Assistance Grants for Phase II activities including preparation of; and

WHEREAS, the City of Ventnor is seeking proposals for a Planner to prepare a Vulnerability Assessment, Capital Improvement Plan & a CIP for Regionalization and Shared Services; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said Planner.

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

The City of Ventnor is hereby authorized to prepare RFP’s and seek proposals pursuant to the Fair and Open Process for a Planner to prepare a Vulnerability Assessment, Capital Improvement Plan & a CIP for Regionalization and Shared Services.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 75 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 76 OF 2015 – APPROVE PLANS & SPECS, RECONSTRUCT NASHVILLE & WINCHESTER AVE INTERSECTION

WHEREAS, a need has arisen for the reconstruction of the intersection at Nashville & Winchester Aves; 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 “Reconstruction of the Intersection at Nashville & Winchester Aves”; and to be publicly bid.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 76 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 77 OF 2015 – REQUEST PLANNING BD REVIEW & PROVIDE RECOMMENDATION REGARDING §102-118.4 LANDSCAPING REQUIREMENTS PURSUANT TO N.J.S.A. 40:55D-26(a)

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 landscaping requirements as set forth in §102-118.4(k); and

June 18, 2015

WHEREAS, the Planning Board is requested to review the landscaping requirements related to the minimum standards for residential development and make a recommendation as to whether modifications are needed to §102-118.4(k), 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 §102-118.4(k) to reexamine the minimum standard for residential development, 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 Sarno Resolution No 77 of 2015 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 \$6,433,347.75 and payrolls from 5-2-15 to 5-15-15 in the amount of \$504,404.38, from 5-16-15 to 5-29-15 in the amount of \$516,614.64 and from 5-30-15 to 6-12-15 in the amount of \$542,807.97 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 announcements:

A) JIF Safety Committee report for June 2015: the Safety Committee met on June 2nd. Attendance was below normal due to conflicts. The accident review portion had three incidents. 1) Minor property damage (mirror) to ladder truck. 2) Minor damage to police cruiser (fender). Avoiding busy parking lots was discussed as an excellent loss control technique of avoidance. 3) a trip over a pothole adjacent to curb resulted to a laceration to knee. Ems treated at scene, PD photographed the pothole and public works advised to correct as part of the roadway, signage and walkway program of the safety initiatives. There were two police workers comp claims in May, one at the academy involving a new recruit and one involving an officer running down a suspect. New wellness representative, Valerie Smith, discussed several options, ideas and available programs for wellness. The loss picture for the running 6-year period of 2009-2014 was reviewed. Although this is subject to fluctuation, the results are excellent. The ACMJIF is 52.7%, the MELJIF is 20.7%, and the EPL/POL is 42.7%. The EPL/POL is up slightly with an additional claim being filed in that category. Overall, this is excellent.

PUBLIC PORTION

LINDA KAPLAN, 12 N WISSAHICKON speaking on the topic of landscaping requirements for new construction and house raising, agreed curbside grass is good but requiring curbside trees is "overkill". She cited problems such as tap roots interfering with water lines, diffuse roots coming up and breaking concrete and difficulty opening car doors.

BEA METZMAN, 109 S HARVARD spoke of the problems on her street caused by short-term rentals and asked the Commission to consider restricting rentals to monthly/seasonal/yearly and not permitting daily/weekly as appears to be occurring on her block.

LEE SIROTA, 14 N WYOMING agreed with Ms Metzman stating the same problems of short term rentals are occurring in her neighborhood and echoed the concerns voiced by Ms Kaplan regarding the landscaping requirement for planting of street trees.

BETH KWART, 125 N DERBY spoke in support of establishing landscaping requirements/guidelines. When she went before the Zoning Board to raise her house she was required to submit a landscaping plan. With no regulations setting guidelines other than "2 street trees", it was difficult to do. MAYOR BAGNELL stated there is grant money available for landscaping when raising your house if the City has a landscaping ordinance in place. MS. KWART responded money for landscaping was not available in her case.

AGNES DEBICZ, 105 S LITTLE ROCK read a prepared statement in response to an article in the 6.18.15 Downbeach Current newspaper recapping a discussion at the 6.11.15 workshop meeting concerning dogs on the beach. Ms Debicz implored the City to maintain the 7pm to 9pm allowance of dogs on the beach citing examples of other "non-enforceable" ordinances and suggested the City find other ways to make the city more "dog friendly". Mayor Bagnell acknowledged not having read the article, stated dogs on the beach was just brought up for general discussion at the workshop and assured her, and the other concerned residents in the audience, no action is scheduled to be taken rescinding the newly extended "dog on beach" hours.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

4:27PM 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 July 16, 2015 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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

BETH CHORT, 125 N Derby introduced herself as a member of the Surfriders' Foundations, working closely with Ventnor's Go Green Committee. She spoke in favor of R-084, encouraging use of reusable, cloth type shopping bags as opposed to single use plastic bags and described the adverse effect of plastic on the environment, wildlife, etc. She thanks the Commission for considering the passage of this Resolution thus joining the other shore communities who have also passed similar resolutions.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

MOTION TO APPROVE MINUTES

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 6.18-15 Regular Meeting be approved as written (oral reading waived).

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

REPORT OF BID OPENING – CITY HALL CUSTODIAL SERVICES

Date of Bid Opening: July 8, 2015 @ 11:00 AM

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

1. Action Janitorial, Inc		\$43,999.00 (2 yr Bid)
Pleasantville, NJ 08232	Clean City Hall Restrooms	
Bid Bond Attached	Saturday & Sunday (July & Aug)	\$900.00 (2 yr Bid)

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

INTRODUCTION OF ORDINANCE 2015-19

AN ORDINANCE AMENDING ARTICLE XXI, IMPROVEMENT STANDARDS, CHAPTER 102-138 STREETS, CURBS AND SIDEWALKS OF THE DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-19 be introduced

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

INTRODUCTION OF ORDDINANCE 2015-20

AN ORDINANCE AMENDING CHAPTER 102-118.6 (D) OFF STREET PARKING REQUIREMENTS, LOCATION OF SPACES ON RESIDENTIAL LOTS, OF THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-20 be introduced

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 78 thru 89 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 78 thru 89 of 2015 be adopted by consent.

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

RESOLUTION NO. 78 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENTS

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

WHEREAS, application for such tax exemption has been filed by Suzanne and Joseph Aloï for the newly constructed residential dwelling known as Block 168, Lot 9; and

WHEREAS, application for such tax exemption has been filed by Louis and Nancy Rappaport for the newly constructed residential dwelling known as Block 134, Lot 17; and

WHEREAS, application for such tax exemption has been filed by Elliot and Gail Norry for the newly constructed residential dwelling known as Block 10, Lot 1.24; and

July 16, 2015

WHEREAS, application for such tax exemption has been filed by Russell Paul & Stacy Kaplan for the newly constructed residential dwelling known as Block 10, Lot 1.22; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Suzanne & Joseph Aloï	168/9	207 N Portland
Lois & Nancy Rappaport	134/17	4 N Swarthmore
Elliot & Gail Norry	10/1.24	126 S Weymouth
Russell Paul & Stacy Kaplan	10/1.22	122 S Weymouth

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 78 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 79 OF 2015 – 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.

<u>NAME & ADDRESS</u>	<u>DEPOSIT DATE</u>	<u>DATE USED</u>	<u>REFUND AMOUNT</u>
Ventnor Tourism PO Box 2115 Ventnor, NJ 08406	5-20-15	6-20-15	\$100.00
Desiree Bruno 5 N New Haven, Apt 3B Ventnor, NJ 08406	6-26-15	6-28-15	\$100.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 79 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 80 OF 2015 – AUTHORIZE ADDITIONAL VENDORS TO PROPRIETARY CONTRACTS LIST

Whereas, by Resolution No. 66 of 2015 the City of Ventnor City, pursuant to N.J.S.A. 40A:11-2(39), named certain vendors for purchase of proprietary goods and services; and

Whereas, the City of Ventnor City wishes to amend said Resolution to include additional vendors for the purchase of certain goods or services deemed proprietary.

Now, Therefore, Be It Resolved, that the City of Ventnor City authorizes the addition of the following vendors to the list for the purchase of proprietary goods or services.

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, 2015 to December 31, 2015.

- ATLANTIC PLUMBING SUPPLY CORP.
702 JOLINE AVENUE
ROUTE 36 EAST
LONG BRANCH, NJ 07740
- COMPLETE CONTROL SERVICES INC.
1515 GRANT STREET
EGG HARBOR CITY, NJ 08215
- COMTEC SYSTEMS, INC
2658 NW BOULEVARD
VINELAND, NJ 08360
- ENFORSYS POLICE SYSTEMS, INC
200 LANIDEX PLAZA
SUITE 2103
PARSIPPANY, NJ 07054
- GRANTURK, INC
ONE SCHUYLKILL PARKWAY
BRIDGEPORT, PA 19405
- PRO VIDEO ENGINEERING INC.
1901 WABASH AVENUE
NORTHFIELD, NJ 08255

- VAN DUYNE BROTHERS, INC
5112 OAKWOOD BOULEVARD
MAYS LANDING, NJ 08330
- VISUAL COMPUTER SOLUTIONS, INC
FREEHOLD EXECUTIVE CENTER
4400 US HWY #9 SOUTH, STE 3500
FREEHOLD, NJ 07728
- VITAL COMMUNICATIONS, INC
900 SOUTH BROAD STREET
TRENTON, NJ 08611
- WILMAC BUSINESS EQUIPMENT CO.
73 STATE STREET
SUITE 200
ROCHESTER, NY 14614

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 80 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 81 OF 2015 – AUTHORIZE CHANGE ORDER, NJDOT 2013 MUNICIPAL AID ROAD PROGRAM

WHEREAS, the City of Ventnor City did award a contract for “NJDOT 2013 Municipal Aid Road Program” and did enter into a contract with Lexa Concrete in the amount of \$677,328.00; 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 “NJDOT 2013 Municipal Aid Road Program” be amended to \$711,441.34 for a net adjustment of \$34,113.34.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 81 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 82 OF 2015 – AUTHORIZE CONTRACT FOR CONFLICT ATTORNEY

WHEREAS, from time to time the need arises for outside legal counsel to handle certain matters that cannot be handled by the City Solicitor due to conflicts; and

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey (“City”) wishes to engage the services of Alfred R. Scerni, Jr, Esq to act as conflict attorney for the City when such conflicts arise; 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 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) Alfred R. Scerni, Jr. Esq is hereby appointed as Conflict Attorney 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 Alfred R. Scerni, Jr. Esq to engage in the services as conflict attorney.
- (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 82 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 83 OF 2015 - AWARD CONTRACT, CITY HALL CUSTODIAL SERVICES

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, July 8 at 11:00 AM in her Office one (1) Bid Proposals for the Maintenance of City Hall of the City of Ventnor City; and

WHEREAS, the bid has been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for the Maintenance of Ventnor City Hall to Action Janitorial, Inc., Pleasantville, NJ for their 2 year Bid Amount of \$43,999.00 plus their 2 year Bid of \$900.00 for cleaning of City Hall Restroom on Saturday and Sunday during the months of July and August for a total 2 year contract amount of \$44,899.00; and

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 83 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

July 16, 2015

RESOLUTION NO. 84 OF 2015 – ENCOURAGE USE OF REUSEABLE CLOTH BAGS INSTEAD OF SINGLE USE PLASTIC

WHEREAS, Non-biodegradable, single use plastic bags are often discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine wildlife and casing unsightly litter; and

WHEREAS, plastic bags last hundreds of years in landfills and are potential source of harmful chemicals when they break down; and

WHEREAS, plastic is responsible for the deaths of over 100,000 sea animals and one million seabirds each and every year; and

WHEREAS, worldwide, 1.2 trillion plastic bags are used; that 300 bags for every adult at a rate of over a million per minute.

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

1. We strongly encourage the residents of Ventnor to use re-useable, cloth type shopping bags as opposed to single use, plastic bags.

2. We encourage our residents to educate others about how detrimental plastic bags are to our marine life in an effort to increase compliance through awareness.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 84 of 2015 be adopted.

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

RESOLUTION NO. 85 OF 2015 – AWARD CONTRACT, LSRP FOR REMEDIATION OF 3 CITY OWNED PROPERTIES

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 14, 2015, at 11:00 AM, did receive four (4) RFP's for a LSRP to prepare for remediation of 3 City owned lots; and

WHEREAS, the RFP's have been reviewed and found the low bid does not conform to the requirements of the specifications; and

WHEREAS, the Board of Commissioners wishes to award the contract to the next lowest bidder.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for a LSRP for remediation of 3 City owned properties to Earth Engineering Inc in the amount of 19,210.00.

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 85 of 2015 be adopted.

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

RESOLUTION NO. 86 OF 2015 – AWARD CONTRACT, LSRP TO PREPARE PRELIMINARY ASSESSMENT REPORT FOR GREEN ACRES MAJOR DIVERSION OF PARKLAND

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 14, 2015, at 11:00 AM, did receive five (5) RFP's for a LSRP to prepare the NJDEP PRELIMINARY ASSESSMENT GREEN ACRES MAJOR DISPOSAL/DIVERSION OF LOCAL PARKLAND; and

WHEREAS, the RFP's 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 a LSRP to prepare the NJDEP PRELIMINARY ASSESSMENT GREEN ACRES MAJOR DISPOSAL/DIVERSION OF LOCAL PARKLAND to Earth Engineering Inc in the amount of \$2800.00.

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 86 of 2015 be adopted.

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

RESOLUTION NO. 87 OF 2015 – AUTHORIZE AGREEMENT WITH ATLANTIC CITY FOR EMERGENCY SHELTER

WHEREAS, the City of Ventnor City and the Office of Emergency Management strive to provide for the health and safety of its residents and visitors during disasters and large scale emergencies that could affect all or portions of the City of Ventnor City; and

WHEREAS, it has been determined that in times of emergencies involving the evacuation of residents, it may be necessary to involve various persons, businesses and professionals to help with the operation, sheltering and care of displaced individuals and families; and

WHEREAS, in order to be prepared for same, the City of Ventnor City has determined it is necessary to enter into a shared services Agreement for an emergency shelter with the City of Atlantic City which would allow for sheltering of evacuees in the event of an emergency.

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 City of Ventnor City shall be authorized to enter into a shared services Agreement for an emergency shelter with the City of Atlantic City.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 87 of 2015 be adopted.

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

July 16, 2015

RESOLUTION NO. 88 OF 2015 – AUTHORIZE PARTICIPATION IN ACIA CDBG PROGRAM

WHEREAS, Atlantic County was notified by letter dated October 27, 2000, from the United States Department of Housing and Urban Development (hereafter “HUD”) announcing that the County of Atlantic qualified to receive a Formula Allocation for the Community Development Block Grant Program (hereafter the “Urban County Program”) for the fiscal year 2001, 2002 and 2003; and

WHEREAS, it is necessary to provide documentation to HUD every three years to re-qualify the Urban County (hereafter “County”) to continue to receive a formula allocation for the next three federal fiscal years; and

WHEREAS, it is necessary for the County to submit the qualifying documentation to HUD by July 24, 2015 to re-qualify for Fiscal Years 2016, 2017 and 2018; and

WHEREAS, in order to participate with the County in the Urban County Program for these years it is necessary for the Local Government to enter into a Cooperation Agreement with the County and other local governments; and

WHEREAS, the Local Government may not apply for grants or appropriations under the Small Cities or State CDBG Programs for the fiscal years during the period in which it participates in the Urban County CDBG Program, and

WHEREAS, the City of Ventnor City desires to join with the County in the Urban County program; and

WHEREAS, the Interlocal Services Act NJSA 40:8A-1 et seq. Authorizes counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the execution of the Cooperation Agreement does not require the Local Government to expend municipal funds;

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached amendment to the Cooperation Agreement with the County, and other local governments, in substantially the following form with such minor changes as may be required by HUD.
2. This amendment along with Cooperation Agreement shall be effective for the remaining year of the Urban County Qualification period (Federal fiscal years beginning October 1, 2016, October 1, 2017 and October 1, 2018) and shall be automatically renewed for participation in successive three year qualification periods unless the County or the City of Ventnor City provides written notice it elects not to participate for a new qualification period.
3. HUD requires that this Cooperation Agreement may have to be amended to incorporate changes necessary to comply with federal requirements for future qualification periods. Failure to comply will void the automatic renewal for such qualification period.
4. All resolution or parts of resolutions inconsistent with this Resolution are hereby repealed to the extent of their inconsistency.
5. The Clerk is hereby directed to provide a certified copy of this Resolution together with the annexed Cooperation Agreement, duly executed, to the County executive.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 88 of 2015 be adopted.

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

RESOLUTION NO. 89 OF 2015 – AUTHORIZE TAX OVERPAYMENT REFUNDS

WHEREAS, the 2015 tax on Block 17, Lot 6.02 is overpaid due to a Homestead Rebate issued to Elaine Panico in the amount of \$1,050.00; and

WHEREAS, Mrs. Panico requested a refund sent to her at 215 N Washington Ave #1, Margate, NJ 08402; and

WHEREAS, the 2015 tax on Block 5, Lot 1 C1113 is overpaid in the amount of \$1,506.68 due to a 100% Veteran Exemption and the mortgage company paying; and

WHEREAS, Mr. & Mrs. Kessler have requested a refund in the above amount sent to them at 5000 Boardwalk #1113, Ventnor, NJ 08406.

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

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 89 of 2015 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 \$2,523,744.86 and payrolls from 6-13-15 to 6-26-15 in the amount of \$553,579.67 and from 6-27-15 to 7-10-15 in the amount of \$616,731.03 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 announcements:

A) JIF Safety Committee report for July 2015: THE SAFETY COMMITTEE MET ON JULY 8TH. ONE INCIDENT WAS REVIEWED. AN 89 YEAR OLD WOMAN ALLEGEDLY FELL OVER A STOOL IN LIBRARY. FIRE DEPT RESPONDED AND TRANSPORTED HER TO SHORE MEMORIAL. THERE WERE NO WITNESSES AND POLICE REPORT NOTED NO DEFICIENCIES IN CARPET/FLOORING, CABINETRY, ETC. AND NO STOOL IN THE AREA OF INJURY WAS SEEN. THERE WAS 1 FIRE DEPT & 1 POLICE DEPT WORKERS COMP CLAIM IN JUNE. SAFETY BULLETINS CONCERNING HEAT STRESS AND RELATED ILLNESS AND HANDS ONLY CPR WERE DISTRIBUTED. ALSO DISCUSSED: 1) THE ACMJIF USE OF FACILITIES APPLICATION WITH SAMPLE AGREEMENT, INSURANCE REQUIREMENTS AND HOLD HARMLESS WHICH ARE AVAILABLE ON THE ACMJIF WEB SITE. 2) CONDOMINIUM ASSOCIATIONS STORAGE OF EQUIPMENT ON THE BEACH. 3) USE OF ANTENNAE TYPE TRAFFIC FLOW INDICATORS ON COUNTY ROADS WHICH REPLACED OLD CABLE COUNTERS THAT VEHICLES DROVE OVER.

PUBLIC PORTION

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

6:13PM 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 August 20, 2015 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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

MICHAEL ADVENA, 6410 Monmouth questioned the "emergency appropriation" for the citywide reval mandated by the County and voiced his concern about the amount of City debt. CFO ABODERIN explained the term "emergency" refers to funding, not the emergent need to reval. Since this undertaking is costly, bonding over a 5 year period will fund the expense. Although the Tax Assessor estimates, based on amounts paid by similar municipalities, a cost of \$300,000 to \$500,000 she determined to bond \$600,000. The City will only borrow what is needed and cancel the remaining balance. The CFO surmised the reason the County ordered Ventnor to reval was based on the number of tax appeals filed by its residents over the past several years.

GEORGEANN ROSS, 123 N Swarthmore asked what items would be voted on this evening. Ms Ross was directed to the items listed on the agenda.

CASSANDRA SHOBER, 210 N Newark asked if Ventnor intends to appeal the Tax Court's Order to reval. The Mayor and CFO inferred no, explaining the cost of legal fees (\$100,000 + per yr) and loss of revenue (\$65M last yr) from tax appeals out way the cost of a City wide reval. A discussion of property values, foreclosures, need for city wide reval vs in house reassessment, number of tax appeals filed, etc ensued with the Mayor suggesting Ms Shober contact the tax assessor directly with any further questions.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

MOTION TO APPROVE MINUTES

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 7-16-15 Regular Meeting be approved as written (oral reading waived).

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-19

AN ORDINANCE AMENDING ARTICLE XXI, IMPROVEMENT STANDARDS, CHAPTER 102-138 STREETS, CURBS AND SIDEWALKS OF THE DEVELOPMENT 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.

ANTHONY MORGANO, 107 N Derby, asked if this zoning change was in response to a situation on his street and would the property in question be "grandfathered". The Mayor and Solicitor responded negatively referring to Planning Board correspondence to show how long this change has been discussed.

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-20

AN ORDINANCE AMENDING CHAPTER 102-118.6 (D) OFF STREET PARKING REQUIREMENTS, LOCATION OF SPACES ON RESIDENTIAL LOTS, OF THE DEVELOPMENTAL 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 Cmr Kelly the Public Hearing be closed.

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

INTRODUCTION OF ORDINANCE 2015-21

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

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-21 be introduced

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

INTRODUCTION OF ORDINANCE 2015-22

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(b) TO FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-22 be introduced

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

FINAL READING AND ADOPTION OF ORDINANCE 2015-19

AN ORDINANCE AMENDING ARTICLE XXI, IMPROVEMENT STANDARDS, CHAPTER 102-138 STREETS, CURBS AND SIDEWALKS OF THE DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-19 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING AND ADOPTION OF ORDINANCE 2015-20

AN ORDINANCE AMENDING CHAPTER 102-118.6 (D) OFF STREET PARKING REQUIREMENTS, LOCATION OF SPACES ON RESIDENTIAL LOTS, OF THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-20 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 90 thru 103 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 90 thru 103 of 2015 be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 90 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT

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

WHEREAS, application for such tax exemption has been filed by Michelle & Judd Greenberg for the newly constructed residential dwelling known as Block 163, Lot 6; and

WHEREAS, application for such tax exemption has been filed by Mark & Audrey Reisman for the newly constructed residential dwelling known as Block 10, Lot 1.21; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Michelle & Judd Greenberg	163/6	109 N Sacramento
Mark & Audrey Reisman	10/1.21	120 S Weymouth

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 90 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 91 OF 2015 – REFUND OF CO PAYMENTS, CERTIFICATES NOT NEEDED

WHEREAS, on April 8, 2015, Alan Korik made application for 4 sale Certificates of Occupancy for the commercial property known as 6814-6818 Ventnor Avenue, Ventnor City, NJ; and

WHEREAS, Mr. Korik was charged and did pay a \$200.00 fee for said certificates; and

WHEREAS, no Certificate of Occupancy is required for the sale of commercial properties; and

WHEREAS, the Construction Official has requested that a refund be given to Mr. Korik.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Comptroller/Treasurer of Ventnor City is hereby authorized to issue a refund check in the amount of \$200.00 to Alan Korik, c/1 Farley & Ferry Realty, 5215 Atlantic Ave, Ventnor, NJ 08406.

BE IT FURTHER RESOLVED that the Comptroller/Treasurer and Code Enforcement Office are authorized to mark their books and records accordingly.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 91 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 92 OF 2015 – CHP 159, 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 2015 in the sum \$1,286.00, 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 2015 State Housing Inspection Program

BE IT FURTHER RESOLVED that a like sum of \$1,286.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
FY 2015 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 92 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 93 OF 2015 – 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>Remaining Balance</u>
Russ Miller	2 N Richards Ave	\$495.69

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 93 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 94 OF 2015 – AUTHORIZE EMERGENCY HYDRANT & VALVE REPLACEMENT, ATLANTIC & BATON ROUGE

WHEREAS, during testing of the fire hydrant at Baton Rouge and Atlantic Aves the stem broke preventing it from closing; and

WHEREAS, in order to prevent the shutting off of water to four plus block area for approximately six to eight hours it was necessary to engage the services of Garrison Enterprises to install two6 inch stopples.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Garrison Enterprises of Vineland, NJ is herein and hereby authorized to perform the emergency hydrant & valve repair at Baton Rouge & Atlantic Aves.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$7,400.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 94 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 95 OF 2015 - APPROVE PLANS & SPECS, GENERAL REPAIRS & CONSTRUCTION OF UTILITIES

WHEREAS, the City of Ventnor City has a need to establish unit prices for standard installation and emergency repair of existing utilities.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and to publicly bid the project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 95 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 96 OF 2015 – AWARD CONTRACTS, UPDATE APPRAISALS FOR GREEN ACRES COMPENSATION/DISPOSAL OF PARCELS

WHEREAS, the Municipal Engineer did solicit proposals to update the original appraisals for the Green Acres compensation/disposal of parcels; and

WHEREAS, the proposals have been reviewed and it is recommended to rehire the original appraisal companies.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contracts for the Green Acres compensation/disposal of parcels to LeGore & Jones Appraisal Services in the amount of \$7,800.00 and J. Paul Bainbridge & Assoc, Inc in the amount of \$8,500.00.

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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 96 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 97 OF 2015 – LIQUOR LICENSE RENEWALS

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, 2015 to June 30, 2016 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 97 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 98 OF 2015 – AWARD CONTRACT, PLANNER FOR COMMUNITY DEVELOPMENT PLAN FOR BUSINESS DISTRICTS, MASTER PLAN REEXAMINATION & ZONING & RELATED CODES, ORDINANCES & REGULATIONS

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on August 19, 2015, at 11:00 AM, RFP's for "PLANNER FOR COMMUNITY DEVELOPMENT PLAN FOR BUSINESS DISTRICTS, MASTER PLAN REEXAMINATION & ZONING & RELATED CODES, ORDINANCES & REGULATIONS"; 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 Planner for Community Development Plan for Business Districts, Master Plan Reexamination & Zoning & Related Codes, Ordinances & Regulations to Polistina Associates in the amount not to exceed the total Grant amount of \$150,000.

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 98 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 99 OF 2015 – AUTHORIZE RENEWAL OF MUTUAL AID & ASSISTANCE AGREEMENT WITH ATLANTIC CO

WHEREAS, mutual aid and assistance agreements between municipalities, counties, emergency management agencies, law enforcement agencies police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD)- 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of

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all civilian activities having to do with such emergency giving the Governor or County or Local Emergency Management Coordinator control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq, and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Atlantic and other municipalities including (but not limited to) emergency management agencies, municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

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

A. That the Mayor is hereby authorized and directed to enter into the Atlantic County Mutual Aid and Assistance Agreement between participating Units, a copy of which is attached hereto and made a part hereof, on the terms and conditions contained herein.

B. That the Mayor and City Clerk of the City of Ventnor City are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the City of Ventnor City.

C. That the City Clerk is hereby authorized and directed to forthwith forward a copy of this Resolution and an executed copy of Schedule A of the agreement to the offices of the Atlantic County Office of Emergency Management for review and filing by the appropriate Fire, EMS and County Prosecutor or his designee as appropriate.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 99 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 100 OF 2015 – AWARD CONTRACT, PLANNER TO PREPARE VULNERABILITY ASSESSMENT, CAPITAL IMPROVEMENT PLAN & CIP FOR REGIONALIZATION AND SHARED SERVICES

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on August 19, 2015, at 11:00 AM, RFP's for "PLANNER TO PREPARE VULNERABILITY ASSESSMENT, CAPITAL IMPROVEMENT PLAN & CIP FOR REGIONALIZATION AND SHARED 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 Planner To Prepare Vulnerability Assessment, Capital Improvement Plan & CIP For Regionalization And Shared Services to William D. Crane Associates, Inc and Arthur W. Ponzio Co. & Assoc, Inc, a Joint Venture in the amount not to exceed the total Grant amount of \$80,000.

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 100 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO.101 OF 2015 – AUTHORIZE RFP'S FOR AMBULANCE BILLING SERVICES

WHEREAS, the City of Ventnor is seeking proposals for ambulance billing services; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said services.

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

The City of Ventnor is hereby authorized to prepare RFP's and seek proposals pursuant to the Fair and Open Process for ambulance billing services.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 101 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 102 OF 2015 – AUTHORIZE RFP'S FOR LAND SURVEYING SERVICES, GREEN ACRES COMPENSATION & DIVERSION

WHEREAS, the City of Ventnor is seeking proposals for Land Surveying Services, Green Acres Compensation and Diversion; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said services.

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

The City of Ventnor is hereby authorized to prepare RFP's and seek proposals pursuant to the Fair and Open Process for Land Surveying Services, Green Acres Compensation and Diversion.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 102 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 103 OF 2015 – AUTHORIZE RFP'S FOR SURVEY SERVICES NEW TIDELAND LICENSES (BULKHEADS)

WHEREAS, the City of Ventnor is seeking proposals for Survey Services, New Tideland Licenses (4) four proposed Bulkheads; and

WHEREAS, the City of Ventnor wishes to obtain requests for proposals for said services.

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

The City of Ventnor is hereby authorized to prepare RFP's and seek proposals pursuant to the Fair and Open Process for Survey Services, New Tideland Licenses (4) four proposed Bulkheads.

BE IT FURTHER RESOLVED that the City Clerk, and all other appropriate City officials are authorized to take any and all actions in furtherance of the same.

BE IT SO RESOLVED.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 103 of 2015 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 \$3,451,985.72 and payrolls from 7-11-15 to 7-24-15 in the amount of \$628,376.60, from 7-25-15 to 8-7-15 in the amount of \$605,333.65 and from 8-8-15 to 8-21-15 in the amount of \$609,422.55 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 referred to the following JIF Safety Committee Report:

A) JIF Safety Committee report for August 2015: THE SAFETY COMMITTEE MET ON AUGUST 4TH. THE INCIDENT REPORT INCLUDED 1 MINOR PROPERTY DAMAGE LIABILITY TO A PARKED CAR, 1 VANDALISM TO A LIFE GUARD SHACK & A VEHICLE STRIKING A MAN HOLE COVER. INFORMATION WAS DISTRIBUTED ON NEW HIGH VISIBILITY APPAREL STANDARDS, HAZZARD COMMUNICATION STANDARDS & MEL TRAINING SCHEDULE. WATER DAMAGE AT MAIN FIRE STATION CAUSED BY A SLICE IN THE FLAT ROOF, REPAIRED UNDER A WARRANTY WAS DISCUSSED. DAMAGE FROM THE LEAK WILL BE SUBMITTED AS A PROPERTY LOSS. THE NEW WELLNESS COMPONENT OF THE SAFETY INCENTIVE PROGRAM WILL ATTEMPT TO SET UP A JOINT EFFORT WITH MARGATE AND LONGPORT. THE LOSS RATIO FIGURES THROUGH JUNE 30, 2015, BASED ON THE 6 YEARS OF ACTIVITY 2009-2014 USED TO DETERMINE THE ASSESSMENT FOR 2016 LOOK VERY FAVORABLE. THE ACMJIF IS 58.6%, THE MELJIF IS 20.7%, AND THE POL/EPL IS 42.7%.

PUBLIC PORTION

GEORGEANN ROSS, 123 N Swarthmore asked the Solicitor for an update on the Green Acres land swap. Solicitor Weintrob reported Green Acres is requiring updated appraisals on the parcels of land. Authorization was given earlier this meeting. (See R.96).

MS ROSS asked about ownership of Shelter Island, the use of the island for depositing of dredging material and the method of transporting dredging materials to the island. The Mayor explained deeds show Margate owns a portion of the island, any dredging would be a joint endeavor between Ventnor and Margate and dredged material would be pumped directly onto the island.

Regarding the proposed landscaping requirements, Ms Ross asked if they were for new construction or would all properties be affected. The Mayor responded "new construction". She then asked Cmr Sarno what he was proposing for the fishing pier bathrooms suggesting we fix up and clean up what we have. Cmr Sarno stated we presently have a unisex bathroom. If funding is available we are checking requirements i.e. men's bathroom, ladies bathroom and unisex handicapped, ADA compliance, etc. He just wanted to get things started by bringing it up in a public forum.

LEE SIROTA, 14 N Wyoming referring to a recent ruling on the legality of rental license fees, asked if the City is investigating the effect of this ruling on Ventnor. The Solicitor assured Ms Sirota she is aware of the ruling and is looking into what effect it may have on Ventnor's Ordinance and the need for possible amendments. She could not answer Ms Sirota's question concerning possible reimbursements of rental license fees already paid.

Referring to the article about improving the bathrooms on the fishing pier, Ms Sirota cautioned the Commission about the cost of such an endeavor and reminded them of her earlier suggestion of having the County take over ownership of the boardwalk and thus these expenses as well.

CASSANDRA SHOBER, 210 N Newark posed the following questions: 1) is Ventnor planning to dredge. Mayor responded we would have to dredge at some point because of the decreasing depth of the intercoastal waterway. 2) are federal and/or state funds available since dredging helps with flood mitigation and may have positive effects on CRS rating and flood insurance rates. Mayor answered no money is available right now but the City has been looking into it for quite some time. The City has a committee consisting of Mr Quirk, partnering with the Mayor, and engineers from other communities, all part of Coastal Coalition. 3) Are the Coalition meetings open to the public and are minutes taken. The Mayor responded no, they are workshops with other municipalities from Atlantic, Cape May and Southern Ocean County. He will see who has the minutes and get them for her.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:47PM 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 Solicitor reported the matters to be discussed are: a Union Grievance, 4 possible items of litigation and a personnel issue.*

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

7:46PM EXECUTIVE SESSION CONCLUDED

SOLICITOR WEINTROB reported that during Executive Session the following were discussed in summary since they are all still pending:

1. Union Grievance: Base on research union is correct in grievance and recommends that City consider hiring labor counsel prior to negotiating next contracts.
2. Ongoing litigation with 22 S Nashville: Solicitor advised issue is before Court within next 2 weeks and hopefully will get demolition order from Court.
3. Possibility of engaging in litigation on 5008 Ventnor: May be foreclosure matters pending. CFO to make calls. If not it will be raised at next executive session seeking permission to foreclose and initiate civil action for money owed city.
4. Contract dispute on professional services contract with Professional Benefit Consultants, Inc: Matter has been tabled while Mayor looks at documents. It will be placed on executive session and possibly regular agenda for vote on contract issue.
5. Personnel matter regarding a member of city’s employment and outside employment: Commission in agreement to seek advisory opinion from Local Finance Board of the NJ Division of Local Government Services. This will be discussed at the next executive session.

Mayor Bagnell moved, seconded by Cmr Kelly to seek advisory opinion from the Div of Local Government Services. Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

Mayor Bagnell moved, seconded by Cmr Kelly to solve grievance issue. Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

Cmr Kelly moved, seconded by Mayor Bagnell to continue negotiations with 5115 Winchester. Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

7:50PM 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 17, 2015 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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

MAYOR BAGNELL asked if anyone had questions on Items to be voted on tonight, other than items 3 & 4 (Public Hearings) and Items 23 & 24 (Tabled)

BETH HOLTZMAN, 602 N Somerset referencing her finance background, asked if all funding resources and options were looked at before going out for the bond for the reval. She encouraged Commission to communicate the who, what and why of the reval to the public; suggested as FEMA continues reviewing claims and people may use monies to make capital improvements to their homes, assessments might be higher if we wait to do reval and if FEMA \$3.5M loan is forgiven, balance sheet of City will have \$3.5M less liability giving an asset to liability ratio a much better number.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

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

MOTION TO APPROVE MINUTES

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 8-20-15 Regular Meeting be approved as written (oral reading waived).

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-21

AN ORDINANCE AMENDING SECTION 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 Sarno the Public Hearing be closed.

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

2ND READING (PUBLIC HEARING) OF ORDINANCE 2015-22

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(b) TO FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY 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.

BARD SHOBER, 210 N Newark asked the following questions: 1) Was anything done to explore delaying the revaluation? Solicitor Weintrob's response: She and Tax Attorney Hank Rovillard spoke to the County yesterday (9-16-15). With letter from the City, County will consider extending it for 1 year. 2) Was any analysis done as to why the coefficient of deviation is at 19.+%? Tax Assessor response: Referring to comparisons handed out at the 9.10.15 workshop, she explained sales ratio studies are done by the State, not by the local assessor, but she would guess deviation is caused primarily by land sales that are much less than assessed value and discrepancies between sales v assessed values in certain areas of town. 3) If we do not go forward with vote tonight on the bond, will that have effect on our ability to meet a mandated revaluation date of September 2016? The Solicitor gave a brief explanation of the time from adoption of bond ordinance to award and completion of contract for services to answer Mr Shober affirmatively. The Solicitor and CFO further explained this bond ordinance is just an authorization to borrow but no monies will be borrowed until a contract is awarded. 4) Has the City made a determination to file an appeal of the Reval order? Solicitor's response: The Commission will go into executive session for discussion, if you wish to wait around a decision will be made in open session following executive session. Mr Shober concluded by requesting the Commission to file the appeal and "protect our rights going forward".

MARC SILVER, 112 S Surrey introduced himself as a CPA who has spent the last 3 years speaking with tax assessors and the State Dept of Treasury in an attempt to understand tax assessing. He suggested a compromise, (i.e. ask for an extension for good cause) explaining it would be foolish to file an appeal of the Order since the standards to overturn it are impossible to meet.

LEE SIROTA, 14 N Wyoming speaking as a senior citizen on a fixed income suggested waiting until other bonds are paid off before incurring new debt. The CFO reported the next bond to be paid off will be in 2019. Cmr Kelly noted the bond being considered tonight is for \$600,000, not \$750,000 as mistakenly reported.

DAVID LIVINGSTON, 600A N Victoria voiced concerns: 1) what happens if we do not comply with order. Solicitor's response – County can file lawsuit against Ventnor, which they have done in other counties. 2) if reason for delay is lack of financing is that normally acceptable to the County or State. Solicitor's response – there is no lack of financing. Passing a bond is the usual source of funding. CFO Aboderin then further explained this special emergency. 3) Are there options inside the budget to offset the cost of the reval instead of borrowing? CFO responded negatively.

BETH HOLTZMAN, 602 N Somerset clarified, it was not the County but the State who ordered the Reval. The Solicitor agreed but added it was the County that requested it.

JOE MCDEVITT, 603 N Oxford asked, since Ventnor has a unique situation can Ventnor ask the county/state for a 1 or 2 year extension or let us do a 1/2 revaluation (no include houses effected by Sandy). In response, Tax Assessor Kelly explained there is no data showing raising a house raises the value. If reval is done and in a couple years, we see raising a house does increase the value, a reassessment can be done. The problems cause by Superstorm Sandy are ongoing. The reasons a reval are need are: 1) Property record cards are in bad shape or missing 2) Inside inspections of many properties has not occurred in over 10 years 3) record keeping in Tax Assessor's office was poor 4) there is no working assessing systems in the office. Ms Kelly concluded by saying a town the size of Ventnor should have no more than 100 appeals per year. We must get everyone on an equal playing field. The Solicitor interjected Brigantine did a reval in the midst of Sandy and the number of appeals this year was decreased by 1000+. Tax Attorney Hank Rovillard further explained a property would be reassessed at the condition it is in at the time of the reval. When the renovation is completed there would be an added assessment to the property consistent with the model the assessing company used for the rest of the properties. The reval is necessary to bring a level of equality throughout the town.

ANTHONY MORGANO, 402 N Surrey asked how long it would take to file the notice of appeal and how long would it take the County to act on a violation of the Order. The Solicitor responded the complaint could be filed in a day and the County could act any anytime. When Mr Morgano suggested ignoring the Order, the Solicitor responded that is not legal advice she would give.

CASSANDRA SHOBER, 210 N Newark continued to voice concerns about 1) what happens if county does not grant extension and we have not filed an appeal, 2) not seeking an extension to explore alternate financing options 3) why do reval now while still recovering from Sandy, etc. The Solicitor repeated prior explanations including 1) City is moving forward with reval based on Assessor's recommendation from 2014, 2) the inequality of assessments being the effect of 5 yrs of 1000+ tax appeals, not SuperStorm Sandy, 3) there are no grants or financing options other than this emergency funding.

MARC SILVER suggested the Commission ask for a deferment and look at alternatives to a total City reval such as segregating Ventnor Heights or revalue every year as a "rolling amount" every 5 years and suggested the City should have gotten a Notice from the County last year saying the coefficients were wrong. He concluded by saying education of the public is needed, you must have fair taxation.

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

REPORT OF BID OPENING –2015 ROAD PROGRAM

Bid Opening: September 9, 2015 @ 11:00 AM

- | | | |
|----|---|----------------|
| 1. | L. Feriozzi Concrete Co
Atlantic City, NJ
Bid Bond Attached | \$1,189,353.50 |
| 2. | Perna Finnigan, Inc
Vineland, NJ
Bid Bond Attached | \$1,477,145.00 |

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

REPORT OF BID OPENING – FIRE HOUSE CONCRETE FLOOR REPAIR

Bid Opening: September 9, 2015 @ 11:00 AM

- | | | |
|----|---|-------------|
| 1. | Cement Works Plus, LLC
Ventnor, NJ 08405
\$7,800.00 Bank Check Attached | \$78,030.00 |
|----|---|-------------|

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

REPORT OF BID OPENING – GENERAL REPAIRS & CONSTRUCTION OF UTILITIES

Bid Opening: September 9, 2015 @ 11:00 AM

- | | | |
|----|--|-------------|
| 1. | Arthur Henry, Inc
Egg Harbor Twp., NJ 08234
Bid Bond Attached | \$13,166.00 |
| 2. | West Bay Construction, Inc
Absecon, NJ 08201
Bid Bond Attached | \$19,840.00 |
| 3. | Perna Finnigan, Inc
Vineland, NJ 08361
Bid Bond Attached | \$22,776.00 |

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

Mayor Bagnell moved, seconded by Cmr Sarno the Bid Opening Report be received and filed according to law.

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

FINAL READING AND ADOPTION OF ORDINANCE 2015-21

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

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-21 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 104 thru 127 of 2015 with the exception of Nos. 116 & 117 (tabled) by consent agenda.

CMR KELLY asked for clarification on the following: 1) R110 asked for explanation of the wording of pledge “reevaluate our parking” and how it would affect parking in the summer on her street. Police Capt Biagi explained the sustainable land use study attempts to find ways to optimize amount of parking spaces we have with least amount of inconvenience to residents. Research on signage, review of ordinances, etc. It is a pledge” to be green”. 2) R122 asked if a yes vote would be a vote for bicycling on Atlantic Av. The Capt and Solicitor answered “no”.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 104 thru 127 of 2015 with the exception of Nos. 116 & 117 be adopted by consent.

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

RESOLUTION NO. 104 OF 2015 – AUTHORIZE PARTICIPATION IN ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

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.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 104 of 2015 be adopted.

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

RESOLUTION NO. 105 OF 2015 – AUTHORIZE EMERGENCY REPAIR TO POLICE PATROL ACCESS DOOR

WHEREAS, the steel frame on the door leading to Police Patrol was damaged preventing the door from operating properly; and

WHEREAS, such situation would cause a problem of public safety.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Huber Locksmith of Absecon, NJ is herein and hereby authorized to perform the emergency repair on the Police Patrol access door.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$248.95.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 105 of 2015 be adopted.

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

RESOLUTION NO. 106 OF 2015 – AUTHORIZE EMERGENCY K-9 DENTAL SURGERY

WHEREAS, Police K-9 officer Axel required emergency dental surgery; and

WHEREAS, the K-9 medical insurance does not cover this surgery.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Red Bank Veterinarian Hospital is herein and hereby authorized to perform the emergency dental surgery.

BE IT FURTHER RESOLVED that said emergency surgery shall not exceed \$2,240.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 106 of 2015 be adopted.

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

RESOLUTION NO. 107 OF 2015 – AUTHORIZE PLANS & SPECS, WELL #4 BUILDING RECONSTRUCTION

WHEREAS, the City of Ventnor City has a need for the reconstruction of the building at Well #4.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and to publicly bid the project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 107 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 108 OF 2015 – AUTHORIZE PLANS & SPECS, CITY HALL TERRAZZO FLOOR REPAIRS

WHEREAS, the City of Ventnor City has a need for repairs to the terrazzo floors in City Hall.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and to publicly bid the project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 108 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 109 OF 2015 - AUTHORIZE PLANS & SPECS, NEWPORT & SUFFOLK AV RECONSTRUCTION

WHEREAS, the City of Ventnor City has received \$190,000 through the NJDOT FY 2014 Municipal Aid Program for the Reconstruction of Newport and Suffolk Avenues.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and to publicly bid the project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 109 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 110 OF 2015 – SUSTAINABLE LAND USE PLEDGE

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, the City of Ventnor resolves to take the following steps with regard to our municipal land-use decisions with the intent of making the City of Ventnor a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

September 17, 2015

BE IT FURTHER RESOLVED That copies of this resolution be distributed to the Planning Board, Zoning Board and Green Team.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 110 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 111 OF 2015 – AWARD CONTRACT FOR 2015 ROAD PROGRAM

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, September 9, 2015 at 11:00 AM in her Office two (2) Bid Proposals for the 2015 Road Program in the City of Ventnor City; and

WHEREAS, the bids have been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for the 2015 Road Program to Feriozzi Concrete Co, Atlantic City, NJ for the Bid Amount of \$1,189,353.50.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 111 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 112 OF 2015 – REJECT BID FOR FIRE HOUSE CONCRETE FLOOR REPAIR & AUTHORIZE PROJECT REBID

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on September 9, 2015 at 11:00 AM, did receive one (1) bid for “REPAIR OF FIRE HOUSE CONCRETE FLOOR REPAIR”; and

WHEREAS, the bid was reviewed and found to be deficient.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter rejects the bid submitted for the REPAIR OF FIRE HOUSE CONCRETE FLOOR REPAIR.

BE IT FURTHER RESOLVED that the City Engineer is herein and hereby authorized to prepare new specifications and rebid this project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 112 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 113 OF 2015 – AWARD CONTRACT FOR LAND SURVEYING SERVICES, GREEN ACRES COMPENSATION & DIVERSION

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on September 10, 2015, at 11:00 AM, RFP’s for “LAND SURVEYOR TO PERFORM NJDEP COMPENSATION & DIVERSION GREEN ACRES SURVEYS”; 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 Land Surveyor to Perform NJDEP Compensation & Diversion Green Acres Surveys to Remington, Vernick & Walberg Engineers in the amount not to exceed the total Grant amount of \$19,000.

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 113 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 114 OF 2015 – AWARD CONTRACT FOR GENERAL REPAIRS & CONSTRUCTION OF UTILITIES

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, September 9, 2015 at 11:00 AM in her Office three (3) Bid Proposals for General Repairs and Construction of Utilities in the City of Ventnor City; and

WHEREAS, the bids have been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for General Repairs and Construction of Utilities to Arthur W. Henry, Inc, Egg Harbor Twp, NJ for the Bid Amount of \$13,166.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 114 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 115 OF 2015 – AWARD CONTRACT FOR SURVEY SERVICES NEW TIDELAND LICENSES (BULKHEADS)

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on September 10, 2015, at 11:00 AM, RFP’s for “LAND SURVEYOR TO PERFORM TIDELAND LICENSE & GRANT SURVEYOR REQUIREMENTS FOR BULKHEAD INTALLATIONS”; 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 the above noted project to Remington, Vernick & Walberg Engineers in the amount not to exceed the total Grant amount of \$11,250.

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 115 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 116 OF 2015 – AUTHORIZE MUTUAL AID & ASSISTANCE AGREEMENT WITH ATLANTIC CITY (TABLED)

RESOLUTION NO. 117 OF 2015 – AUTHORIZE MUTUAL AID & ASSISTANCE AGREEMENT WITH MARGATE & LONGPORT (TABLED)

RESOLUTION NO. 118 OF 2015 – AUTHORIZE EMERGENCY NO PARKING DURING STREET CONSTRUCTION PROJECTS

WHEREAS, South Jersey Gas Company will be performing upgrades to the gas mains in various roadways within the City of Ventnor which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

WHEREAS, the Ventnor City Governing Body has awarded Contracts for various roadway improvements which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

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

WHEREAS, in accordance with N.J.S.A. 39:4-197.3, a Municipality has the right to permit special traffic regulations when circumstances of this type dictate its necessity.

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

AND BE IT FURTHER RESOLVED that prohibition of parking shall expire upon completion of the aforesaid project or three (3) months from this date of adoption, whichever is the sooner.

NO PARKING - BOTH SIDES			
Roadway	From	To	
Atlantic	Jackson	Frankfort	
Atlantic Ave	Weymouth	Princeton	
Atlantic Ave	New Haven	Martindale	
Monmouth	Dorset	Derby	
Ocean Ave	Portland	Cambridge	
Amherst	Atlantic	Boardwalk	
Austin	Atlantic	Boardwalk	
Avolyn	Ventnor	Boardwalk	
Baltimore	Atlantic	Boardwalk	
Baton Rouge	Atlantic	Boardwalk	
Buffalo	Ventnor	Boardwalk	
Calvert	Dorset	Surrey	
Cambridge	Ventnor	Boardwalk	
Derby	Fremont	Fulton	
Dorset	Ventnor	Boardwalk	
Frankfort	Ventnor	Atlantic	
Fulton	East Canal	West Canal	
Harvard	Ventnor	Boardwalk	
Hillside	Ventnor	Atlantic	
Jackson	Ventnor	Boardwalk	
Lafayette Ave	Atlantic	Boardwalk	
Marion	Atlantic	Boardwalk	
Melbourne A.	Atlantic	Boardwalk	
Nashville	Atlantic	Boardwalk	
New Haven	Ventnor	Boardwalk	
Newark	Ventnor	Boardwalk	
Newport	Atlantic	Boardwalk	
Oakland	Atlantic	Boardwalk	
Pittsburgh A.	Atlantic	Boardwalk	
Portland	Ventnor	Boardwalk	
Richards	Ventnor	Boardwalk	
Rosborough A.	Ventnor	Boardwalk	
Sacramento	Ventnor	Boardwalk	

Somerset	Atlantic	Boardwalk
Somerset	Balfour	Calvert
Suffolk	Atlantic	Boardwalk
Surrey	Ventnor	Boardwalk
Swarthmore A.	Ventnor	Boardwalk
Troy	Atlantic	Boardwalk
Washington Ave	Ventnor	Boardwalk
Weymouth	Atlantic	Winchester
Wissahickon	Ventnor	Boardwalk
Nashville & Winchester	100' from intersection	
Newark & Winchester	100' from intersection	
Wyoming & Winchester	100' from intersection	
Balfour	100' from 7001 to 7009 Balfour	
Ventnor Gardens Plaza	100' from North end	
Derby	Street end off Winchester	
Sacramento	Street end off Monmouth	
Little Rock	Street end off Winchester	

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 118 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 119 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT

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

WHEREAS, application for such tax exemption has been filed by Stacey and Robert Zuckerman for the newly constructed residential dwelling known as Block 10, Lot 1.20; and

WHEREAS, application for such tax exemption has been filed by Dudley Street Trust for the newly constructed residential dwelling known as Block 17, Lot 6.022; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Stacey& Robert Zuckerman	10/1.20	118 S Weymouth
Dudley Street Trust	17/6.022	102B S Dudley

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 119 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 120 OF 2015 – AUTHORIZE CHANGE ORDER, PW WASH DOWN STATION

WHEREAS, the City of Ventnor City did award a contract for “Public Works Wash Down Station” and did enter into a contract with Perna Finnigan, Inc in the amount of \$67,415.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Public Works Wash Down Station” be amended to \$62,562.06 for a net adjustment of \$4,852.91.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 120 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 121 OF 2015 – AUTHORIZE GRANT APPLICATION, NJDOT SAFE STREETS TO TRANSIT PROGRAM

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Safe Streets to Transit Program; and

WHEREAS, this Program is available to all municipalities 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

NOW, THEREFORE, BE IT RESOLVED that the City of Ventnor formally supports a grant application SST-2016 – Ventnor City-00003 for the Safe Streets to Transit Program.

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 121 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

September 17, 2015

RESOLUTION NO. 122 OF 2015 – AUTHORIZE GRANT APPLICATION, NJDOT FOR BIKEWAY GRANT PROGRAM

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Bikeway Grant Program; and

WHEREAS, a primary objective of the NJDOT Bikeway Grant Program is to create 1,000 miles of dedicated bike paths; and

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

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Ventnor formally approves a NJDOT grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Bike-2016-Ventnor City-00004 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 122 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 123 OF 2015 - AUTHORIZE GRANT APPLICATION, NJDOT MUNICIPAL AID PROGRAM

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Municipal Aid Grant Program; and

WHEREAS, this program is available to all municipalities 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

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 an electronic grant application identified as MA-2016-Ventnor-00039 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 123 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 124 OF 2015 – AUTHORIZE PARTICIPATION IN GSA CO-OP PURCHASING PROGRAM

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 US General Services Administration (GSA), 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 September 17, 2015 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 Sarno Resolution No 124 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 125 OF 2015 – AUTHORIZE PARTICIPATION IN HAMILTON TOWNSHIP MUA CO-OP PURCHASING PROGRAM

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 Hamilton Township MUA, 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 September 17, 2015 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 City Administrator 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 Sarno Resolution No 125 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 126 OF 2015 – AUTHORIZE CHANGE ORDER, CH CEILING REPAIR

WHEREAS, the City of Ventnor City did award a contract for "Second Floor Ceiling Repairs Various Rooms in City Hall" and did enter into a contract with Coastal Land Contractors, Inc in the amount of \$69,869.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Second Floor Ceiling Repairs Various Rooms in City Hal" be amended to \$67,470.00 for a net adjustment of \$369.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 126 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 127 OF 2015 – AUTHORIZE PLANS & SPECS, UPDATES TO FH FIRE SUPPRESSION SYSTEM

WHEREAS, the City of Ventnor City has a need to upgrade the Fire Suppression System at the main Fire House.

NOW, THEREFORE, IT BE RESOLVED that the Mayor and Commissioners of the City of Ventnor City authorize the Municipal Engineer to prepare bid documents and to publicly bid the project.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 127 of 2015 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 \$4,629,343.71 and payrolls from 8-22-15 to 9-4-15 in the amount of \$620,387.70, from 9-5-15 to 9-18-15 in the amount of \$554,702.75 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 referred to the following JIF Safety Committee Report:

- A) JIF Safety Committee report for September 2015: The Safety Committee met on September 1st. All departments were represented along with Lew Carey from J H Montgomery. There was one workers comp claim on the August open claims report, a lacerated shin from a jet ski. September training sessions include: police survival training, DPW round table and crossing guard training (completed). The annual JIF retreat will take place October 28 & 29 at the Flanders in Ocean City. Police stated that fitness reviews are being performed for officers out 6 months or more. The wellness fair (open to employees of Ventnor, Margate & Longport) is being scheduled. For safety purposes, possible changes to Atlantic Av were discussed. An auction of city equipment to be held in the fall.

PUBLIC PORTION

KEITH CRAIG, 701 N Surrey spoke of the problems of noise and vibrations he is encountering after the water main break at Wellington and Surrey this summer. Engineer Sabatini assured Mr Craig that part of the contract awarded earlier this evening included manhole replacement at that site.

ANTHONY MORGANO, 402 N Surrey, referring to the Mayor's comments at a previous meeting, asked if the minutes of the Coastal Coalition meetings were available. The Mayor reported that no minutes are taken since these are information sharing sessions among professionals (engineers and code enforcement official, etc) from various municipalities of Atlantic and Cape May Co. Mr Morgano asked for an update on the Shelter Island issue. The Mayor responded there were no updates at this time.

MARC SILVER, 112 S Surrey asked the Commission to consider blinking the traffic lights on Atlantic Av (at Fredericksburg, Melbourne & Wissahickon if not all) during the off-season months as is done in Margate and Longport. Capt Biagi explained the illegality of keeping the lights on blinking and the public safety issues of pedestrians crossing Atlantic Av to go to the boardwalk.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:19PM 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: Potential Litigation - 5105 Winchester Ave, Potential Litigation - Professional Services Contract Dispute / Professional Benefit Consultants, Inc., Possible Litigation - 5008 Ventnor/Van Oaks, Personnel Issue, Possible Appeal of Order for Revaluation and Timber Glen v Township Of Hamilton. The Solicitor added that action will be taken when the Commission returns to open session.*

8:20PM EXECUTIVE SESSION CONCLUDED

SOLICITOR WEINTROB reported there are a couple items requiring Commission vote based on discussions during executive session.

1) Commission will vote to request an advisory opinion based on a personnel matter.

Mayor Bagnell moved, seconded by Cmr Kelly the Solicitor request the advisory opinion.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

2. 5008 Ventnor Av is a property sold by the City to an individual who has stopped paying on the sale. Commission will vote to allow Solicitor to litigate this matter by 1) filing a foreclosure and 2) filing a breach of contract claim to try to recoup \$59,000 owed.

Mayor Bagnell moved, seconded by Cmr Kelly to have the Solicitor litigate this matter.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

3. There is an ongoing dispute related to the contract for City's health benefits professional. Commission must make a determination as to whether they will continue his contract at \$15,000 or increase it to \$25,000.

Cmr Kelly moved to have Mr Flynn paid the \$15,000 that was budgeted. The motion was not seconded.

Mayor Bagnell moved, seconded by Cmr Sarno, Mr Flynn be paid \$25,000 given the fact that it appears he is doing more than what was expected.
Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell
No: Commissioner Kelly

The Solicitor noted a Resolution will be place on the next meeting agenda and she will prepare an amended contract to be signed after the Resolution is voted upon at the next meeting.

4. The litigation between Timber Glen v Township of Hamilton about licensing fees and Ordinances was discussed. Appellate division determined licensing fees for year round residence was illegal and struck down that portion of the Ordinance. Ventnor will amend their ordinance at the next meeting to reflect rental fees only for seasonal rentals of 175 days or less. No motion needed.

5. Also discussed was the possible appeal and/or filing complaint against County for the Order for Reval. Commission has been given 3 options based on legal analysis: 1) file complaint against the County 2) moved forward with Reval as is 3) seek 1 year extension subject to motion of Commission to resolve this matter.

Mayor Bagnell moved, seconded by Cmr Sarno the City move forward with the Reval since it has been delayed for several years and there are a large number of citizens paying much more than they should in taxes for at least 4 years while others are not paying as much as they should be paying. Time is right to do it and get it over with.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

6. There is potential for litigation on a property dealing with an underground pipe and whether or not there is an easement. Based on discussions with Engineer Sabatini, land owner's attorney and Solicitor's office there is a potential resolution of this matter i.e. land owner will move City's pipe, put his own pipe in, demolish old pipe to allow City access and provide easement on property. Solicitor is asking for permission to move forward on this matter.

Mayor Bagnell moved, seconded by Cmr Sarno to give Solicitor permission to move forward with this matter.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

September 17, 2015

FINAL READING AND ADOPTION OF ORDINANCE 2015-22

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(b) TO FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-22 be adopted
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

8:29PM MEETING ADJOURNED

There being no further business to conduct and no one further wishing to speak, Mayor Bagnell 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 October 15, 2015 at 6:09 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 read the Hazard Mitigation Statement.

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

GEORGEANN ROSS, 123 N Swarthmore asked for an explanation of "chlorine contact time". Engineer Sabatini explained presently the amount of chlorine contact time before the water is distributed into the water system is not sufficient as required by the NJDEP. This piping will insure better control that enough chlorine is automatically added to the water before it is distributed into the water system.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

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

MOTION TO APPROVE MINUTES

Mayor Bagnell moved, seconded by Cmr Sarno the Minutes of the 9-17-15 Regular Meeting be approved as written (oral reading waived).

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

REPORT OF BID OPENING – PIPE INSTALLATION FOR CHLORINE CONTACT TIME

Date of Bid Opening: September 18, 2015 @ 11:00 AM

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

- | | |
|--|--------------|
| 1. South State Inc
Bridgeton, NJ
Bid Bond Attached | \$427,300.00 |
| 2. West Bay Construction
Absecon, NJ
Bid Bond Attached | \$468,500.00 |

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

REPORT OF BID OPENING – FIRE HOUSE CONCRETE FLOOR REPAIR

Bid Opening: October 8, 2015 @ 11:00 AM

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

- | | |
|---|--------------|
| 1. West Bay Construction, Inc
Absecon, NJ 08201
Bid Bond Attached | \$149,400.00 |
|---|--------------|

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

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 2015-23

BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMENT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 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 \$250,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-23 be introduced.

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

INTRODUCTION OF ORDINANCE 2015-24

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR SEWER/UTILITY IMPROVEMENTS AND REAPPROPRIATING SUCH FUNDED AND UNFUNDED APPROPRIATION BALANCES FOR OTHER SEWER/UTILITY PROJECTS

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-24 be introduced.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-25

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR BULKHEAD RECONSTRUCTION AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR RECONSTRUCTION AND RESTORATION OF VARIOUS GUTTERS, RAMPS AND ROADS

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-25 be introduced.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

INTRODUCTION OF ORDINANCE 2015-26

AN ORDINANCE AMENDING CHAPTER 102-118.4 LANDSCAPING REQUIREMENTS IN THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-26 be introduced.
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 128 thru 151 of 2015 by consent agenda.

CMR KELLY stated she could not agree with Resolution No. 131 of 2015 and asked it to be removed from Consent Agenda

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 128 thru 151 of 2015 with the exception of No. 131 be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 128 OF 2015 – AUTHORIZE TAX OVERPAMENT REFUND

WHEREAS, the 2015 tax on Block 40, Lot 8 known as 102 S Melbourne Ave, Ventnor, NJ and assessed to Bruce & Joye Lesser was overpaid in the amount of \$5,057.43 due to the homeowner and the mortgage company paying and;

WHEREAS, Mr. & Mrs. Lesser have requested a refund sent to them at 227 South 6th Street, Unit 3NE, Philadelphia, PA 19106; and

WHEREAS, the 2015 tax on Block 90, Lot 9 known as 19 N Baton Rouge Ave, Ventnor, NJ and assessed to Dharmesh & Hemaben Patel was overpaid in the amount of \$820.95 due to the homeowner and the mortgage company paying and;

WHEREAS, Mr. & Mrs. Patel have requested a refund sent to them at the above address; and

WHEREAS, the 2015 tax on Block 157, Lot 17 C0902 known as Derby & Calvert Aves #902, Ventnor, NJ and assessed to Aaron & Gale Age was overpaid in the amount of \$341.76 due to a tax appeal and;

WHEREAS, Mr. & Mrs. Agi have requested a refund sent to them at 1028 Foster Street, Philadelphia, PA 19116

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 a refund check as stated above.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 128 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 129 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT

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

WHEREAS, application for such tax exemption has been filed by Diane Liberto & Herschel Kozlov for the newly constructed residential dwelling known as Block 10, Lot 1.23; and

WHEREAS, application for such tax exemption has been filed by David Ludwig for the newly constructed residential dwelling known as Block 10, Lot 1.25; and

WHEREAS, application for such tax exemption has been filed by Seascape Villa, LLC for the newly constructed residential dwelling known as Block 25, Lot 1; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Diane Liberto & Herschel Kozlov	10/1.23	124 S Weymouth
David Ludwig	10/1.25	5206 Boardwalk
Seascape Villa, LLC	25/1	114 S Princeton

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 129 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 130 OF 2015 – AUTHORIZE 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.

<u>NAME & ADDRESS</u>	<u>DEPOSIT DATE</u>	<u>DATE USED</u>	<u>REFUND AMOUNT</u>
5300 Boardwalk Condo Assoc 5300 Boardwalk, Ventnor, NJ	6.22.15	9.19.15	\$100.00
Breakers Condo Assoc 5400 Boardwalk, Ventnor, NJ	8.12.15	9.20.15	\$100.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 130 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 131 OF 2015 – AMEND CONTRACT, PROFESSIONAL BENEFIT CONSULTANTS

WHEREAS, the City of Ventnor, 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;

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; and

WHEREAS, the City has determined that the original amount contracted for Professional Benefit Consultants, Inc. was insufficient to adequately remunerate Professional Benefit Consultants, Inc. for the work being done for the City during the contract term from March 1, 2015, through February 29, 2016.

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

- (1) The Professional Services Contract with Professional Benefits Consultants may be increased from \$15,000.00 to \$25,000.00;
- (2) All terms set out in the original contract shall remain in full force and effect;
- (3) The Mayor and the City Clerk are hereby authorized and directed to execute, on behalf of the City, an addendum to the Professional Services Contract with Professional Benefit Consultants, Inc.;
- (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 advertisement of the City;
- (5) All resolutions, or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent any such inconsistency; and
- (6) This resolution shall take effect immediately upon adoption.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 131 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

No: Commissioner Kelly stating when she met with the gentleman he agreed to \$15,000 and it is irresponsible for us to vote yes when the budget is as tight as it is.

RESOLUTION NO. 132 OF 2015 – CHP 159, SANDY DISASTER RELIEF 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

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item of revenue in the budget of the year 2015 in the sum \$501,000.00, 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:
Sandy Disaster Relief Grant

BE IT FURTHER RESOLVED that a like sum of \$501,000.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
Sandy Disaster Relief 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 132 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 133 OF 2015 – CHP 159, ATLANTIC CO DWI

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 2015 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:
Atlantic County DWI

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:
Atlantic County DWI

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 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 134 OF 2015 – AWARD CONTRACT FOR MEDICAL BILLING SERVICES

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on October 7, 2015, 2015, at 11:00 AM, RFP's for "MEDICAL BILLING 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 the above noted project to Universal Medical Billing, LLC in the amount equal to 4.5% of cash received.

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 134 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 135 OF 2015 – AWARD CONTRACT FOR FIRE HOUSE CONCRETE FLOOR REPAIR

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Thursday, October 8, 2015 at 11:00 AM in her Office one (1) Bid Proposal for Fire House Floor Repair in the City of Ventnor City; and

WHEREAS, the bid has been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for Fire House Floor Repair to West Bay Construction, Inc of Absecon, NJ for the Bid Amount of \$149,400.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 135 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 136 OF 2015 – AWARD CONTRACT, PIPE INSTALLATION FOR CHLORINE CONTACT TIME

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Friday, September 18, 2015 at 11:00 AM in her Office two (2) Bid Proposal for Piping for Chlorine Contact Time in the City of Ventnor City; and

WHEREAS, the bid has been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for Piping for Chlorine Contact Time to South State, Inc of Bridgeton, NJ for the Bid Amount of \$427,300.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 136 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 137 OF 2015 – AUTHORIZE EMERGENCY REPAIR, SURVEILLANCE CAMERAS

WHEREAS, the company that normally maintains the City Hall and Police department surveillance camera was unavailable when certain surveillance cameras became non-functional creating a potentially unsafe situation; and

WHEREAS, the Ventnor City Police Department contacted Comtec Communications to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Comtec Communications is herein and hereby authorized to perform the emergency repair of the surveillance cameras.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$1,520.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 137 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 138 OF 2015 – AUTHORIZE EMERGENCY TRAFFIC SIGNAL REPAIR, BUFFALO/ATLANTIC

WHEREAS, on July 10, 2015 the traffic signal at Buffalo and Atlantic Avenues became non-functional and required immediate repair; and

WHEREAS, Delta Line Construction, Inc was contacted to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Delta Line Construction, Inc is herein and hereby authorized to perform the emergency repairs to the traffic signal at Buffalo and Atlantic Avenues.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$1,692.68.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 138 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 139 OF 2015 – AUTHORIZE EMERGENCY REPAIR FIRE HOUSE #2 AUTOMATIC DOORS

WHEREAS, the apparatus bay overhead doors at Fire House #2 need safety sensors to be OSHA compliant and eliminate the potential for injury; and

WHEREAS, Elmer Door Co., Inc was contacted to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Elmer Door Co., Inc is herein and hereby authorized to perform the emergency repairs to the apparatus bay overhead doors at Fire House #2.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$2,800.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 139 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 140 OF 2015 – AUTHORIZE CHANGE ORDER, CONCRETE & FLOOR LEVELING REPAIRS, VARIOUS ROOMS IN CITY HALL

WHEREAS, the City of Ventnor City did award a contract for “Concrete & Floor Leveling Repairs, Various Rooms in City Hall” and did enter into a contract with Coastal Land Contractors, Inc in the amount of \$190,938.84; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Concrete & Floor Leveling Repairs, Various Rooms in City Hall” be amended to \$197,905.65 for a net adjustment of \$3,258.19.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 140 of 2015 be adopted.

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

RESOLUTION NO. 141 OF 2015 – AUTHORIZE CHANGE ORDER, CITY HALL ASBESTOS & MASTIC REMEDIATION

WHEREAS, the City of Ventnor City did award a contract for “City Hall Asbestos & Mastic Remediation” and did enter into a contract with Mid Atlantic Abatement in the amount of \$200,400.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “City Hall Asbestos & Mastic Remediation” be amended to \$207,389.00 for a net adjustment of \$6,989.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 141 of 2015 be adopted.

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

RESOLUTION NO. 142 OF 2015 – AMEND INTERLOCAL AGREEMENT WITH ACUA, ATLANTIC COUNTY & MARGATE FOR VENTNOR GARDENS PUMP STATION

WHEREAS, On January 16, 2014 the City of Ventnor City in cooperation with the County of Atlantic, the City of Margate City and the Atlantic County Utilities Authority entered 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, the work contemplated in the Interlocal Services Agreement is ongoing and the Agreement expired on June 30, 2015;

WHEREAS, the parties to the Interlocal Services Agreement wish to extend the term of the Agreement for a period of eighteen (18) months from June 30, 2015 to December 31, 2016 with four (4) additional six (6) month automatic extensions to the Agreement in order to accommodate completion of the work, disbursement of funds and oversight of the contractor’s maintenance guarantee and;

WHEREAS, all other terms of the Interlocal Services Agreement remain in full force and effect;

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 Amendment to Interlocal Services Agreement.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 142 of 2015 be adopted.

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

RESOLUTION NO. 143 OF 2015 – AUTHORIZE BOND ANTICIPATION NOTES

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL EMERGENCY NOTES OF THE CITY OF VENTNOR CITY IN THE PRINCIPAL AMOUNT OF UP TO \$500,000; MAKING CERTAIN COVENANTS TO EFFECT AND MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

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 2014, Series A, in the principal amount of \$1,000,000 to finance the cost of the Project (“Prior Notes”); and

WHEREAS, the Prior Notes mature on December 10, 2015; and

October 15, 2015

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 \$500,000, as further described in Exhibit "A", the proceeds of which, together with other available funds of the City in the amount of \$500,000, 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 THE 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 2015, Series A" ("Notes"), in an aggregate principal amount of up to \$500,000 is hereby authorized, approved, ratified and confirmed.

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 it reasonably anticipates that the amount of tax-exempt obligations to be issued by the City during the period from January 1, 2015 to December 31, 2015, 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.

For purposes of this Section 12, 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 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.

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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 15th day of October, 2015.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 143 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 144 OF 2015 – AUTHORIZE ON LINE AUCTION OF SURPLUS ITEMS

WHEREAS, the City of Ventnor City is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Board of Commissioners is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Ventnor City Police Department.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:
2001 Ford Econoline E-450 Super Duty Bus (VIN 1FDXE45FX1HA58412)
2003 Ford Explorer (VIN 1FM DU73K63ZA76278)
2003 Ford Explorer (VIN 1FMZU72KX3UA32207)
1988 Lifeguard boat- fair condition - needs fiberglass work on the keel.
1989 Lifeguard boat - poor condition - needs gunwales, thole blocks and pins.
2003 Lifeguard boat - fair condition - needs thole blocks and pins
Various beach badges

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The City reserves the right to accept or reject any bid submitted.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 144 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 145 OF 2015 – AUTHORIZE SOLICITOR TO LITIGATE 5008 VENTNOR AV FORECLOSURE & BREACH OF CONTRACT

WHEREAS, on April 3, 2009 by way of Mortgage Note and Ordinance No. 2009-03, the City of Ventnor sold Block 50, Lot 14 also known as 5008 Ventnor Avenue, Ventnor City to Van Oaks, LLC for a purchase price of \$205,000, with a mortgage note which sets forth the payment terms and that payment in full was due no later than March 15, 2010;

WHEREAS, in March 2010 when payment in full was outstanding, the City of Ventnor and Van Oaks entered into an agreement modifying the payment plan which required payment in full no later than December 31, 2010;

WHEREAS, in May 2011, a deficiency remained due and owing to the City of Ventnor in the amount of \$75,000. To remedy the deficiency, the City of Ventnor and Mark Alsentzer and Van Oaks, LLC entered into a Mortgage in the amount of \$75,000 for Block 50, Lot 17;

WHEREAS, Van Oaks LLC and Mark Alsentzer and/or the legal owners of Block 50, Lot 14 and Block 50, Lot 17 are in breach of their mortgage and personal guarantee and;

WHEREAS, on September 18, 2015, during an executive session, the Ventnor City Solicitor explained the facts set forth herein along with the potential legal rights of the City of Ventnor to the Ventnor City Board of Commissioners and the Board having returned to the public session and voted to allow the solicitors office to take all legal action against the aforesaid individuals;

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 City Solicitors are hereby authorized to undertake all legal action necessary to receive the outstanding funds due and owing to the City and the Mayor is hereby authorized to execute, on behalf of the City of Ventnor City, any and all legal documents necessary to institute legal action.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 145 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

October 15, 2015

RESOLUTION NO. 146 OF 2015 – (REVISE RES 114-15) AWARD OF CONTRACT TO ARTHUR HENRY FOR GENERAL REPAIRS AND CONSTRUCTION OF UTILITIES

WHEREAS, the Municipal Clerk of the City of Ventnor City did receive in her Office on Wednesday, September 9, 2015, at 11:00 AM, three (3) bids for the “GENERAL REPAIRS AND CONSTRUCTION OF UTILITIES”; and

WHEREAS, the Municipal Engineer had reviewed same, and previously recommended an award of contract to the lowest responsible bidder. This revised Resolution is to clarify that the bid established hourly rates to be utilized for general repairs and construction work performed by the contractor in the City on an as requested basis; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for “GENERAL REPAIRS AND CONSTRUCTION OF UTILITIES” to Arthur W. Henry, Inc, Egg Harbor Township, New Jersey 08234. The total funds to be encumbered for the general repairs and construction for fiscal year 2015 is estimated at \$200,000.00.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 146 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 147 OF 2015 – AUTHORIZE ISSUANCE & SALE OF SPECIAL EMERGENCY NOTES

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF SPECIAL EMERGENCY NOTES OF THE CITY OF VENTNOR CITY IN THE PRINCIPAL AMOUNT OF UP TO \$70,000; MAKING CERTAIN COVENANTS TO EFFECT AND MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

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 ordinances authorizing special emergency appropriations for, among other things, the preparation of an approved tax map ("Project"); and

WHEREAS, the Board of Commissioners of the City of Ventnor City, County of Atlantic, New Jersey ("City"), has duly and finally adopted ordinance 2014-31 ("Ordinance"), appropriating the sum of \$150,000 to pay the costs associated with the Project; and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A.* 40A:4-55, authorizes the City to issue special emergency notes to finance the costs of the Project; and

WHEREAS, it is the desire of the City to issue its special emergency notes in the principal amount of up to \$70,000, as further described in Exhibit "A", the proceeds of which will be used to pay the costs of the Project; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Board of Commissioners to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, 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 THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO THE LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, 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 2015, Series A" ("Notes"), in an aggregate principal amount of up to \$70,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. 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 City Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes 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 5. The Notes shall be issued in bearer form in denominations of \$50,000 or greater. The Notes shall be executed in the name of the City by the manual or facsimile 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 or facsimile signature of the City Clerk.

Section 6. 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 7. 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 8. 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 9. 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 10. 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 it reasonably anticipates that the amount of tax-exempt obligations to be issued by the City during the period from January 1, 2015 to December 31, 2015, 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.

For purposes of this Section 10, 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 11. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Chief Financial Officer, 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 12. The Mayor, Chief Financial Officer and City Clerk are 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 or City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 15th day of October 2015.

Exhibit "A"

Ordinance Number	Notes Authorized	Notes Outstanding	Notes to be Issued
2014-31	\$70,000	\$0	\$70,000

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 147 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 148 OF 2015 – AUTHORIZE EMERGENCY HYDRANT REPAIR @ DERBY & VENTNOR

WHEREAS, on August 14, 2015 the fire hydrant at Derby and Ventnor Avenues was damaged and required immediate repair; and

WHEREAS, WECO Construction, Inc was contacted to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that WECO Construction, Inc is herein and hereby authorized to perform the emergency repairs to the fire hydrant at Derby and Ventnor Avenues.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$4,691.74.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 148 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 149 OF 2015 – AUTHORIZE FORMATION OF FLOODPLAIN MANAGEMENT PUBLIC INFORMATION GROUP

WHEREAS, as an active participant in FEMA’s Community Rating System (CRS) program, the City of Ventnor City has determined that it is necessary to form a Floodplain Management Public Information Group, consisting of municipal officials and community stakeholders, to assist in evaluating existing public information disseminated by the City regarding floodplain management and to develop new public information needs; and

WHEREAS, a recommendation has been made to the Board of Commissioners and duly considered.

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

1. The allegations of the preamble are incorporated herein by this reference

October 15, 2015

2. The City of Ventnor City hereby creates a Floodplain Management Public Information Group, tasked with evaluating existing public information disseminated by the City regarding floodplain management and developing new public information needs.

3. The following persons are hereby appointed to the Floodplain Management Public Information Group of the City of Ventnor City.

Dino Cavaliere, Floodplain Manager
Tom Quirk, Management Specialist
Peter Mokover, Ventnor City Resident
Shelly D'Orazio, Ventnor City Resident
Peter D'Orazio, Ventnor City Resident

4. All City Officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 149 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 150 OF 2015 – AUTHORIZE EMERGENCY TRAFFIC SIGNAL REPAIR, BUFFALO/ATLANTIC

WHEREAS, on October 6, 2015 the traffic signal at Buffalo and Atlantic Avenues became non-functional and required immediate repair; and

WHEREAS, General Highway Products, Inc was contacted to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that General Highway Products, Inc is herein and hereby authorized to perform the emergency repairs to the traffic signal at Buffalo and Atlantic Avenues.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$2,475.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 150 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 151 OF 2015 – CHP 159, MUNICIPAL ALLIANCE

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 2015 in the sum \$10,479.65, 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:
Municipal Alliance

BE IT FURTHER RESOLVED that a like sum of \$10,479.65 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
Municipal Alliance

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 151 of 2015 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 \$3,305,864.46 and payrolls from 9-19-15 to 10-2-15 in the amount of \$545,684.03, from 10-3-15 to 10-16-15 in the amount of \$519,242.31 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 referred to the following JIF Safety Committee Report:

A) JIF Safety Committee report for October 2015: The Safety Committee met on October 6th. There were 4 incidents in the accident review section: 2 auto related, no injuries, minor damage to vehicles involved. One football injury that was re-directed to the Ventnor pirates sports accident, and 1 vandalism involving graffiti. The joint wellness fair between Ventnor, Margate and Longport will be communicated to all employees and flyers posted. A review of the recent visit by the ACMJIF safety consultant at the September safety meeting was very complementary. Tom Klein advised the committee of his pending

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retirement. As safety coordinator, he chaired the committee with stellar results - the lowest 6 year average loss ratio to date. He suggested the position be filled by year's end so he has time in his remaining months of 2016 to indoctrinate his replacement in this important position.

PUBLIC PORTION

PAULA DELUCA, 110 N Derby asked if the Health Benefits Consultant was publicly bid and what is the need for this position since employees are part of the State Plan. The Mayor reported he handles problems employees have with coverage and out of pocket matches. In addition, it is better to have an independent contractor handle issues under HIPAA. The Solicitor explained this is a Professional Services contract, not publicly bid then the Mayor added 1) last year when this person was hired 3 companies were considered and 2) when he agreed to \$15,000 he did not realize additional services would be added that were not part of the initial agreement.

On the subject of a dog park, MS DELUCA informed the Commission that the citizens of Ventnor are a client of the Community Foundation of South Jersey. One of the projects is to fund a permanent dog park. Ownership of the proposed site (former golf driving range), past Green Acres funding and possible involvement of the National Park Service was discussed with the Solicitor assuring Ms DeLuca she was looking for answers to these questions and what procedures are necessary to move forward with the dog park whether it be permanent or temporary. Further discussions included sources of funding and regulations, maintenance, insurance etc of the Ocean City Dog Park as a possible example to follow.

MAX & MARLENE WALD, 324 Waldon Dr read a prepared statement outlining "unpleasant conditions" next to their home. They described, broken fencing, lights shining in windows, noise from equipment associated with antennae on top of water tower, encroachment from school expansion, staining of driveway from painting of water tower and most recently, noise and unsightliness of the generator installed at the pump station in close proximity of their bedroom window. These conditions have turned the area into an "industrial park" causing devaluation of their home. They asked the Commission to: 1) beautify the property so it looks more residential and 2) grant them a tax abatement as long as they own the property as compensation for the inconveniences, cost of repairs and substantial loss of value of their home. CMR KELLY addressed the issues raised by Dr Wald which have been corrected (fencing & lights) referring to letters of thank you she received from him. She explained the new regulations mandating generators for public facilities and the need for weekly testing. The Commissioner assured them everything is being done to accommodate them and promised to revisit the site to make sure the fencing is repaired.

GEORGEANN ROSS, 123 N Swarthmore, regarding Shelter Island asked 1) who owns it. Mayor's Response: Deed show Margate owns part of it 2) Can Margate dredge and place their sludge there. Mayor's Response: A lot must happen before they can utilize that area to rebuild the wetland that once existed there. The DEP, EPA, CAFRA, etc must give approvals. Ms Ross related how concerned citizen fought hard for Ventnor West and it could all "go down the drain" if this is not handled properly. The Mayor cautioned since Margate owns half the Island, Ventnor cannot stop them if all approvals are received.

MS ROSS asked the Solicitor for an update on the Ventnor West/Ice Rink diversion issue. The Engineer reported updated appraisals are being prepared and markers are being set. We are working as quickly as possible but he could not give a time line for approvals since it is controlled by the DEP and NPS.

MS ROSS asked Cmr Sarno if the Health Benefits Consultant was doing double the work since the increase, (\$15,000 to \$25,000) is almost double. CMR SARNO could not say if he was doing double the work but he is doing more work than he was originally doing. When asked by Ms Ross if anyone challenged the increase, the Commissioner responded "no".

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:53PM 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.

The meeting of the Ventnor City Board of Commissioners was called to order in Commission Chambers, City Hall, on November 19, 2015 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 read the Hazard Mitigation Statement.

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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

KEN ROSS, 123 N Swarthmore, referring to R.168 & R.169 asked 1) does anyone checks when contractor requests additional payments over contract price. The Mayor responded, "The engineer checks" and 2) the amounts of the change orders, are they Ventnor's share or will the amounts be divided by the 3 government entities (Ventnor, Margate & Atlantic Co). The Mayor responded "it will be split 3 ways".

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Sarno the Public Portion be closed.

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

MOTION TO APPROVE MINUTES

Cmr Sarno moved, seconded by Mayor Bagnell the Minutes of the 10.19.15 Regular Meeting be approved as written (oral reading waived).

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-23

BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR VARIOUS REPAIRS AND IMPROVEMENTS TO THE STORMWATER MANAGEMENT SYSTEM IN AND FOR THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY; APPROPRIATING THE SUM OF \$250,000 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 \$250,000 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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-24

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR SEWER/UTILITY IMPROVEMENTS AND REAPPROPRIATING SUCH FUNDED AND UNFUNDED APPROPRIATION BALANCES FOR OTHER SEWER/UTILITY PROJECTS

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-25

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR BULKHEAD RECONSTRUCTION AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR RECONSTRUCTION AND RESTORATION OF VARIOUS GUTTERS, RAMPS AND ROADS

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-26

AN ORDINANCE AMENDING CHAPTER 102-118.4 LANDSCAPING REQUIREMENTS IN THE DEVELOPMENTAL 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.

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GEORGIEANNE ROSS, 123 N Swarthmore asked if the Ordinance specifies these landscaping requirements are for new construction and raising of house. Cmr Kelly and Solicitor Weintrob assured her it was for new construction and raising of house only.

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 – NJDOT FY2014 ROAD PROGRAM

Date of Bid Opening: November 13, 2015 @ 11:00 AM

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

1. Perna Finnigan, Inc. Vineland, NJ Bid bond Attached	\$377,795.40
2. Charles Marandino, LLC Milmay, NJ Bid Bond Attached	\$396,591.00
3. Lafayette Utility Construction Co. Inc Pleasantville, NJ Bid bond Attached	\$441,949.00
4. Lexa Concrete, LLC Hammonton, NJ Bid Bond Attached	\$442,679.00
5. West Bay Construction, Inc Absecon, NJ Bid Bond Attached	\$456,400.00
6. Landberg Construction, LLC Mays Landing, NJ Bid Bond Attached	\$457,867.92
7. South State Inc. Bridgeton, NJ Bid bond Attached	\$476,244.34
8. Mathis Construction Little Egg Harbor, NJ Bid bond Attached	\$518,618.25
9. Arthur R. Henry, Inc. Egg Harbor Twp., NJ Bid bond Attached	\$540,515.00

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 2015-27

ORDINANCE AMENDING BOND ORDINANCE 2014-27 OF THE
CITY OF VENTNOR CITY, THE COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-27 be introduced.

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

INTRODUCTION OF ORDINANCE 2015-28

AN ORDINANCE AMENDING CHAPTER 143 LAND USE PROCEDURES REGARDING THE CREATION OF
A NINE-MEMBER PLANNING BOARD PURSUANT TO N.J.S.A. 40:55D-25(C) OF THE CODE OF THE CITY
OF VENTNOR, COUNTY OF ATLANTIC., STATE OF NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-28 be introduced.

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

FINAL READING & ADOPTION OF ORDINANCE 2015-23

BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR 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 \$250,000 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 \$250,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS;
AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-23 be adopted.

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

FINAL READING & ADOPTION OF ORDINANCE 2015-24

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR SEWER/UTILITY IMPROVEMENTS AND REAPPROPRIATING SUCH FUNDED AND UNFUNDED APPROPRIATION BALANCES FOR OTHER SEWER/UTILITY PROJECTS

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-24 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING & ADOPTION OF ORDINANCE 2015-25

ORDINANCE OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES HERETOFORE PROVIDED FOR BULKHEAD RECONSTRUCTION AND REAPPROPRIATING SUCH FUNDED APPROPRIATION BALANCES FOR RECONSTRUCTION AND RESTORATION OF VARIOUS GUTTERS, RAMPS AND ROADS

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2015-25 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

FINAL READING & ADOPTION OF ORDINANCE 2015-26

AN ORDINANCE AMENDING CHAPTER 102-118.4 LANDSCAPING REQUIREMENTS IN THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-26 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 152 thru 172 of 2015 by consent agenda. (Because of the introduction of Ordinance 2015-28, Resolution 173 was pulled from the agenda.)

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 152 thru 172 of 2015 be adopted by consent. Prior to Roll Call being taken, CFO Aboderin commented on R156. A copy of the Best Practices Inventory was previously distributed to each Commissioner. She summarized it contents as submitted to the DCA. The City was able to answer 43 questions "Yes" which means the City will receive its full State Aid this year. At this week's League meetings, it was reiterated that the Commission must be aware of the questions and how they are answered because it determines whether we get our full aid or not.

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

RESOLUTION NO. 152 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENTS

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

WHEREAS, application for such tax exemption has been filed by Steven Lieberman for the newly constructed residential dwelling known as Block 181, Lot 1; and

WHEREAS, application for such tax exemption has been filed by Debbi Senko-Goldman for the newly constructed residential dwelling known as Block 10, Lot 1.03; and

WHEREAS, application for such tax exemption has been filed by Anthony Bernadeo for the newly constructed residential dwelling known as Block 184, Lot 13.02; and

WHEREAS, application for such tax exemption has been filed by John & Kathleen Irons for the newly constructed residential dwelling known as Block 19, Lot 7.02; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Steven Lieberman	181/1	6901 Monmouth
Debbi Senko-Goldman	10/1.03	5216 Boardwalk
Anthony Bernadeo	184/13.02	129 N Lafayette
John & Kathleen Irons	19/7.02	106 S Derby

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 152 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 153 OF 2015 – AUTHORIZE 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
Florence Topiol 107 S Newport Ave Ventnor, NJ 08406	10.01.15	10.17.15	\$100.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 153 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 154 OF 2015 – CHP 159, COUNTY DWI

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 2015 in the sum \$275.00, 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:
Atlantic County DWI

BE IT FURTHER RESOLVED that a like sum of \$275.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
Atlantic County DWI

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 154 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 155 OF 2015 – CHP 159, BODY ARMOR

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 2015 in the sum \$3,867.77, 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

BE IT FURTHER RESOLVED that a like sum of \$3,867.77 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

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 155 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 156 OF 2015 – BEST PRACTICES INVENTORY REVIEW

WHEREAS, the NJ Fiscal year 2016 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

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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 CY2015/SFY2016 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 CY2015/SFY2016 BEST PRACTICE INVENTORY was held at the November 19, 2015 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 Kelly Resolution No 156 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 157 OF 2015 – 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.

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
James Pearlstein	107 S Pittsburgh	\$1,053.93
Frank Reuter	101 S Oxford	\$ 250.26
5311 Atlantic Ave	5309-5311 Atlantic	\$ 543.15
Harvey Mendelsohn	310 N Oxford	\$ 0.41
5001 Ventnor Ave, LLC	5001 Ventnor Ave	\$ 304.40
Stephen Samost	105 S Oxford	\$ 600.00
Cohen Design	5410 Edgewater Ave	\$ 0.00
Robert Heller	105 S Pittsburgh Ave	\$ 0.00
Gaetano Muzio	115 S Troy Ave	\$ 0.00
Jeffrey Ashin	7107 Atlantic Ave	\$ 0.00
James Muskett	1 S Buffalo	\$ 0.00
Debra Buchalski	108 S Philadelphia Ave	\$ 0.00
Seascape Villa, LLC	114 S Princeton Ave	\$ 0.00
Linda Bronson	110 S Washington Ave	\$ 21.55
Neil Cohen	7003 Atlantic Ave	\$ 0.00
Bujar Penko	4829 Atlantic Ave	\$ 0.00
Scott Barnett	107 S Sacramento Ave	\$ 0.07

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 157 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 158 OF 2015 – TRANSFER OF FUNDS

BE IT RESOLVED that the following appropriation transfers are hereby authorized

	ACCT #	FROM	TO
MAYOR'S OFFICE			
SALARIES & WAGES	20-110-010		\$70.00
TREASURER'S OFFICE			
SALARIES & WAGES	20-130-010		\$29,000.00
OTHER EXPENSES	20-130-020	\$5,000.00	
LEGAL SERVICES			
OTHER EXPENSES	20-155-020		\$105,000.00
CITY ENGINEER			
OTHER EXPENSES	20-165-020	\$25,000.00	
PLANNING BOARD			
OTHER EXPENSES	21-180-020	\$4,000.00	
ZONING BOARD			
OTHER EXPENSES	21-185-020	\$2,000.00	
CONSTRUCTION CODE			
SALARIES & WAGES	22-195-010		\$15,000.00
OTHER EXPENSES	22-195-020	\$8,000.00	
HOUSING CODE			

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SALARIES & WAGES	22-196-010	\$21,200.00	
OTHER EXPENSES	22-196-020	\$6,500.00	
PLUMBING & ELECTRIC			
SALARIES & WAGES	22-197-010		\$350.00
INSURANCES			
OTHER INSURANCE PREMIUMS	23-211-000		\$10,700.00
WORKERS COMPENSATION	23-215-000	\$34,900.00	
POLICE			
SALARIES & WAGES	25-240-011		\$40,000.00
COMMUNICATIONS			
OTHER EXPENSES	25-250-020		\$750.00
EMERGENCY MANAGEMENT			
OTHER EXPENSES	25-252-020		\$900.00
FIRE DEPARTMENT			
SALARIES & WAGES	25-255-011	\$70,000.00	
OTHER EXPENSES	25-255-020	\$25,000.00	
TRAFFIC & ELECTRIC			
SALARIES & WAGES	26-300-011		\$500.00
OTHER EXPENSES	26-300-020		\$600.00
SOLID WASTE			
SALARIES & WAGES	26-305-010		\$18,000.00
OTHER EXPENSES	26-305-020	\$40,475.00	
BUILDINGS & GROUNDS			
SALARIES & WAGES	26-310-011		\$7,000.00
RECREATION			
SALARIES & WAGES	26-370-010	\$30,000.00	
BEACH PATROL			
SALARIES & WAGES	26-380-010		\$23,600.00
ELECTRICITY	31-430-000		\$5,000.00
TERMINAL LEAVE	32-400-011	\$13,028.00	
CONSOLIDATED PFRS	36-474-000		\$83.00
MEDICARE INSURANCE	36-476-000		\$27,000.00
DEFINED CONTRIBUTION RETIREMENT PLAN	36-478-000		\$1,550.00
		<hr/>	
		\$285,103.00	\$285,103.00
		<hr/>	
WATER/SEWER UTILITY			
	ACCT #	FROM	TO
WATER/SEWER UTILITY			
SALARIES & WAGES	55-501-010		\$36,000.00
OTHER EXPENSES	55-502-020	\$9,300.00	
ACUA, SEWER TREATMENT	55-502-300	\$29,400.00	
CONTRIBUTIONS SOCIAL SECURITY	55-541-000		\$2,500.00
DEFINED CONTRIBUTION RETIREMENT	55-543-000		\$200.00
		<hr/>	
		\$38,700.00	\$38,700.00
		<hr/>	

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 158 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 159 OF 2015 – EMERGENCY REPAIR, CITY HALL HANDICAPPED DOORS

WHEREAS, the doors at the handicapped entrance to City Hall became non-functional and required immediate repair; and

WHEREAS, Jersey Architectural Door & Supply, Inc was contacted to make these emergency repairs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Jersey Architectural Door & Supply, Inc is herein and hereby authorized to perform the emergency repairs to the doors at the handicapped entrance to City Hall.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$5,345.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 159 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 160 OF 2015 – AUTHORIZE LICENSE AGREEMENT, 417 N OXFORD

WHEREAS, John and Ann Bucciero (hereinafter collectively the “Homeowners”) are the owners of 417 North Oxford Avenue at Lot 5, Block 257 (hereinafter the “Property”), in the City of Ventnor, New Jersey;

WHEREAS, the Homeowners raised their property in order to meet the required flood evaluations pursuant to Ventnor City Ordinance §126-1 et seq.;

WHEREAS, as a result of the construction, the property is constructed with an outside stairway and landing which encroaches upon approximately eight (8) inches of the City of Ventnor’s Property;

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WHEREAS, based on the opinion of the City's engineer and building official, the stairs as constructed must encroach are constructed to be in conformity with City of Ventnor's developmental regulations;

WHEREAS, the City of Ventnor is willing to enter into a Revocable License Agreement with the Homeowners to permit the encroachment upon certain terms and conditions in order to avoid any hardship, inconvenience and expense to the Homeowners;

WHEREAS, the terms and conditions are set forth more fully in the Revocable License Agreement;

WHEREAS, upon execution the Revocable License Agreement shall be filed with Atlantic County Clerk's Office;

WHEREAS, a copy of the Revocable License Agreement between the and the City of Ventnor will 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 Revocable License Agreement.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 160 of 2015 be adopted.

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

RESOLUTION NO. 161 OF 2015 – REQUEST PLANNING BD REVIEW & PROVIDE RECOMMENDATION REGARDING VC CODE 102-118.7(10), POLITICAL SIGNS

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

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 signs and specifically political signs as set forth in §102-118.7 and §102-118.7(A)(10); and

WHEREAS, the City of Ventnor acknowledges various changes in the law which requires the revision of the §102-118.7, specifically as it relates to political signs and limitations on same which requires this provision to be reviewed; and

WHEREAS, the Planning Board is requested to review the law as it relates to political signs and time limitations on same as well as the effect on the entire sign provisions of §102-118-7 et seq., consistent with the current state of the law; 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 §102-118-7 et seq, 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 Kelly Resolution No 161 of 2015 be adopted.

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

RESOLUTION NO. 162 OF 2015 – AUTHORIZE CHANGE ORDER, FH ELECTRICAL UPGRADES

WHEREAS, the City of Ventnor City did award a contract for "New Haven Ave Fire House Electrical Upgrades" and did enter into a contract with Maguire Electrical Construction, LLC in the amount of \$102,286.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "New Haven Ave Fire House Electrical Upgrades" be amended to \$99,627.95 for a net adjustment of \$2,658.05.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 162 of 2015 be adopted.

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

RESOLUTION NO. 163 OF 2015 – CHP 159, STATE HOUSING INSPECTIONS

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 2015 in the sum \$184.00, 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:
State Housing Inspections

BE IT FURTHER RESOLVED that a like sum of \$184.00 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
State Housing Inspections

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 163 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 164 OF 2015 – CHP 159, MUNICIPAL ALLIANCE

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 2015 in the sum \$699.17, 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:
Municipal Alliance

BE IT FURTHER RESOLVED that a like sum of \$699.17 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
Public and Private Programs Offset by
Revenues:
Municipal Alliance

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 164 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 165 OF 2015 – TEMPORARY NO PARKING DURING STREET PROJECTS

WHEREAS, South Jersey Gas Company will be performing upgrades to the gas mains in various roadways within the City of Ventnor which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

WHEREAS, the Ventnor City Governing Body has awarded Contracts for various roadway improvements which will require that no parking be enforced to effectuate the speedy completion of the projects and ensure the safety of the traveling public; and

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

WHEREAS, in accordance with N.J.S.A. 39:4-197.3, a Municipality has the right to permit special traffic regulations when circumstances of this type dictate its necessity.

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

AND BE IT FURTHER RESOLVED that prohibition of parking shall expire upon completion of the aforesaid project or three (3) months from this date of adoption, whichever is the sooner.

NO PARKING - BOTH SIDES

Roadway	From	To
Atlantic	Jackson	Frankfort
Atlantic Ave	Weymouth	Princeton
Atlantic Ave	New Haven	Martindale
Monmouth	Dorset	Derby
Monmouth	Cornwall	Sacramento
Ocean Ave	Portland	Cambridge
Winchester	West Canal	Harvard
Amherst	Atlantic	Boardwalk
Austin	Atlantic	Boardwalk
Avolyn	Ventnor	Boardwalk

Baltimore	Atlantic	Boardwalk
Baton Rouge	Atlantic	Boardwalk
Buffalo	Ventnor	Boardwalk
Calvert	Dorset	Surrey
Cambridge	Ventnor	Boardwalk
Cornwall	Winchester	Monmouth
Derby	Fremont	Fulton
Dorset	Ventnor	Boardwalk
Frankfort	Ventnor	Atlantic
Fulton	East Canal	West Canal
Harvard	Ventnor	Boardwalk
Hillside	Ventnor	Atlantic
Jackson	Ventnor	Boardwalk
Lafayette Ave	Atlantic	Boardwalk
Marion	Atlantic	Boardwalk
Melbourne A.	Atlantic	Boardwalk
Nashville	Atlantic	Boardwalk
New Haven	Ventnor	Boardwalk
Newark	Ventnor	Boardwalk
Newport	Atlantic	Boardwalk
Oakland	Atlantic	Boardwalk
Pittsburgh A.	Atlantic	Boardwalk
Portland	Ventnor	Boardwalk
Richards	Ventnor	Boardwalk
Rosborough A.	Ventnor	Boardwalk
Sacramento	Ventnor	Boardwalk
Somerset	Atlantic	Boardwalk
Somerset	Balfour	Calvert
Suffolk	Atlantic	Boardwalk
Surrey	Ventnor	Boardwalk
Swarthmore A.	Ventnor	Boardwalk
Troy	Atlantic	Boardwalk
Washington Ave	Ventnor	Boardwalk
Weymouth	Atlantic	Winchester
Wissahickon	Ventnor	Boardwalk
Nashville & Winchester	100' from intersection	
Newark & Winchester	100' from intersection	
Wyoming & Winchester	100' from intersection	
Balfour	100' from 7001 to 7009 Balfour	
Ventnor Gardens Plaza	100' from North end	
Derby	Street end off Winchester	
Sacramento	Street end off Monmouth	
Little Rock	Street end off Winchester	

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 165 of 2015 be adopted.
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 166 OF 2015 – CHP 159, FEMA REIMBURSEMENT

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 2015 in the sum \$451,644.66, 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 Reimbursement

BE IT FURTHER RESOLVED that a like sum of \$451,644.66 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS
 Public and Private Programs Offset by
 Revenues:
 FEMA Reimbursement

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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 166 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 167 OF 2015 – AWARD CONTRACT, NJDOT FY2014 ROAD PROGRAM

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Friday, November 13, 2015 at 11:00 AM in her Office nine (9) Bid Proposal for the NJDOT FY2014 Road Program; and

WHEREAS, the bid has been reviewed for completeness.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for the NJDOT FY 2014 Road Program to Perna Finnigan, Inc of Vineland, NJ for the Bid Amount of \$377,795.40.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 167 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 168 OF 2015 – AUTHORIZE CHANGE ORDER #1, VGP PUMP STATION

WHEREAS, the City of Ventnor City did award a contract for “Ventnor Gardens Plaza Pump Station” and did enter into a contract with Mathis Construction Co., Inc. in the amount of \$1,487,815.00.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Ventnor Gardens Plaza Pump Station” be amended to \$1,517,076.06 for a net adjustment of \$29,261.06.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 168 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 169 OF 2015 – AUTHORIZE CHANGE ORDER #2, VGP PUMP STATION

WHEREAS, the City of Ventnor City did award a contract for “Ventnor Gardens Plaza Pump Station” and did enter into a contract with Mathis Construction Co., Inc. in the amount of \$1,487,815.00.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

WHEREAS, Change Order #1 increased the total contract price to \$1,517,076.06; and

WHEREAS, Change Order #2 is necessitated by additional adjustments.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Ventnor Gardens Plaza Pump Station” be amended by Change Order #2 in the amount of \$9,908.07 to \$29,261.06.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 169 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 170 OF 2015 – AUTHORIZE CHANGE ORDER #3, HVAC UPGRADE

WHEREAS, the City of Ventnor City did award a contract for “HVAC Upgrade at City Hall” and did enter into a contract with Falasca Mechanical in the amount of \$1,971,600.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

WHEREAS, Change Order #1 and 2 increased the total contract price to \$2,081,603.62; and

WHEREAS, Change Order #2 is necessitated by additional adjustments.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “HVAC Upgrade at City Hall” be amended by Change Order #3 in the amount of \$2,534.59 to \$2,084,138.21.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 170 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 171 OF 2015 – INDEMNIFY ATLANTIC CO FOR HOLIDAY PARADE COUNTY ROAD CLOSURE

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 12, 2015 to facilitate the Holiday Parade in the City of Ventnor, which Indemnification form is annexed to this Resolution.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 171 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

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RESOLUTION NO. 172 OF 2015 – AUTHORIZE NO PARKING DURING HOLIDAY PARADE

WHEREAS, the City of Ventnor City is desirous of holding a Holiday Parade on December 12, 2015; 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 12, 2015 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 Kelly Resolution No 172 of 2015 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 \$6,376,355.86 and payrolls from 10-17-15 to 10-30-15 in the amount of \$503,697.06, from 10-31-15 to 11-13-15 in the amount of \$487,147.22 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 referred to the following JIF Safety Committee Report:

A) JIF Safety Committee report for November 2015: the safety committee met on November 10th. Due to heavy rain, flooding, and an ongoing incident requiring attention, attendance was sparse. There were no incidents to review. 4 workers comp claims were opened since the last meeting. The quarterly results of September for the 6 year 2009 through 2014 date are ACMJIF 60.8%, MELJIF 20.7%, and EPL/POL 42.7% for Ventnor; these are all excellent loss ratios for this period. The wellness fair held jointly with Margate and Longport went very well, there was good attendance multiple vendors, door prizes, and demonstrations. Jif wellness director Valerie Smith used this event in her recent presentation at the ACMJIF annual retreat. There was discussion of “claims sweep” for the specific line of employment practices liability (EPL) and public official’s liability (pol) because this fully insured (outside of the JIF) program is changing carriers effective 1/1/2016 from xl insurance companies to QBE insurance group. Since this is a claims made form of liability prior to 12/31/2015 “awareness of any claim, suit, or incident that may give rise to a claim” should be reported to XL before the end of the calendar year. This is the same action that was requested when the MELJIF ended their coverage of this line and it was insured with XL about 4 years ago.

B) The Mayor announced Ventnor City has achieved Sustainable Jersey bronze certification. The award was presented at the League of Municipalities meeting earlier this week.

PUBLIC PORTION

LORRAINE SALLATA, 418 N Burghley thanked the Commissioners and all professionals who worked toward the passage of the landscaping ordinance saying it will serve very well from an esthetic point of view as well as environmentally.

LINDA KAPLAN, 12 N Wissahickon referred to an OPRA request she submitted asking what extra duties are being performed by the Benefits Consultant to warranted an additional \$10,000. The OPRA response listed services he is providing and upon further investigation, she found he received \$25,000 last year and agreed to \$15,000 this year but 2 votes gave him the extra money. Ms Kaplan then listed items residents of Ventnor wish to see happen: Meeting times returned to 7pm; more than 5 minutes to speak at meetings; more transparency and integrity; do not give City job to anyone who was voted out of office; no nepotism; new public address system; no more bonds.

GEORGIEANNE ROSS, 123 N Swarthmore asked the Solicitor for an update on the Ventnor West/Library diversion. The Solicitor reiterated steps already accomplished and said there are no new developments. She did advise Ms Ross that the State DEP has released some funds (approximately \$325,000 as stated by the CFO). Ms Ross then asked what the amount of the City’s bond balance was. The CFO approximated \$38M. The Mayor outlined emergency projects such as bulkhead repairs, crumbling sewer lines and major repairs to City Hall that are financed through bonds.

HERMENE SHAPIRO, 445 Berkshire asked the purpose of a Chp 159 resolution. The CFO explained in full.

CASSANDRA SHOBER, 210 N Newark asked about the Ordinance and Resolutions passed tonight increasing funds for the Ventnor Gardens Plaza Pump Station project. The CFO and Mayor explained the increased funding includes the pump station as well as Calvert Av and Fulton Av storm drainage projects. Additionally, Ms Shober requested an update on dredging and Shelter Island issues. The Mayor reported Ventnor never had a dredging plan and the State DEP denied Margate’s application.

LEE SIROTA, 14 N Wyoming requested the City be “sensitive” to its residents as Brigantine is doing by freezing employee salaries. Cmr Kelly explained the union contracts, which have one more year before expiration.

MARK SLIVER, 112 S Surrey asked what the City is doing about the PILOT program since it will adversely affect the entire county’s tax rate. He suggested forming a committee with representatives of other municipalities. The Mayor opined this will be a topic at the next Mayors’ Association meeting and is certain Assemblyman Brown is diligently following the issue. Mr Silver asked the Mayor to reach out the League of Municipalities and give a report at next month’s Commission Meeting.

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GEORGIEANNE ROSS commented on the topic of North Jersey casinos and cautioned that all of South Jersey, Democrats and Republicans alike must band together to fight against casinos in North Jersey casinos.

MIKE WIESEN, 326 N Dorset thanked Lorraine Sallata for her persistence in seeing to the passage of the landscape ordinance saying it will make their job of the Zoning Bd easier and aid residents applying for REM monies. He emphasized the importance of working together for the betterment of Ventnor.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:54PM 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.

The meeting of the Ventnor City Board of Commissioners was called to order in Commission Chambers, City Hall, on December 17, 2015 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 read the Hazard Mitigation Statement.

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."

PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW

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

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

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

MOTION TO APPROVE MINUTES

Mayor Bagnell moved, seconded by Cmr Sarno the Minutes of the 11.19.15 Regular Meeting be approved as written (oral reading waived).

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-27

ORDINANCE AMENDING BOND ORDINANCE 2014-27 OF THE
CITY OF VENTNOR CITY, THE COUNTY OF ATLANTIC, NEW JERSEY

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

2ND READING (PUBLIC HEARING OF ORDINANCE 2015-28

AN ORDINANCE AMENDING CHAPTER 143 LAND USE PROCEDURES REGARDING THE CREATION OF A NINE-MEMBER PLANNING BOARD PURSUANT TO N.J.S.A. 40:55D-25(C) OF THE CODE OF THE CITY OF VENTNOR, COUNTY OF ATLANTIC., STATE OF NEW JERSEY

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

LANCE LANDGRAF, 9 S Harvard asked if the ordinance provided for 4 alternate members. The Mayor responded 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

FINAL READING & ADOPTION OF ORDINANCE 2015-27

ORDINANCE AMENDING BOND ORDINANCE 2014-27 OF THE
CITY OF VENTNOR CITY, THE COUNTY OF ATLANTIC, NEW JERSEY

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2015-27 be adopted.

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

FINAL READING & ADOPTION OF ORDINANCE 2015-28

AN ORDINANCE AMENDING CHAPTER 143 LAND USE PROCEDURES REGARDING THE CREATION OF A NINE-MEMBER PLANNING BOARD PURSUANT TO N.J.S.A. 40:55D-25(C) OF THE CODE OF THE CITY OF VENTNOR, COUNTY OF ATLANTIC., STATE OF NEW JERSEY

Cmr Sarno moved, seconded by Mayor Bagnell that Ordinance 2015-28 be adopted.

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

NEW BUSINESS
CONSENT AGENDA

City Engineer Charles Sabatini read the following statement regarding Resolution No. 191-15

City of Ventnor City
Municipal Building, 6201 Atlantic Avenue
Ventnor City, New Jersey 08406
Tel. # 609-823-7900 Fax # 609-823-8032
INTEROFFICE MEMOMORANDUM

Tom Russo, Business Administrator

Date: 12-15-15

**RE: Change Order Commentary
New Haven Avenue Fire House
Concrete Floor Repairs
New Haven and Winchester Avenues
Ventnor City
Atlantic County, NJ, 08406
File #2015-V13**

After Hurricane Sandy the Fire Department noticed at the above reference site the two (2) slide poles were extremely loose and barricaded them off from use. It was also observed that the two (2) staircases from the ground floor to the second floor had twisted and settled. It was suspected that soil washout had occurred during the storm. A ground penetrating radar company was brought in to x-ray the floor and soil below the floor and a Ground Penetrating Radar Report prepared by Rhett Teller on September 25, 2014 was generated. This report indicated voids existed under the floors. These types of reports are never completely 100% accurate and are only used to estimate the location of buried substances. Utility companies use this procedure all the time to locate under ground structures however, the gas company requires test pits be dug to confirm the report's information. This project was conducted to eliminate known voids existing below the floors and to make the building safe for use and occupancy. The bid quantities were estimated from the report. No test pits were dug to confirm the accuracy of the report since it was not practical to do so in an active emergency response facility. Apparently, as often occurs, this report underestimated the extent and depth of the voids which continued under the entire ground floors making this change order necessary.

Very truly yours,

Ventnor City Municipal Engineer



Charles Sabatini, P.E., P.P., C.M.E., C.P.W.M.

CS:es Change Order Memo

Cc: Mayor Bagnell	Nicole Chevere, Accounts Payable
Comm. Kelly	Dave Smith, DPW
Comm. Sarno	Adetoro Aboderin, CFO
Janice Callaghan, City Clerk	Amy R. Weintrob, Esq., City Solicitor
Jimmie Agnesino, Code Official	John Hazlett, VCFD

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 173 thru 195 of 2015 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 173 thru 195 of 2015 be adopted by consent.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 173 OF 2015 – AUTHORIZE CHANGE ORDER, INSTALLATION OF WELL #8R
WHEREAS, the City of Ventnor City did award a contract for the "Installation of Well #8R" and did enter into a contract with Quad Construction Co in the amount of \$1,754,000.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Installation of Well #8R" be amended to \$1,695,570.33 for a net adjustment of \$58,429.67.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 173 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 174 OF 2015 – AUTHORIZE CHANGE ORDER, FULTON AV DRAINAGE
WHEREAS, the City of Ventnor City did award a contract for the "Fulton Ave Drainage Improvements" and did enter into a contract with Lexa Concrete, LLC in the amount of \$2,337,156.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Fulton Ave Drainage Improvements" be amended to \$2,419,554.78 for a net adjustment of \$82,398.78.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 174 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 175 OF 2015 – AUTHORIZE CHANGE ORDER, CALVERT AV DRAINAGE
WHEREAS, the City of Ventnor City did award a contract for the "Calvert Ave Drainage Improvements" and did enter into a contract with Lexa Concrete, LLC in the amount of \$1,471,850.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Fulton Ave Drainage Improvements" be amended to \$1,538,884.58 for a net adjustment of \$67,034.58.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 175 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 179 OF 2015 – CLOSE ZONING/PLANNING ESCROW ACCOUNT

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

WHEREAS, the following developers have paid said fees, and

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

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

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

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
Michael Cahill	318 N Derby Ave	\$867.50

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 179 of 2015 be adopted.

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

RESOLUTION NO. 180 OF 2015 – AUTHORIZE STREET OPENING MORATORIUM RELIEF (SJG)

WHEREAS, South Jersey Gas Company must perform an installation of a gas main along Fredericksburg Avenue; and

WHEREAS, Fredericksburg Avenue was recently reconstructed 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 South Jersey Gas Company for the installation of the gas main along Fredericksburg Avenue within Ventnor City.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 180 of 2015 be adopted.

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

RESOLUTION NO. 181 OF 2015 – SETTING 2016 COMMISSION MEETING/WORKSHOP SCHEDULE

Pursuant to the Open Public Meetings Act, the following is the proposed 2016 Schedule of Meetings of the Ventnor City Board of Commissioners, which schedule shall be posted and distributed according to law:

<u>2016</u>						
Thursday	Jan	14	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Jan	21	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Feb	11	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Feb	18	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Mar	10	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Mar	17	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Apr	14	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Apr	21	6:00 PM	Public Meeting	Commission Chambers	
Thursday	May	12	4:00 PM	Workshop Session	Commission Chambers	
Tuesday	May	17	12 Noon	Swearing In	Commission Chambers	
Thursday	May	19	6:00 PM	Public Meeting	Commission Chambers	
Thursday	June	09	4:00 PM	Workshop Session	Commission Chambers	
Thursday	June	16	6:00 PM	Public Meeting	Commission Chambers	
Thursday	July	14	4:00 PM	Workshop Session	Commission Chambers	
Thursday	July	21	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Aug	11	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Aug	18	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Sept	08	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Sept	15	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Oct	13	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Oct	20	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Nov	10	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Nov	17	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Dec	08	4:00 PM	Workshop Session	Commission Chambers	
Thursday	Dec	15	6:00 PM	Public Meeting	Commission Chambers	

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 181 of 2015 be adopted.

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

December 17, 2015

RESOLUTION NO. 182 OF 2015 – REAPPOINT 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 182 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 183 OF 2015 – APPOINT JIF SAFETY COORDINATOR

WHEREAS, the City of Ventnor City is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Safety Coordinator to chair the Member Safety Committee, coordinate and oversee the Member safety efforts and act as a liaison between the municipality, the JIF Safety Director and other outside agencies; and

WHEREAS, the City of Ventnor recommends the appointment of Donna Peterson to serve as Safety Coordinator in accordance with the FUND requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City does hereby appoint Donna Peterson as Municipal Safety Coordinator.

BE IT FURTHER RESOLVED that the JIF Safety Coordinator shall serve in such position at no additional compensation.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 183 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 184 OF 2015 – REAPPOINT AMY WEINTROB, SOLICITOR

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing Amy Weintrob, Esq. of Hankin, Sandman, Palladino & Weintrob, P.C. to serve as City Solicitor for a one year term beginning January 1, 2016; 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, P.C. is herein and hereby appointed Solicitor of the City of Ventnor City for a one year term effective January 1, 2016.

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 184 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 185 OF 2015 – REAPPOINT FORD, SCOTT & ASSOCIATES, LLC AS 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 2015, the preparation of the financial statement for 2015, and assistance in the preparation of the 2016 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:

December 17, 2015

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 Ford, Scott & Associates, LLC is hereby appointed auditor for the City of Ventnor City for the fiscal year 2016 and the said Ford, Scott & Associates, LLC is hereby authorized and empowered to perform all services necessary for the preparation and submission of said audit and the necessary 2015 Annual Financial Statement to accompany the 2016 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 185 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 186 OF 2015 – REAPPOINT PARKER MCCAY, BOND COUNSEL

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City"), has a need for a law firm specializing in public finance to assist it in matters relating to the issuance of bonds; and

WHEREAS, the law firm of Parker McCay P.A., Marlton, New Jersey is a nationally recognized law firm specializing in public finance and is able to assist the City in such matters; and

WHEREAS, Section 5(1)(a)(i) of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), authorizes the City to appoint Parker McCay P.A., as Bond Counsel without advertising for bids since the services to be provided are professional in nature.

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. Parker McCay P.A., Marlton, New Jersey is hereby appointed as Bond Counsel to the City.

Section 2. The Mayor is hereby authorized and directed to execute, on behalf of the City, an agreement with Parker McCay P.A., for the legal services to be rendered.

Section 3. The City Clerk is hereby authorized and directed to have a notice satisfying the requirements of Section 5(1)(a)(i) of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), published in a newspaper authorized by law to publish the legal advertisements of the City.

Section 4. All resolutions or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.

Section 5. This resolution shall take effect immediately upon adoption.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 186 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 187 OF 2015 – 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, 2016; 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 Michael Mosca, Esq. is herein and hereby appointed Prosecutor for the City of Ventnor City for a one year term effective January 1, 2016.

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 187 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 188 OF 2015 – 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, 2016; 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:

December 17, 2015

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 JERRY STEINER, ESQ. is herein and hereby appointed Public Defender for the City of Ventnor City for a one year term effective January 1, 2016.

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 188 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 189 OF 2015 – REAPPOINT HANK N. ROVILLARD GENERAL TAX COUNSEL

WHEREAS, HANK N. ROVILLARD, ESQ. is presently serving in the position of General Tax Counsel for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing HANK N. ROVILLARD, ESQ. to serve as General Tax Counsel to handle all Tax Appeals and In Rem foreclosures; 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 HANK N. ROVILLARD, ESQ. is herein and hereby appointed General Tax Counsel to handle all Tax Appeals and In Rem Foreclosures for the City of Ventnor City for a one year term effective January 1, 2016.

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 189 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 190 OF 2015 – AUTHORIZE TAX OVERPAYMENT REFUNDS

WHEREAS, the 2015 tax on Block 172, Lot 25 known as 6808 Ventnor Gardens Plaza, Ventnor, NJ and assessed to Michael McDonnell, 18 Manor Road, Paoli, PA 19301 was overpaid in the amount of \$774.42 due to a tax appeal; and

WHEREAS, Mr. McDonnell has requested a refund in the above amount sent to him; and

WHEREAS, the 2015 tax on Block 53, Lot 11 C0002 known as 11B S Weymouth Ave, Ventnor, NJ and assessed to Susan Barsky and Vladislav Gadesblatt was overpaid in the amount of \$2,868.86 due to the mortgage company paying on the wrong account; and

WHEREAS, Mortgage Service Center, 1 Mortgage Way SV05, Mount Laurel, NJ 08054 has requested a refund in the above amount sent to them; and

WHEREAS, the 2015 tax on Block 238, Lot 12 known as 300-302 Windsor Drive, Ventnor, NJ and assessed to Cyrus, Joan & Joseph Sporkin, was overpaid in the amount of \$2,250.27 due to the mortgage company and the title company paying; and

WHEREAS, Surety Title Company, LLC, Attn: Sue Peterson, 1221 West Ave #A, Ocean City, NJ 08226 has requested a refund in the above amount sent to them; and

WHEREAS, the 2015 tax on Block 25, Lot 1 known as 114 S Princeton Ave, Ventnor, NJ and assessed to Seascape Villa, LLC, 114 S Princeton Ave, Ventnor, NJ 08406 was overpaid in the amount of \$25,757.74 due to the mortgage company and the property owner paying; and

WHEREAS, Seascape Villa, LLC 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 refund checks as stated above.

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 190 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 191 OF 2015 – AUTHORIZE CHANGE ORDER, FIRE HOUSE FLOORING

WHEREAS, the City of Ventnor City did award a contract for the "Fire House Floor Repair" and did enter into a contract with West Bay Construction, Inc in the amount of \$149,400.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Fire House Floor Repair" be amended to \$206,757.47 for a net adjustment of \$57,357.47.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 191 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 192 OF 2015 – AUTHORIZE EMERGENCY CONTRACT, DEMOLITION OF 22 S NASHVILLE

WHEREAS, on October 22, 2015 the property known as 22 S Nashville Ave in the City of Ventnor City was deemed unfit to occupy; and

WHEREAS, by Court Order the City of Ventnor received permission to demolish the structure located at 22 S Nashville.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that American Contractors Service, Inc is herein and hereby authorized to perform such emergency demolition.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$36,750.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 192 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 193 OF 2015 – AUTHORIZE EXECUTION OF TAX EXEMPTION AGREEMENT

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

WHEREAS, application for such tax exemption has been filed by Maureen Patrice Went-Scurman for the newly constructed residential dwelling known as Block 311, Lot 4; and

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

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

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Maureen Patrice Went-Scurman	311/4	609 N Dorset Ave

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 193 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 194 OF 2015 – REAPPOINT ALFRED R. SCERNI, JR, ESQ, CONFLICT ATTORNEY

WHEREAS, from time to time the need arises for outside legal counsel to handle certain matters that cannot be handled by the City Solicitor due to conflicts; and

WHEREAS, by Resolution No. 82 of 2015 the City of Ventnor City, County of Atlantic, New Jersey (“City”) engaged the services of Alfred R. Scerni, Jr, Esq to act as conflict attorney for the City when such conflicts arise; and

WHEREAS, the City wishes to reappoint Alfred R. Scerni, Jr., Esq as conflict attorney for the period January 1, 2016 to December 31, 2016.

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 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) Alfred R. Scerni, Jr. Esq is hereby reappointed as Conflict Attorney 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 Alfred R. Scerni, Jr. Esq to engage in the services as conflict attorney.
- (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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 194 of 2015 be adopted.
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

RESOLUTION NO. 195 OF 2015 – REAPPOINT PHOENIX ADVISORS, LLC AS CONTINUING DISCLOSURE AGENT AND MUNICIPAL ADVISOR OF RECORD

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey (“City”) has a need to engage a Continuing Disclosure Agent and Municipal Advisor of Record relating to the issuance of municipal debt; and

WHEREAS, Phoenix Advisors, LLC is a recognized firm specializing in such services; and

WHEREAS, by Resolution No. 68, Phoenix Advisors, LLC was appointed as Continuing Disclosure Agent and Municipal Advisor of Record; and

WHEREAS, the City wishes to reappoint Phoenix Advisors, LLC as Continuing Disclosure Agent and Municipal Advisor Record for the period January 1, 2016 through December 31, 2016; and

WHEREAS, Public Law 2005, Chapter 51 authorizes the City to appoint Phoenix Advisors, LLC as Continuing Disclosure Agent and Municipal Advisor of Record without advertising for bids since the services to be provided are professional in nature.

December 17, 2015

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) Phoenix Advisors, LLC of Bordentown, New Jersey is hereby reappointed as Continuing Disclosure Agent and Municipal Advisor of Record 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 to engage the firm Phoenix Advisors, LLC for the provision of said Continuing Disclosure Agent and Municipal Advisor of Record.
- (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.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 195 of 2015 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 \$5,936,967.87 and payrolls from 11-14-15 to 11-27-15 in the amount of \$517,367.06, from 11-27-15 to 12-11-15 in the amount of \$663,889.66 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 referred to the following JIF Safety Committee Report:

The last 2015 safety committee meeting was held December 1st. 3 incident reports were reviewed: 2 damaged autos with no injuries and 1 juvenile fall during heavy rain attempting to jump over a puddle from street to sidewalk. All were reminded of managerial/supervisors training on January 5th in east vineland. Safety meetings for 2016 will be switched to the 2nd Wednesday of each month, beginning January 13th. Donna Peterson will transition to safety coordinator effective 1/1/2016. Tom Klein was thanked for his efforts and positive impact while acting as safety coordinator. Toro Aboderin was nominated for special safety recognition for her efforts in spearheading wellness component of 2015 safety program. Open claims report through November has not yet been received. Will be distributed upon receipt. Happy holidays to all - looking forward to 2016.

PUBLIC PORTION

LINDA KAPLAN, 12 N Wissahickon asked about the material dumped at the site of the old golf driving range. ENGINEER SABATINI reported it is backfill from the Fulton Ave stormwater drainage project and will be removed by next week. CMR KELLY added the contractor already started removing the debris but could not continue today because of the rain. MS KAPLAN asked for an explanation of the change order for the firehouse flooring project. ENGINEER SABATINI reiterated the statement made prior to the consent agenda motion.

JOHN SEWELL, 22 West Drive, Margate read a statement urging the Commission to pass an Ordinance banning nepotism and patronage and freezing all wages and hiring, except Public Safety. He further suggested, for ecological reasons, yellow blinking lights on Atlantic Ave. His final plea was for the repair of the front doors of City Hall. Responding to the doors' repair, Cmr Kelly assured Mr Sewell the City is in process of doing so with the Engineer interjecting specifications have been submitted to the NJ Historical Society for approval.

There being no one further wishing to be heard, Mayor Bagnell moved, seconded by Cmr Kelly the Public Portion be closed.

6:25PM 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.